

**EXAMINATION OF THE AUDITOR-GENERAL'S
PERFORMANCE AUDIT REPORTS SEPTEMBER
2013 – JULY 2014**

Organisation: Minister for Finance and Services

Date Received: 4 March 2015



The Hon. Dominic Perrottet MP
Minister for Finance and Services

The Hon Jonathan O'Dea MP
Chair, Public Accounts Committee
Legislative Assembly
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

Your Ref LAC14/372
Our Ref MC14/1372

Dear Mr O'Dea *Don*

Improving legal and safe driving among Aboriginal people

Thank you for your recent invitation to provide comment in response to the final report on the Performance Audit - Improving legal and safe driving among Aboriginal people.

There was extensive liaison between the Office of State Revenue (OSR) and the NSW Auditor General's office during the course of the audit. The recommendations pertaining to OSR are supported, subject to some limitations, which are identified below.

OSR has agreed to be part of an inter-agency working group (IAG) that has been established to identify and progress the action required by the NSW Government. The IAG will meet quarterly and is co-chaired by Transport for NSW and Department of Attorney General's and Justice.

OSR recently approached Centrelink to agree to an ongoing exchange of data to assist in the identification of vulnerable clients. OSR is keen to progress the discussion in order to assist clients common to both agencies and the initial approach to Centrelink is a crucial step in exploring the possibility of sharing information for the benefit of the individual clients and their interaction with Government.

OSR actively promotes and supports the Work and Development Order (WDO) scheme through its outreach programs and advocacy support. These activities also focus on improving ties with the Aboriginal community and building on established networks within the government and non-government sectors. Currently, OSR has more than 1,100 approved registered agencies from both sectors that avail themselves of OSR's priority service for advocates. Further opportunities to expand OSR's outreach in NSW will be explored, subject to funding constraints.

OSR has two full-time Aboriginal Client Advisory officers engaged in outreach throughout NSW. They work with the more vulnerable throughout NSW, with a focus on Aboriginal clients in remote and regional areas. The officers can assist with fines management face to face and, where outstanding fines can be managed by a payment plan, will arrange for licence and registration suspensions to be lifted. Getting a licence back for a vulnerable Aboriginal client can lead to employment, social interaction, improved self-esteem, etc. Also with fines management comes the advantage that all collection processes cease, thus relieving stress for not only those vulnerable individuals but for their families and communities as well.

These officers also have an educational role when presenting on fines management as guest speakers at Interagency Forums (Aboriginal, Youth, Local Council, Homeless, Employment and Disabilities), Management Meetings, and Conferences. The presentations focus on educating service providers on the advantages of registering on OSR's Advocacy Hotline and becoming a WDO Sponsor.

The Aboriginal Client Advisory officers have formed a good working relationship with Legal Aid and are invited to all Legal Aid outreach programs that target vulnerable Aboriginal people in remote areas of NSW. In 2014 they visited Bourke, Brewarrina, Lake Cargellico, Condobolin,

Albury, Griffith, Deniliquin and Wagga Wagga. OSR is also building a community education service that will further improve the level of awareness in Aboriginal communities. Targeted advertising is being considered as part of an existing OSR corporate project, with a specific focus on service accessibility.

OSR has a program of 'messaging for compliance and convenience'. SMS messages are sent to fine recipients who have provided their phone number and who have not paid their penalty notice by the due date, or have not paid their regular instalments on their time to pay order. OSR has entered into collaboration with Service NSW to deploy fines self-service functionality in a mobile application.

As OSR does not reliably know a person's cultural or racial background, the ability to understand the types of fines incurred by Aboriginal people and the issues they face is limited by the extent to a person's Aboriginality is volunteered in dealings with OSR. However, OSR is undertaking profiling of fines, as far as it will be able to, and plans to target communication at certain groups.

OSR's promotion and support of the WDO scheme is well established. The suite of services includes several priority hotlines, extensive electronic and paper-based educational and promotional materials and Aboriginal Client Advisory officers who conduct face-to-face training and fines clinics throughout NSW, and a web-based self-service portal for administering the scheme. OSR also provides the Department of Justice and Legal Aid NSW with fines data that is fundamental to their targeted promotional activities throughout the state. In the last two years, OSR has participated in 120 forums/visitations assisting and advising clients.

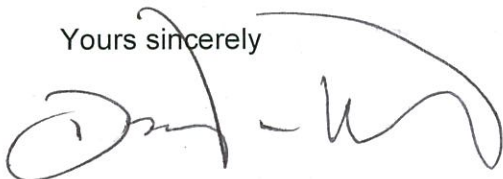
OSR already has service level agreements in place with all of the agencies for which it provides processing services. The information limitations impact on OSR's ability to further assist fine issuing agencies to assist people to avoid fines and mitigate the impact of fine enforcement. However, OSR does share the information it has with fine issuing agencies so they can tailor their programs.

To allow fines recipients more time to pay off the penalty notice, OSR also now allows part payments of penalty notices prior to enforcement action taking place. For those who make all payments on their part payment schedule, the penalty notice will not be enforced and further fees will not be added.

OSR also has a well-established program of permitting instalment payments against enforced matters, and removing the licence and registration sanctions that may have been put in place as long as the individual is able to continue payments or remain in active communication with OSR about their financial constraints. OSR manages more than 150,000 instalment payments, nearly 50% of which are with individuals on a Centrelink benefit. This demonstrates OSR's willingness and ability to work through issues with individuals and get them back on the road in order to further support their life needs.

OSR remains committed to working with clients and the many advocacy agencies which represent them, to work out solutions to managing their outstanding fines.

Yours sincerely



Dominic Perrottet MP
Minister for Finance and Services

4/3/15