

13 September 2022

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Our ref: OIA 98430

Tēnā koe Erika

Official Information Act request: Collection of fines

Thank you for your email of 16 August 2022, following up on our 11 August 2022 response to your previous request. In our previous response you were informed that the Ministry of Justice does not hold separate data on the costs of collecting WorkSafe fines where the infringement has been transferred to the courts and nor is any specific budget allocated to this work.

Under the Official Information Act 1982 (the Act), you have now asked:

- 1) *Are you saying that the DoJ does not track the category of fines it follows up on and takes to court? And that there is no reporting on which fines are followed up on according to category? Eg traffic fines, C19 breaches?*
- 2) *Does that mean you just have a big slush fund to chase fines? Kindly share this amount please as per my OIA and I will assume some of it is used to chase C19 breach fines,*

The court collects infringement fines (such as Police speeding fines or council parking fines), court-imposed fines (fines ordered as part of a sentence in a criminal case) and reparation (money ordered to be paid to victim(s) as part of a sentence in a criminal case).

When a fine or reparation is imposed the court will, in the first instance, seek payment in full or negotiate sustainable payment arrangements where possible. If required, the steps taken to collect payment of overdue amounts can include:

- clamping vehicles,
- seizing and selling property,
- making compulsory deductions from a person's income or bank account,
- issuing warrants to arrest,
- suspending drivers' licences, and
- preventing a person's international travel.

The Ministry does record and maintain reporting on the status of fines under collections. We are currently working to provide you with information held by the Ministry regarding COVID-19 offences and related fines. However, we require more time to finalise the information for release. The information will be provided to you as soon as it is ready and without undue delay.

As noted in our previous response, the Ministry does record the costs of individual aspects of the fines collection process. Therefore, I cannot provide information on the cost of specific aspects of the process for collecting fines, either generally, or for COVID-19-related fines.

In response to the second part of your request, for the 2022/23 financial year, the courts have been allocated a total of \$55.2 million to fund the collection and enforcement of fines and civil debt services. The process for collecting a COVID-19-related fine is the same as for collecting any other fine and it is carried out as part of the routine work of the courts. No separate budget has been allocated for the collection of COVID-19 offence-related fines – that work is funded from the budget of \$55.2 million. Therefore, your request for information on the budget allocated to collecting COVID-19-related fines, is being refused under section 18(e) of the Act on the grounds that the information does not exist.

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Nāku noa, nā



Tracey Baguley
Group Manager, National Service Delivery