

# **COMMONWEALTH GRANTS COMMISSION (CGC) 2010 REVIEW**

## **COMMISSION POSITION PAPER CGC 2008/11**

### **MISCELLANEOUS REVENUE**

#### **NEW SOUTH WALES TREASURY**

#### **SUPPLEMENTARY SUBMISSION**

**MARCH 2009**

New South Wales Treasury believes it may be necessary for the Commission to re-examine the value of fees and fines employed in the calculation of the Miscellaneous Revenue category assessment.

This arises from possible discrepancies in fees and fines identified in the data used by the Commission and data from the Report on Government Services (ROGS).

The focus is actual versus notional revenues generated by fines. New South Wales Treasury believes there is a significant issue in this as default rates for fines are particularly high.

New South Wales Treasury notes the Commission states that total court fees and fines for 2006-07 amounts to \$1254.1 million.<sup>1</sup> In comparison, total fees and fines for 2007-08 reported in ROGS amounted to \$562.6 million. This amount excludes the New South Wales State Debt Recovery Office, but does include most other fees and fines issues by courts and related areas, as well as justice services such as sheriff and transcription services.

If only fees and fines are included, the ROGS 2007-08 total is \$433.1 million Australia wide. This comparison suggests that the CGC may be including fines revenue that is never able to be collected by states and territories. If this is the case, this revenue should not be factored into the CGC comparison.

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<sup>1</sup> CGC Position Paper 2008/23, Justice Services, Table 3 "Comparison between civil court expenses and fees and fines, 2006-07", page 10