

Grounds for withdrawal

Where the Reviewing Officer confirms that the Request is made on the basis of material facts that are supported by the evidence and not based on assumptions, opinion, vexatious statements or suspicion, enforcement action may be withdrawn where one of the following criteria are established:

- **The Subject Person demonstrates that an element of the offence was not met.**

If, upon examination of the evidence, it appears that all of the elements of the offence were not met/satisfied. Such circumstances might include where a PIN contains incorrect information, or was not issued correctly, or the issuing of the PIN was based on a mistake of fact.

- **The incorrect person has been named as the alleged offender.**

This typically occurs where the PIN is issued to the registered owner of a vehicle, or land, and that person was not in control of the vehicle, or custodian of the land at the time of the offence.

- **The Subject Person was unable to comply** with the relevant provisions of the law due to mitigating circumstances or they have a lawful defence (other grounds).

- **The presence of a lawful defence.**

For example, if committing the offence was unavoidable due to circumstances entirely outside a person's control at that time that they occurred i.e. the result of a medical emergency, accident or mechanical breakdown.

- **There are other mitigating circumstances which would not have reasonably been** known to the authorised officer at the time that the PIN was issued.

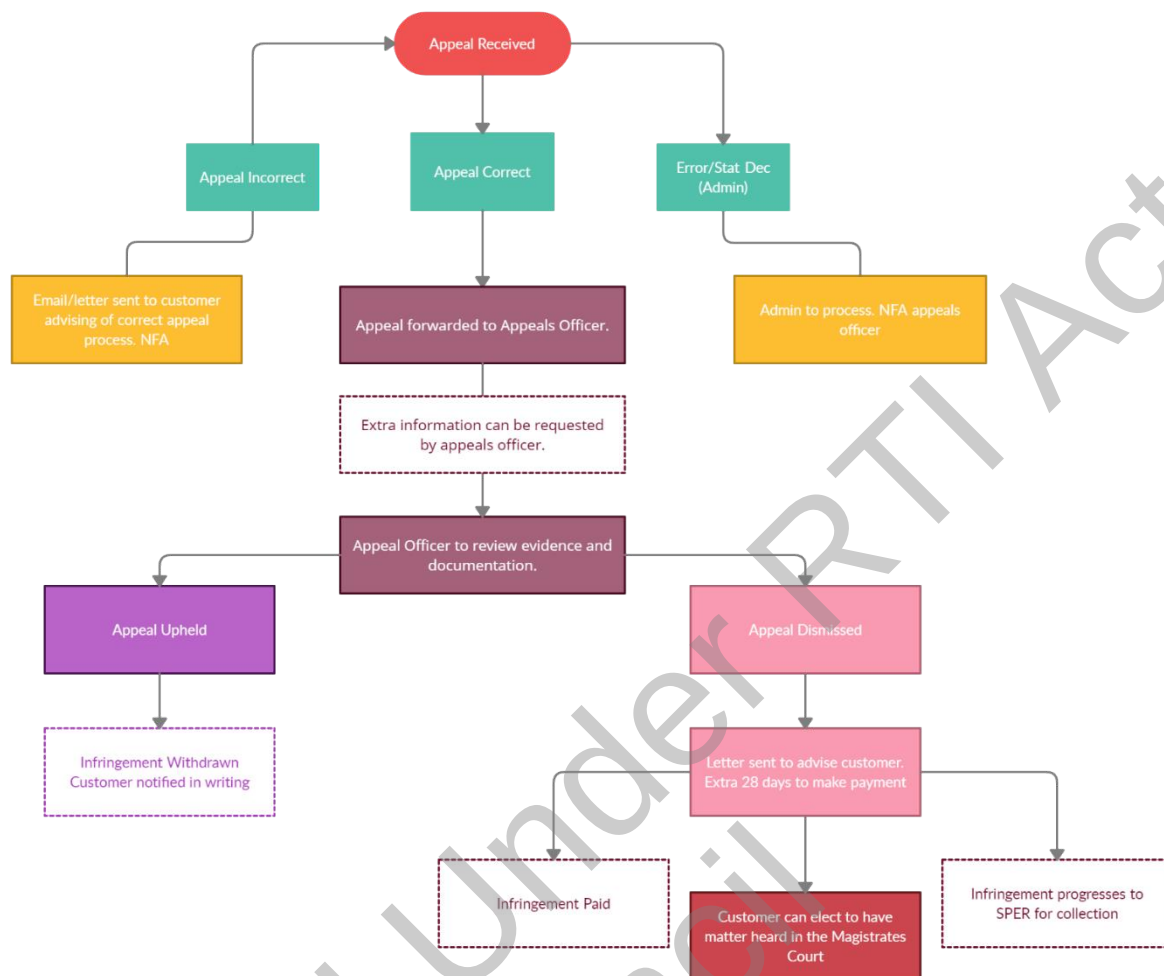
Exceptional circumstances

In circumstances which are deemed to be:

- exceptional
- enhance due process,
- manage significant risk(s) or
- otherwise in the public interest,

the Branch Manager may be instructed by a senior officer to undertake a further internal review.

Note: If the person remains dissatisfied with the decision made by the Reviewing Officer or in exceptional circumstances the Branch Manager, there are no further internal reviews steps available. Applicants may elect to have the matter heard by the Magistrate's Court for external review, or where applicable, will then be referred to QCAT.



Process overview

The LGA places responsibilities on Councils to establish appropriate avenues for reviewing its decisions (Local Government Decisions). The Council will, upon receiving a valid Request, undertake a review of the regulatory decision to issue a PIN made by one or more of its appointed authorised persons. Council's review will predominantly be merit-based and the Reviewing Officer will make a decision which is within the powers given to the original decision-maker by the legislation, Council policy or procedure.

The Reviewing Officer will consider the information provided in accordance with this Protocol, and:

1. evaluate the evidence by considering its relevance and reliability, record all findings of fact and the explanation or reasoning for them
2. apply the facts of the relevant legislation, and if required to exercise discretion ensure that all of the relevant matters are properly considered
3. provide the decision and reasons for the decision to the Subject Person, together with their external review rights.

Penalty Infringement Notice (PIN) Review Protocol – Internal

Procedures

Printed copies are uncontrolled. It is the responsibility of each user to ensure that any copies of policy and protocol documents are the current issue.

1. PURPOSE

Legislation, including local laws, offers a range of review and appeal mechanisms to alleged offenders through the Magistrate's Court, Queensland Civil and Administrative Tribunal (QCAT) and the Office of the Queensland Ombudsman. However, it is acknowledged for simple matters where an alleged offender believes the Penalty Infringement Notice (PIN) should be reconsidered, that a single tiered 'in house' review mechanism is lawful, appropriate and in the public interest. Section 28 of *State Penalties Enforcement Act 1999* (Qld) states that 'an administering authority may withdraw an infringement notice at any time before the fine is paid...'

This protocol aims to provide an equitable, objective, transparent and consistent framework for this review mechanism within Noosa Council.

Investigations of complaints about enforcement officers' actions when issuing PINs are to be conducted in accordance with the Employee Code of Conduct. Such complaints are to be forwarded to the Local Laws Manager for review (even where received on an 'Application for withdrawal form').

2. DEFINITIONS

Affected person – any person in receipt of a PIN and who lodges a Request

LGA – Local Government Act 200

LGR – Local Government Regulation 2012

PIN – Penalty Infringement Notice issued by Noosa Council

Request – An application made by an affected person for a review of the circumstances in which the PIN was issued and/or an appeal against the issue and/or enforcement of the PIN

Shire – the jurisdictional area of Noosa Council

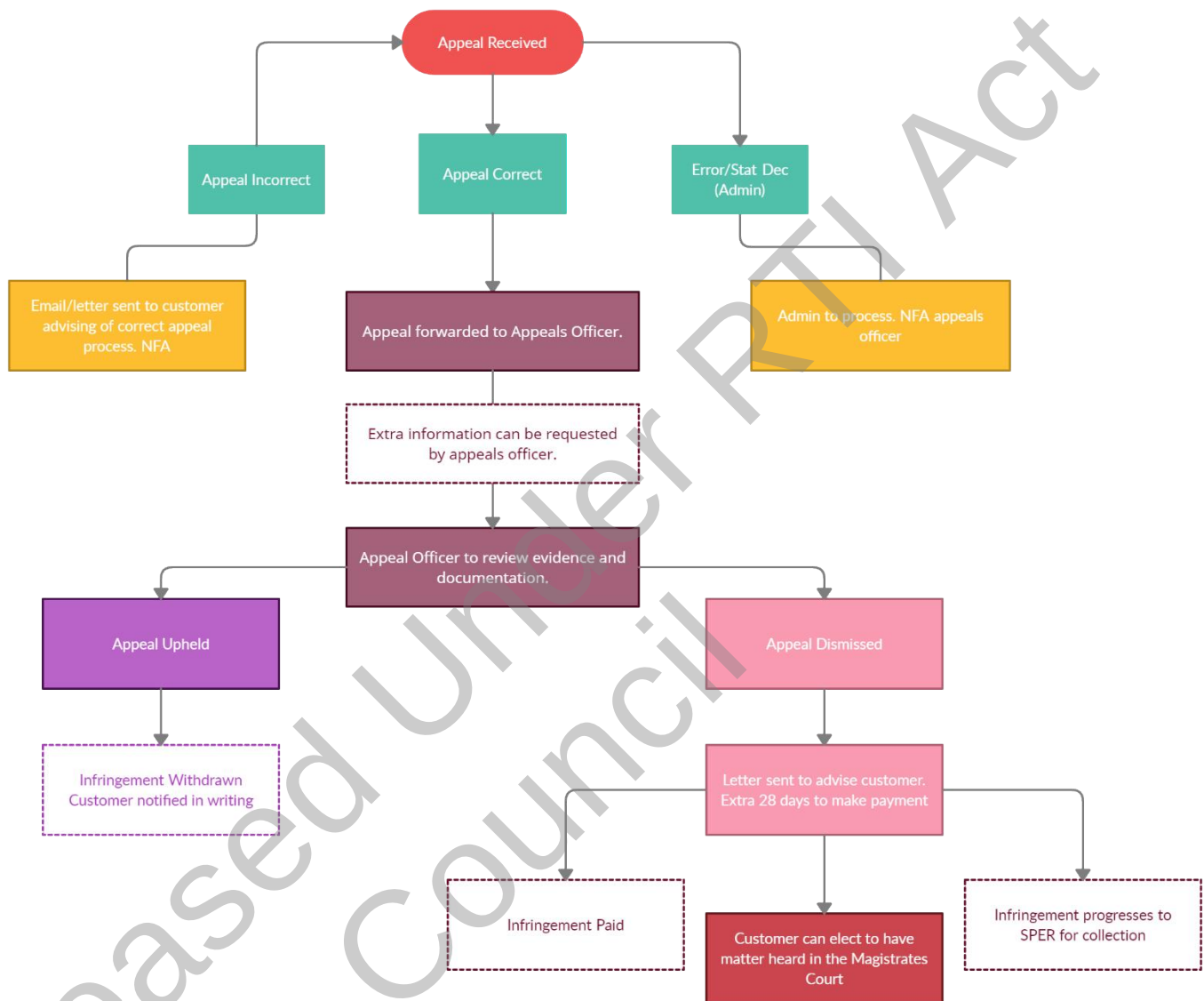
SPER – State Penalties Enforcement Registry

3. SCOPE

An application for infringement review dealt with under this protocol includes:

- Review of a decision to issue a PIN for an offence under a Local Law, Subordinate Local Law or other delegated legislation. This includes:
 - o whether there is enough evidence to support the commission of an offence; and/or
 - o consideration of mitigating circumstances that the issuing officer may not have been aware of at the time of issue; and/or
 - o an investigation into alleged inappropriate conduct of an enforcement officer while issuing a PIN.

4. THE APPEALS PROCESS



The above diagram shows the overarching approach to be taken in respect of any Request. The following sections provide more detail as to how the appeals process is to be applied.

5. SUBMITTING A REQUEST – AFFECTED PERSON

5.1 How a Request may be made

In order to ensure all of the details of the request are given full consideration, a person requesting an internal appeal must make application via:

- An 'Application for Infringement Withdrawal Form' hard copy, or
- An 'Application for Infringement Withdrawal Form' online at Noosa Council's website

Requests cannot be determined by enforcement officers in the field. Affected persons will be directed to Noosa Council's website or Noosa Council customer contact centres to obtain information about how to appeal.

4.2 Information to be provided in the Request

As a minimum, an 'Application for Infringement Withdrawal' should include the following information:

- the PIN number or reference number to which the Request relates
- the alleged offence or offence code
- the name and postal address (or email address) of the person making the Request.*
- detailed information as to why the Request is being made, and
- supporting information/documentation to substantiate reasons for the Request (statutory declaration, proof of payment, photographs, etc.).

* Appeals lodged by persons other than those who allegedly committed the offence or the vehicle owner are not accepted without written authority from the affected person.

4.3 When a Request can be made

The *State Penalties Enforcement Act 1999 (Qld)* states that a PIN can be withdrawn by the administering authority at any time before the fine is paid or otherwise discharged.

This internal review protocol is single tiered and as such, if a person remains dissatisfied after the conclusion of the internal review process, no further internal reviews will be conducted. The affected person then has the right to progress the matter to the Magistrate's Court for external review.

5. PROCESSING A REQUEST - NOOSA COUNCIL'S -

5.1 Review Process

5.1.1 Request Assigned to review officer

Upon receipt, the Request will be referred to the relevant review officer. The officer who originally issued the PIN or any other officer involved in the issuing of the PIN may be consulted as part of the review process *however they must not be the formal review officer*.

If the nominated review officer was the officer who actually issued the PIN, then they must refer that Request to a different officer for review. A note should be made in the appeal records stating the conflict of interest and noting the name of the new review officer to whom the Request has been referred to for action.

NB Procedural step - PIN to be placed on hold

The PIN is to be placed into the status of 'Appeal in progress' while the review is being undertaken. Note that this is a procedural step only and does not impact statutory limitation periods for the offence.

5.1.2 Review of Evidence and Circumstances

The level of investigation into, and review of, the Request should be consistent with the seriousness of the alleged offence and the complexity of the grounds on which the review is sought.

- Insufficient information in the Request
If the Request does not include sufficient information to undertake the review then the review officer may contact the affected person to obtain any additional information and/or documentation. Failure to provide any such additional information within 28 days will result in the Request being cancelled.

In that case, a letter will be sent to the affected person advising them that:

- o their appeal has been cancelled and
- o they have 28 days for the date of the letter to make payment.

- How to undertake a review

Undertaking a review may include the following activities as applicable:

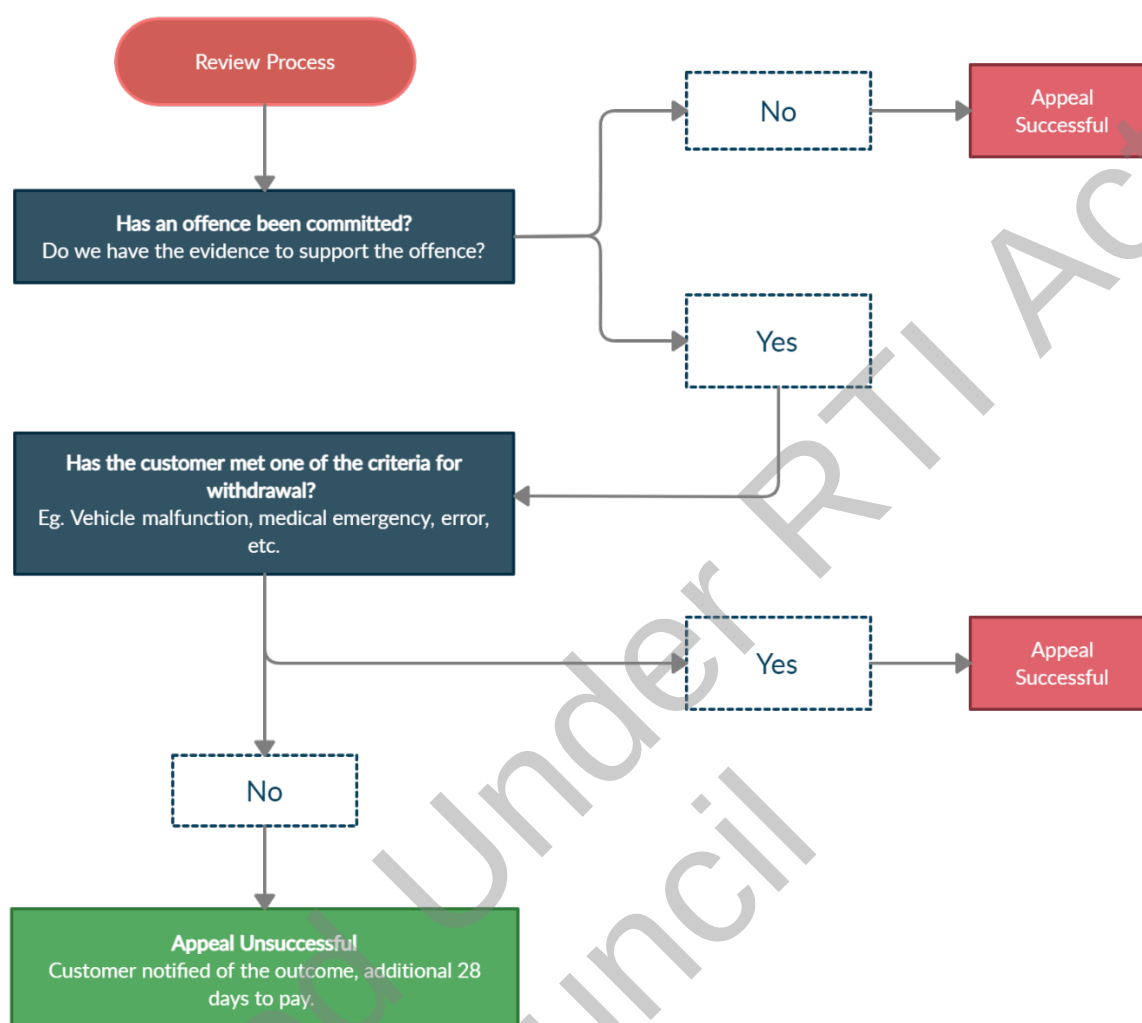
- investigating as to whether a previous decision on a similar matter may offer or create a precedent to be applied
- conducting interviews and inspecting sites and documents (where applicable)
- determining whether the offence alleged had been properly made out (e.g. whether the available evidence demonstrates that the elements of the offence had been met)
- researching and applying the relevant legislation and policy (see section 5.2 below);
- determining whether there are any special circumstances that might exist that make the PIN subject to the Request inconsistent, or potentially inconsistent, with the public interest or give reason to consider alternative means of achieving compliance, and
- Preparing a letter outlining the outcome of the review and setting out the reasons for the decision.

5.1.3 Decide the Matter

The following diagram sets out the review process, indicating the possible outcomes. On completion of the review, the review officer must determine whether to:

- uphold the PIN, or
- withdraw the PIN.

In addition to this determination, the review officer may where appropriate:



- issue a PIN to, or take lawful and appropriate enforcement action against another person
- issue another PIN to, or take lawful and appropriate enforcement action against the affected person for a different offence
- issue an amended PIN to the affected person for the same offence
- recommend the issuing officer for additional training, counselling or disciplinary action (see section 5.3)
- make a recommendation to amend the relevant Local Law or an enforcement protocol, and/or
- pursue an alternative method of compliance.

5.1.4 Decision to Withdraw a PIN

5.1.4.1 When can a PIN be withdrawn

For an enforcement action to be withdrawn, one of the following criteria must be satisfied:

- The affected person has demonstrated that an element of the offence was not met. If, upon examination of the available evidence, it appears that all of the elements of the offence were not met /satisfied, it may be appropriate to withdraw the PIN. Such circumstances might include where a PIN contains incorrect information, or was not issued correctly, or the issuing of the PIN was based on a mistake of fact

- The incorrect person has been named as the alleged offender. This typically occurs where the PIN is issued on the registered owner of a vehicle, or land, and that person was not in control of the vehicle, or custodian of the land at the time of the offence
- The affected person was unable to comply with the relevant provisions of the law due to serious mitigating circumstances or they have a legal defence (other grounds)
- The affected person experienced a vehicle malfunction
- The affected person had a medical emergency
- The affected person has a current disability permit (Vehicles Only).

5.1.4.2 Reasons Not Satisfying Criteria for Withdrawal

Generally, if the withdrawal criteria outlined in section 5.1.4.1 cannot be satisfied, then the PIN will be upheld.

Reasons that do not meet the criteria for withdrawal include, but are not limited to claims by the affected person that:

- They are experiencing financial difficulty
- There are personal circumstances
- They were ignorant of the law
- Someone else has committed the same offence, or
- They did not see a sign.

5.1.5 Notify Affected Person

A letter must be issued to the affected person detailing the decision and setting out the reasons for the decision made in relation to their Request. If a PIN is to be withdrawn, a withdrawal notice must be provided to the affected person being the alleged offender (s28 *State Penalties Enforcement Act 1999 (Qld)*).

If the decision is made not to withdraw the PIN (i.e to uphold the PIN), an information notice must be provided to the affected person. Information notices must include:

- relevant Noosa Council policies, local laws and/or other statutory provisions, such as the source of legislation, and
- the reasons for Noosa Council's decision.

5.1.6 Decision Timeframes

- Requests submitted via the website, email address or over the counter at a Noos Council customer service centre are taken to have received an acknowledgement upon submission.
- If the review officer expects that the review decision will exceed 15 business days, an acknowledgement must be provided to an affected person in relation to their Request within 10 business days from the date of submission.
- The affected person must be notified of the review officer's decision within 45 business days from the date of submission.
- All notifications to an affected person must be by way of written correspondence unless they have specifically requested a reply via email.

6. GOVERNANCE AND CONDUCT

6.1 Relevant Legislation and Policies

6.2.1 Local Government

The legislation, regulation and policies relevant to Requests include, but are not limited to, the following:

- *Section 4 of the LGA*

This section sets out two of the local government principles that underpin the LGA as:

- (a) transparent and effective processes, and decision-making in the public interest; and
- (d) good governance of, and by, local government.

- *Section 28 of the LGA*

This section gives a local government (for these purposes, Noos Council) the authority to make and enforce any local law that is necessary or convenient for the good rule and local government of its local government area.

6.2.2 Enforcement of State Government Legislation

Noosa Council also has responsibility for the enforcement of State Government legislation including particular sections of the following:

- *Animal Management (Cats and Dogs) Act 2008*
- *Biosecurity Act 2014*
- *Building Act 1975*
- *Building Regulation 2006*
- *Environmental Protection Act 1994*
- *Food Act 2006*
- *Planning Act 2016*
- *Plumbing and Drainage Act 2018*
- *Public Health Act 2005*
- *Public Health (Infection Control for Personal Appearance Services) Act 2003*
- *Transport Operations (Road Use Management) Act 1995*
- *Water Act 2000*
- *Waste Reduction and Recycling Act 2011, and*
- *Water Supply (Safety & Reliability) Act 2008.*

When reviewing a PIN made under any of the above, the review officer shall consider the relevant sections of the relevant legislation as part of the review process as they relate to the offence.

This may include but is not limited to:

- The stated objects/purpose of the legislation
- Any statutory defence provision, and
- Any other available remedies.

6.3 Requests from Noosa Council Staff Members

Where a Request has been submitted by a staff member of Noosa Council, the nominated review officer must review the infringement together with the Local Laws Manager. Where the Local Laws Manager is unavailable, the Local Laws Supervisor can act on their behalf.

Where there is a disagreement between the two reviewers as to the outcome of the appeal review, the matter shall be referred to Governance for further consideration.

It should be noted that staff and contractors are subject to the same criteria for withdrawal as any other affected person.

6.4 Councillors and Mayor

It is acknowledged that Councillors and/or the Mayor may be approached at any time and without notice by persons who have received a PIN. Whilst Councillors and/or the Mayor (as applicable) can provide general information regarding the appeals process, they are prohibited from any engaging in any conduct which seeks to influence, amend or change the decision of the Local Laws issuing officer or the review officer(s).

In addition, it is inappropriate for Councillors or the Mayor to enter into discussions with any one regarding the validity or possible withdrawal of a PIN. They must avoid making any statement which may lead any one to believe that they can influence the outcome of the internal appeals process or have the PIN withdrawn.

6.5 Officer Conduct

Inappropriate officer conduct is inconsistent with the public interest and the rules of good governance and may cast doubt over the veracity and/or the reliability of the evidence gathered by the officer during the review process.

Where any allegations or complaints are made in respect of enforcement officers' actions whilst issuing a PIN, investigations are to be conducted in accordance with the Noosa Council Employee Code of Conduct and relevant policies, protocols and procedures.

Additionally, when examining any documents or other material provided, the review officer shall proactively look for evidence of such conduct and promptly report any suspected concerns or breaches to the Local Laws Manager or the Director of Community Services.

It should be noted that a review finding of officer misconduct does not of itself constitute grounds for the automatic withdrawal of a PIN. However, review officers should consider the degree of any substantiated misconduct in their decision-making when considering withdrawal of the PIN.

7 RECORDING, EVALUATION AND REPORTING

7.1 Recording

The determination made for each appeal must be recorded in CiA and ECM. The information to be recorded includes the review decision, and, if it was withdrawn, the criterion/a under which it was withdrawn.

7.2 Evaluation and Reporting

The relevant manager shall undertake evaluation of reviews pursuant to their jurisdictions and shall report to the Office of the Chief Executive Officer (CEO) in line with requirements under section 306(4)(c) LGR – Process for resolving administrative action complaints.

The evaluation process may include the following:

- An analysis of reviews withdrawn and upheld including timeliness of response, or

- A survey of officers who undertook reviews and affected persons who have requested reviews.

8 OTHER AVENUES OF APPEAL

8.1 External review

If an affected person remains dissatisfied after the Noos Council review has been completed, they are to be advised of their options for external determination.

An affected person may elect to pursue a complaint through the Magistrates Court or under the provisions of the Judicial Review Act 1991. Alternatively, if the matter relates to misconduct, they might refer the matter to Crime and Corruption Commission (CCC) under the provisions of the Crime and Corruption Act 2001, or if appropriate, the QCAT.

It should be noted that Noosa Council's review process does not limit a person's ability to make a complaint directly to the Queensland Ombudsman or through any other external complaints review processes.

Where a request for review has been addressed directly to the Queensland Ombudsman rather than having been considered by Noosa Council under a Request, the Ombudsman may choose to refer the matter back to Noosa Council for investigation. In such cases, unless otherwise determined by the CEO, the review will be undertaken in accordance with this protocol.

8.2 Noosa Council Second Review

Although this PIN review procedure is a single tiered system, where the existence of a material matter, document or fact was not initially within the knowledge or control of the affected person and which later becomes available, a second review may be undertaken in exceptional circumstances.

For these purposes, 'exceptional circumstances' include:

- Where the review officer(s) is/are proven to have a bias and has/have been part of the decision making process to issue the PIN
- Where new and/or significant evidence becomes available after the date of the review officers' decision and where such evidence was not reasonably available to the affected person before the date of submitting the Request, or
- Where there has been an error of law, or
- Where natural justice has been denied.

9 APPEAL OF IMPOUND FEES

A person wishing to appeal an impound fee (animal or item/vehicle/vessel) must submit a request in writing to the Local Laws Manager. Only in exceptional circumstances and with supporting documentation will impound fees be reduced or waived.

For these purposes, 'exceptional circumstances' are those that are verifiable and unforeseen circumstances being outside of a person's control. These include, but are not limited to:

- instances that would reasonably prevent a person from ensuring their vehicle/vessel was legally parked or moored, such as a medical emergency or a vehicle breakdown, or
- Where a vehicle/vessel/item has been stolen and discarded, or
- Where an animal has been in the Shire for less than 14 days, or

- A dog owner can prove that the dog concerned is registered with another local government authority, or
- Other serious mitigating circumstances that are beyond the control of an animal owner or responsible person for the animal.

The review officer considering the application to reduce or waive fees must consider cost recovery for any funds expended by Noosa Council.

Circumstances that do not meet the criteria for waiver or reduction include:

- financial difficulty
- personal circumstances
- ignorance of the law
- stating that someone else has committed the same offence, or
- stating that they did not see a sign.

10 WHERE INFRINGEMENTS HAVE PROGRESSED TO SPER

Where a PIN has progressed to SPER for collection, the right to an internal review through Noosa Council is lost unless:

- The affected person alleges that Noosa Council has made an error, or
- The affected person can prove there was a serious mitigating circumstances that prevented them from acting within 65 days from the date of issue of the PIN.

Where Noosa Council has made an error, for example by issuing the PIN in respect of the incorrect registration, Noosa Council will withdraw the matter from SPER and cancel the PIN.

Where the affected person can prove a serious mitigating circumstance, Noosa Council will undertake a review in accordance with this protocol. If successful, the matter will be withdrawn from SPER. If unsuccessful the matter will remain at SPER and the affected person will be liable for all fees owing.

The affected person has the right to appeal the PIN through SPER under section 56 of the *State Penalties Enforcement Act 1999*. The criteria for appeal are:

Section reference	Result reason
s56(1)(a)(i)	The person did not receive the infringement notice from the Administering Authority.
s56(1)(a)(ii)	The person did not receive the reminder notice from the Administering Authority.
s56(1)(a)(iii)	The person did not receive the enforcement order from SPER.
s56(1)(b)	The person received the notice mentioned in (a) after the time allowed for taking action.
s56(1)(c)	The person was prevented by accident, illness or other similar reason, from taking action.
s56(1)(d)	The person is electing to have the matter decided in the magistrate's court.

If an affected person meets the SPER criteria, the PIN will be sent back to Noosa Council for re-issue. Once re-issued the affected person has all the options of a new PIN including payment in full, right of appeal, payment plan (if amount is over \$200) or to elect to have the matter heard in Court.

Where the affected person elects to have the matter heard in a Magistrates Court, the court election will be forwarded to the Noosa Council Appeals and Prosecutions Officer for action.

STAT DEC – NOMINATING DRIVER

1. Update Infringement Status

Within the relevant **infringement** in CiA:

Click on **secondary action** down arrow

Click **Change status**

Select **Infringement Statutory Declaration**

Click **OK**

2. Update Infringement data

Click on the **infringement** tab and select **Edit**

Clear the **CRN number** from the field and add today's date into the **AppealAcceptLet** (Stat Dec Received) field



Click **Save**

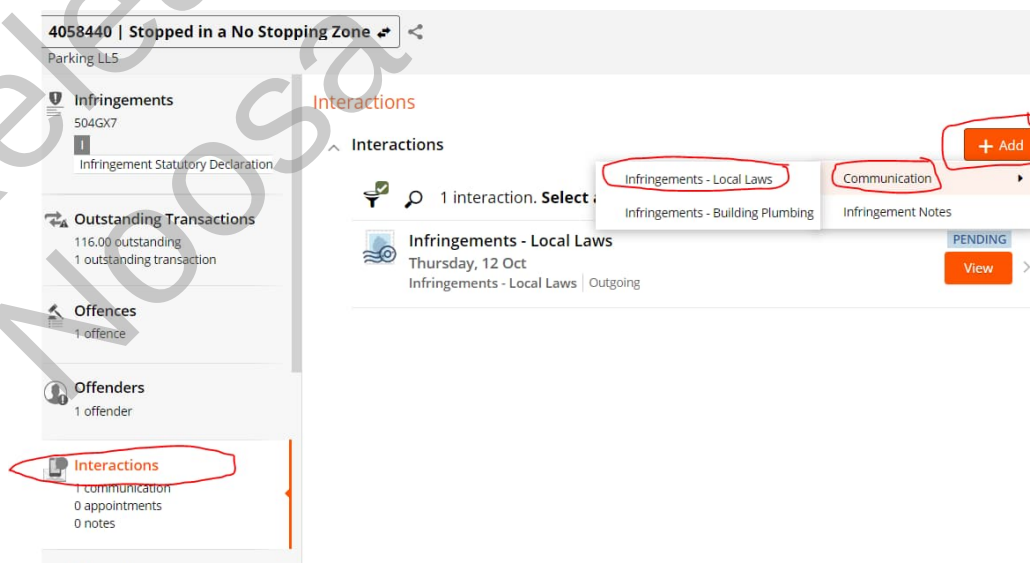
3. Not Driver Notification

Click on **Interactions**

Click **Add**

Click **Communication**

Select **infringements – Local Laws**



Within the **Template** drop down option, select **Stat Dec Received from Vehicle Owner – Not Driver Letter**

Save

The status will change to Generating.



Once generated, the status will change to Pending. It takes about a minute.



Select View, then at the following screen, Select Preview to access the editable version under the Edit button.



The template will populate.

(If error populates, you may have to go back, cancel your initial instruction and repeat the generate letter process above).

Manually add the notification date (i.e. the date the Statutory Declaration was sworn) and fix the address location to be on 3 lines.

X out of document – the process Autosaves.

Click More > Refresh from Office Online

Edit

Inf_Appeal_Dismissed

Edit

More

>>

Status - Draft

*** This draft may have pending edits in Office Online. I
'Refresh from Office Online' action to update the draft v
latest updates ***

Refresh from Office Online

Download draft

Upload new draft document



13 November 2023

Contrary to the public interest
Contrary to the public interest

Dear Sir/Madam,

RE: INFRINGEMENT NOTICE NO: 4057893

Whilst I appreciate the information you have supplied, the circumstances outlined within your application do not meet the criteria required to withdraw an infringement.

Council's ability to withdraw an infringement (post issuance) is very limited. In order to be able to do this, Council must be able to establish the infringement was issued in error, there was the

Check the document has refreshed (rendered) with the correct information, then click the

Interactions

At the following screen:

Interactions

Interactions



2 Interactions. Select a interaction to view.



Appeal Grounds Dont Fit Criteria - Dismissed

Tuesday, 4 Jun

Infringements - Local Laws Outgoing

+ Add

...

PENDING

View

...

Click the down arrow adjacent to View and Click Complete. The process to Complete will take about 1 and 2 minutes.

Select View – Go to Attachments to find PDF version of the final letter to be sent.

Open Preview and select Print. Ensure the box to print on both sides is NOT ticked – i.e. print one sided.

4. OVERSEAS VISITOR

Secondary action

Exempt Law EnforcementExempt Law EnforcementExempt Law Enforcement

Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement
Exempt - Law enforcement

Enter **Overseas offender nominated on Stat Dec** into comments field

Click **Ok**

Exempt - Law Enforcement
Exempt - Law Enforcement
Exempt - Law Enforcement
Exempt - Law Enforcement
Exempt - Law Enforcement



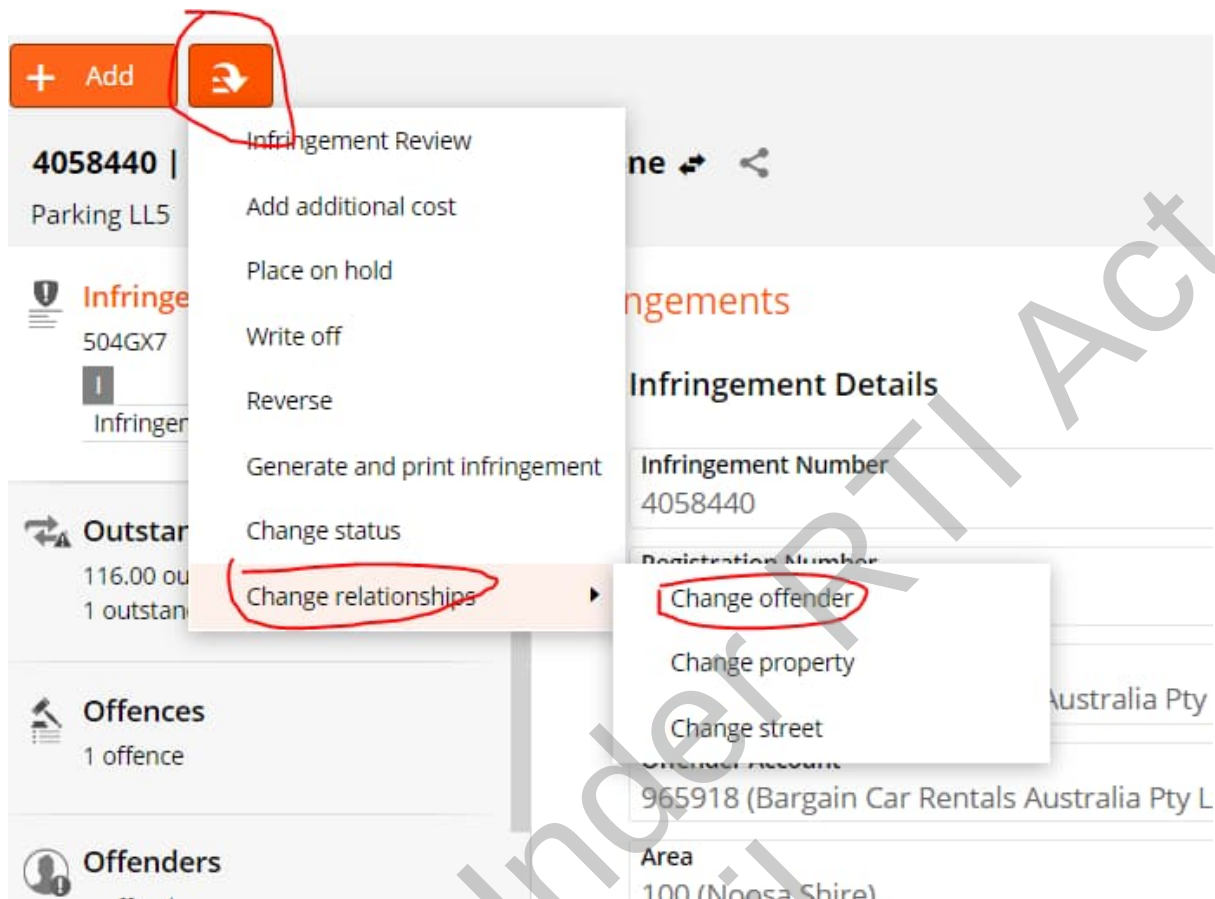
THIS IS THE END OF THE PROCESS FOR OVERSEAS VISITORS.

5. NOMINATE DRIVER

Click on **secondary action down arrow**

Select **Change relationships**

Select **Change offender**



Within **Offender Name** field search for offender name using **Advanced search**

If not there, tick **Add new name***

UNTICK Regenerate infringement Document

Click **Next**

Enter:

- **Name Type = PRS**
- **Given Names**
- **Last Name**
- **Date of Birth (if provided)**

Scroll down page and tick **Add a new postal address**

- **Enter Street Line 1**
- **Suburb**
- **Postcode**
- **State**

Click **Next**

Tick **Change the Issue Date**

Change **Notice served on** date to today's date

UNTICK Regenerate infringement document

Processing options

General

Offender Name 6037802	Contrary to the public interest		
Account 0	☒ Add new account		
Infringement Date * 17-Jul-2023	Infringement Time 13:34:00	Notice Served On 12-Oct-2023	☒ Change the Issue Date
☐ Regenerate Infringement Document			

Click Finish

*If the offender's name already exists, select the name from the list. This will autofill the new offender (debtor) field so all you will need to do is to Change the Issue date to today's date and **UNTICK Regenerate infringement document**

6. UPDATE FEE (if additional charges added to initial infringement amount)

Select **Associations** tab

Click **View Debtor Account**

Select **All Transactions** tab

Under the **Account** column click on the down arrow icon

Select **Reverse Document**

Enter the amount to be debited off to get back to original infringement amount

Enter in field '**Reverse Search fee Stat Dec**'

Click **Finish**

7. ACCESS AUTOISSUE TO PRINT A PHOTO – PORTRAIT, CENTRED, COLOUR

8. LETTER TO NOMINATED DRIVER

Click on **Interactions**

Click **Add**

Click **Communication**

Select **infringements – Local Laws**

Within **Template** select **Stat Dec Received – Nominated Driver advised of PIN**

Save

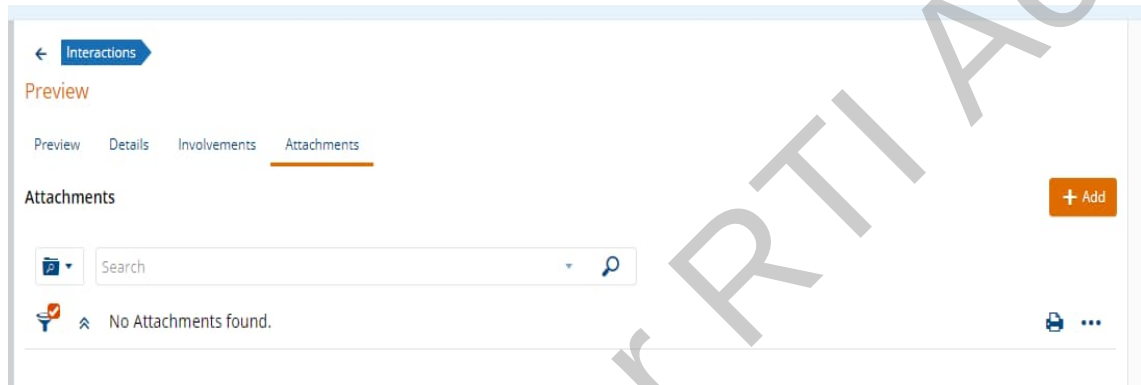
The status will change to Generating.



Once generated, the status will change to Pending. It takes about a minute.



Select View, then at the following screen, Select Preview to access the editable version under the Edit button.



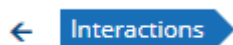
Ensure that all paras are justified, the font across the letter is Arial 11 and the address is over 3 lines.

X out of document – the edit process autosaves.

Click **More > Refresh from Office Online**



Check the document has refreshed (rendered) with the correct information, then click the



At the following screen:



Click the down arrow adjacent to **View** and **Click Complete**. The process to Complete will take about 1 and 2 minutes.

Select **View** – Go to **Attachments** to find PDF version of the final letter to be sent. Open **Preview** and select Print. Ensure the box to print on both sides is ticked – i.e. **print in colour and double sided**.

9. UPDATE INFRINGEMENT STATUS

Go back to **Infringement** screen

Click on **secondary action down arrow**

Click **Change status**

Select **Infringement issued to offender**

Click **OK**