



Strengthening the Local Enforcement System

**Parliamentary Secretariat
Consumers, Fair Competition, Local Councils & Public Dialogue
Office of the Prime Minister**

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Agenda

- **Background**
- **General overview of the Local Enforcement System (LES)**
- **Consultation and consensus-building**
- **A strategy for strengthening the LES**

Background

- **The LES reform is anchored in the wider Local Councils reform introduced last year**
- **The reform is championed by the Parliamentary Secretary for Consumers, Fair Competition, Local Councils & Public Dialogue, OPM**
- **Project phases included:**
 - **Carrying out a high-level financial analysis of LES**
 - **Building consensus on reform through consultation**
 - **Formulating the reform strategy and seeking Cabinet approval**

General overview of the LES

- **The key principles behind the system:**
 - **Central Government delegates the power and responsibility for the enforcement of selected minor offences to Local Councils**
 - **The primary purpose of LES is to educate and make the public aware of the harm and inconveniences that infringements cause to others**
 - **Where education fails, LES provides the enforcement machinery needed to administer justice and penalise offenders**
 - **Therefore, LES shields the law-abiding citizen from those who break the law**

General overview of the LES - 2

- **Scope of local enforcement includes:**
 - **Inspection and reporting on trading licences**
 - **Transport (e.g. motor vehicle licensing)**
 - **Traffic management (e.g. on/off- street parking, parking permits, and other highway code offences)**
 - **Education (e.g. school absenteeism)**
 - **Environment (e.g. littering)**
 - **Planning (e.g. construction site management)**

General overview of the LES - 3

- **The various players involved in the system:**
 - **Department for Local Government**
 - **Local Councils**
 - **Joint Committees**
 - **Authorised Officers**
 - **Prosecutors**
 - **Commissioners for Justice, Petitions Board and Local Tribunal**
 - **Service Providers – Warden Agencies; IT Service Provider; TM**

General overview of the LES - 4

- **The key legal instruments:**
 - **Local Councils Act (CAP 363)**
 - **Private Guards and Local Wardens Act (CAP 389)**
 - **Commissioners of Justice Act (CAP 291)**
 - **Local Councils (Delegation of Enforcement Order) LN 32 of 2000** which caters for
 - **Bye-laws made by the same Local Councils**
 - **Contraventions for offences listed under the First Schedule of the same Order. These cross a number of regulatory areas which include transport, education, environment protection, and urban conservation/management**

Consultation and consensus-building

■ Stakeholders consulted

- The general public
- Joint Committee representatives
- Authorised Officers
- Local Warden Agencies
- LES IT Service Provider
- Warden Representatives

■ Process

- Presentation of internal review
- Meetings with stakeholders on LES improvements
- Analysis of written feedback received –
- Discussion on the draft LES reform

Vision and goals

- **Vision:**

More Compliance – Less Fines – Better Citizens

- **Goals:**

- Consolidate governance and sustainability
- Facilitate citizen compliance
- Give back to the local community
- Develop skilled and motivated wardens
- Leverage modern ICT platform

Consolidating governance and financial sustainability

- Objectives*
- Improve accountability and policies
 - Sustain LES financially

- Key means*
- Consolidation of structures
 - Independent audits
 - Legal amendments
 - Sustaining revenue inflows

- Key benefits*
- More cohesive policies
 - Faster decision-making processes
 - Increased economies of scale
 - Improved transparency, accountability
 - Better value-for-money

Measures to improve governance

- **Consolidate structures**
 - **Establish an LES Management Committee**
 - **Set up an advisory Stakeholders Committee**
- **Institutionalise Regional Committees** to increase economies of scale and efficiency
- **Systematic independent audits** of the performance of Regional Committees
- **Legal amendments** to include delegated offences which are not appropriately reflected in the Commissioners for Justice Act

Sustaining financial performance

- **Sustain revenue inflows**
 - **Debt collection strategy**
 - **Penalties Enforcement Registry** to ensure the collection of unpaid fines
- **Automating the issue of repeated tickets for failing to renew a car license** until such registration is renewed or the vehicle drawn from road circulation
- **Linking Car License Renewal to an individual's ID Card**
- **Addressing Vicarious Liability**
- **Explore further options to increase the scope of enforcement**, by providing services to other Government authorities

Facilitating citizen compliance

Objectives

- Citizen education
- Better customer care

Key means

- Customer care service
- Incremental penalty mechanism, warnings
- Tribunal hearings
- On-the-spot payments

Key benefits

- Safer, cleaner environment
- Better service delivery
- A better and proportionate treatment to offenders
- Changing behaviours and attitudes of would-be offenders

Measures to facilitate citizen compliance

- **Setting up of a customer care unit**
- **Improving tribunal hearings and consistency of judgements**
- **Introducing 'on-the-spot' payment**
- **Improving ticket quality**, minimising errors by introducing further checks at the point of issue
- **Incremental penalty mechanism**, whereby the fine increases on subsequent convictions of the same offence in selected scenarios by the same offender
- **Introduction of warning tickets**, to certain specific contraventions and only to first-time offenders

Giving back to the local community

Objectives ■ Redirect consequences of non-compliance back to the community where the offence occurred

Key means ■ Education Committee
■ Exploring community work in lieu of payment of fines
■ Outreach programme
■ Greater presence of wardens in risk areas and areas frequently attended by children and youths

Key benefits ■ A more equitable system
■ Better image of the LES system
■ Increased awareness of safety and cleanliness in local communities

Measures to give back to the community

■ **Setting up of an Education Committee**

- Education-related tickets shall be handled by a specific tribunal on education-related cases
- Funds collected shall be managed by Local Councils and will be used for engaging in initiatives aimed at reducing school absenteeism

■ **Exploration of performance of community work in lieu of payment of fines**

■ **Community outreach programme**, to educate the general public on ways of achieving safer, cleaner and more supportive local communities

■ **Greater presence of wardens near risk areas and other areas frequented attended by children and youths**

Developing skilled and motivated wardens

- Objectives*
- Improve service delivery
 - Motivation

- Key means*
- Training in the approach to the customer, technology use
 - Improving conditions of employment of wardens
 - Ensuring health and safety on the beat

- Key benefits*
- Better professional service and efficiency
 - Image
 - Improved overall performance

Measures to develop skilled and motivated wardens

- **Training and certification**
- **Improve image through information campaigns and day-to-day behaviour**
- **Synergies with the Malta Police Force**
- **Improve conditions of employment of wardens.** Various measures proposed vis-à-vis:
 - **Salaries, career progression, benefits and employment conditions**
 - **Employment security, health and safety**

Leveraging a modern ICT platform for delivery

- Objectives*
- Improved efficiency and resource utilisation
 - Better data quality
 - Contribute to sustain financial performance

- Key means*
- Mobile CCTV
 - PDAs with integrated cameras
 - Online services

- Key benefits*
- Better information for operations management
 - Improved customer service
 - Improved overall performance

Measures to further develop a modern ICT platform

- **Mobile CCTV** for various scenarios, e.g., near schools, high-risk areas, enforced timed parking, mobile phone driving, dumping, etc.
- **PDA's with integrated cameras** to improve the quality of 'Primi Noti' by capturing an image of the alleged offence
- **Enhanced online services**, e.g., user registration, online acceptance of summons delivery, more details on relevant contraventions, etc.
- **Accounting package**
- **Enhancements aimed at special target groups**, e.g., car hire companies, foreign nationals owning foreign-registered vehicles



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