



Provincial Offences Act **Modernization**

Presentation to
AMO Annual Conference

Joy Hulton

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Overview

- Challenges
 - Legislative
 - Financial
 - Operational
- Municipal Initiatives
- Opportunities for Improvement
- POA Modernization

Introduction

- York Region operates the second largest provincial offences court program in Ontario
- Two locations with a total of six trial courtrooms, two intake courtrooms and three early resolution meeting rooms
- Majority of the workload (90%) results from charges laid by York Regional Police and Ontario Provincial Police

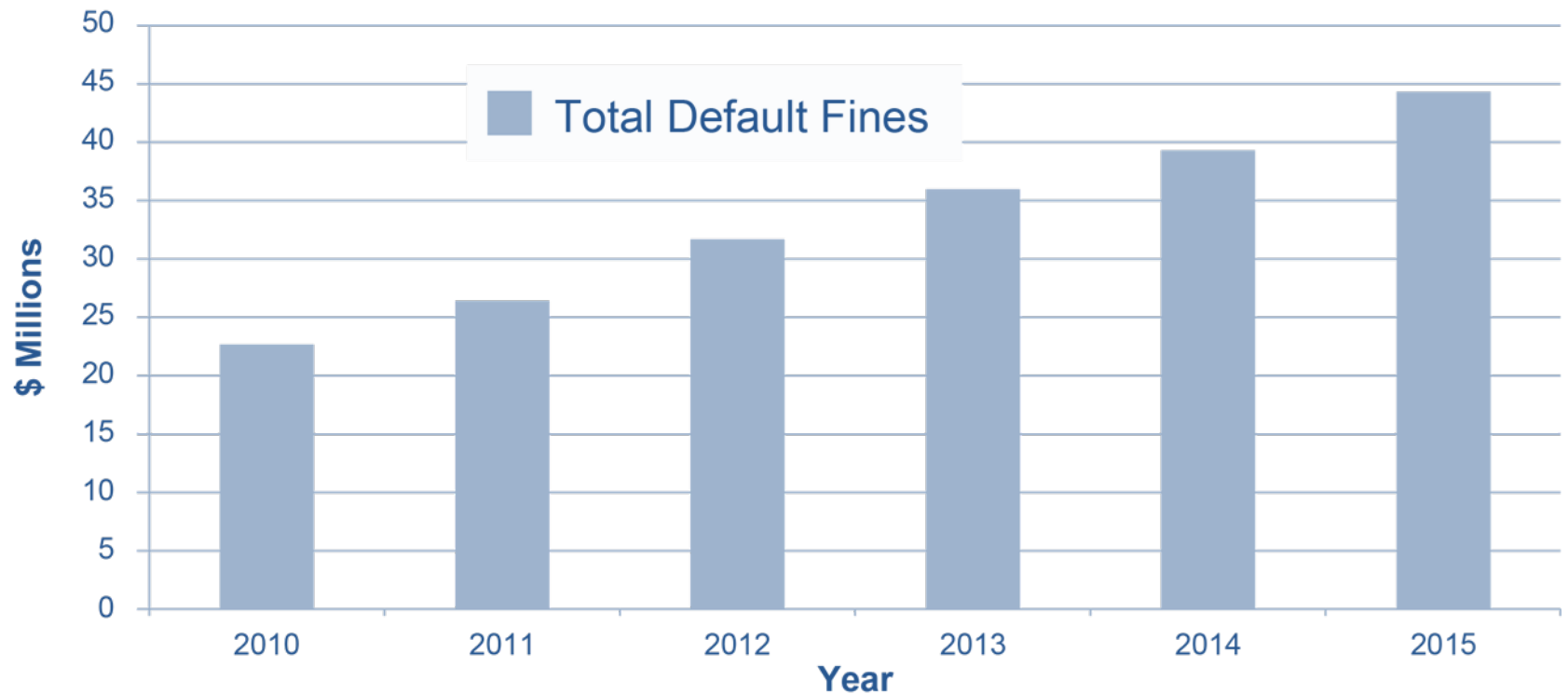
Legislative Challenges

- POA Courts do not control the factors that influence workload and operating costs:
 - Activity levels of enforcement agencies
 - Evolving processes and resource demands imposed by legislation
 - Individual choices that court users are entitled to make in conducting their cases
 - Judicial decisions

Financial Challenges

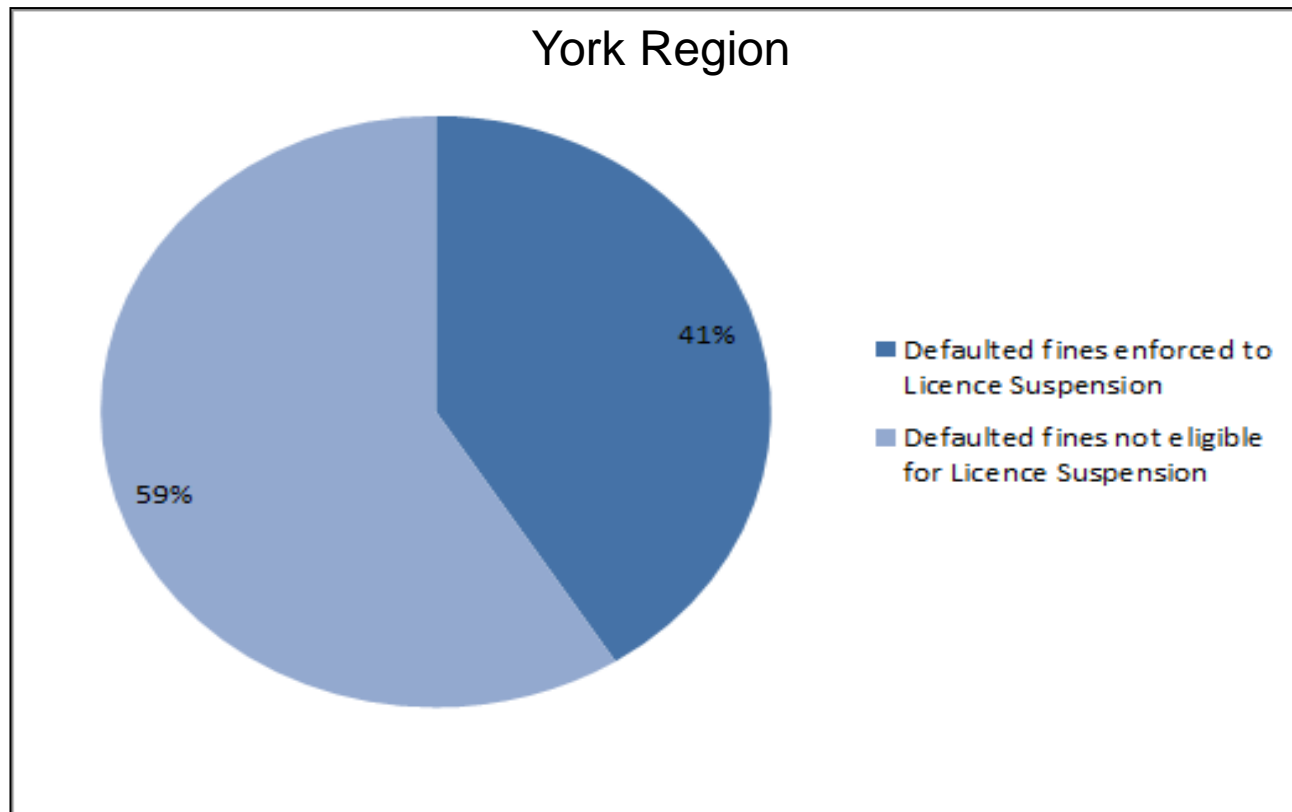
- “Set Fines” are determined by the Chief Justice with no established frequency for the review of “set fine” amounts
- Costs and Fees set out in *Ontario Regulation 945* do not reflect true cost of delivering POA services
- Limitations in collection tools

Defaulted Fines Continue to Increase in York Region



*As of December 31, 2015 there was approximately \$45 Million of court fines unpaid

Bill 31- *Transportation Statute Law Amendment Act*

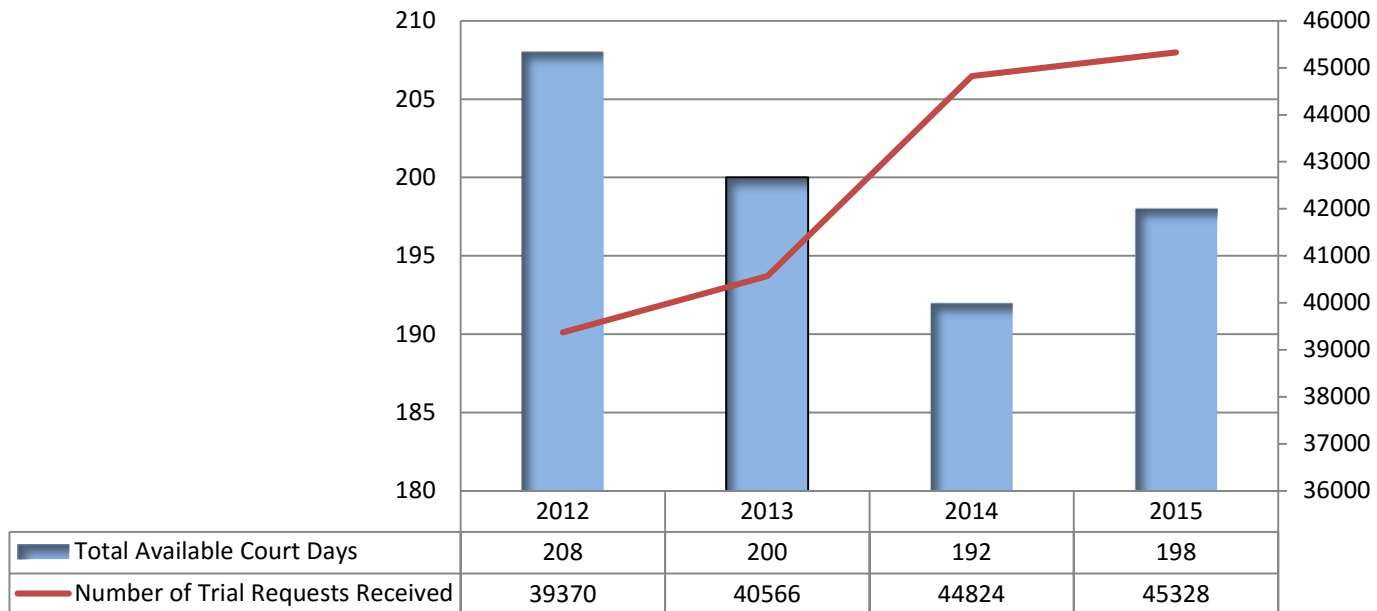


*59% of fines currently in default are not eligible for enforcement by licence suspension

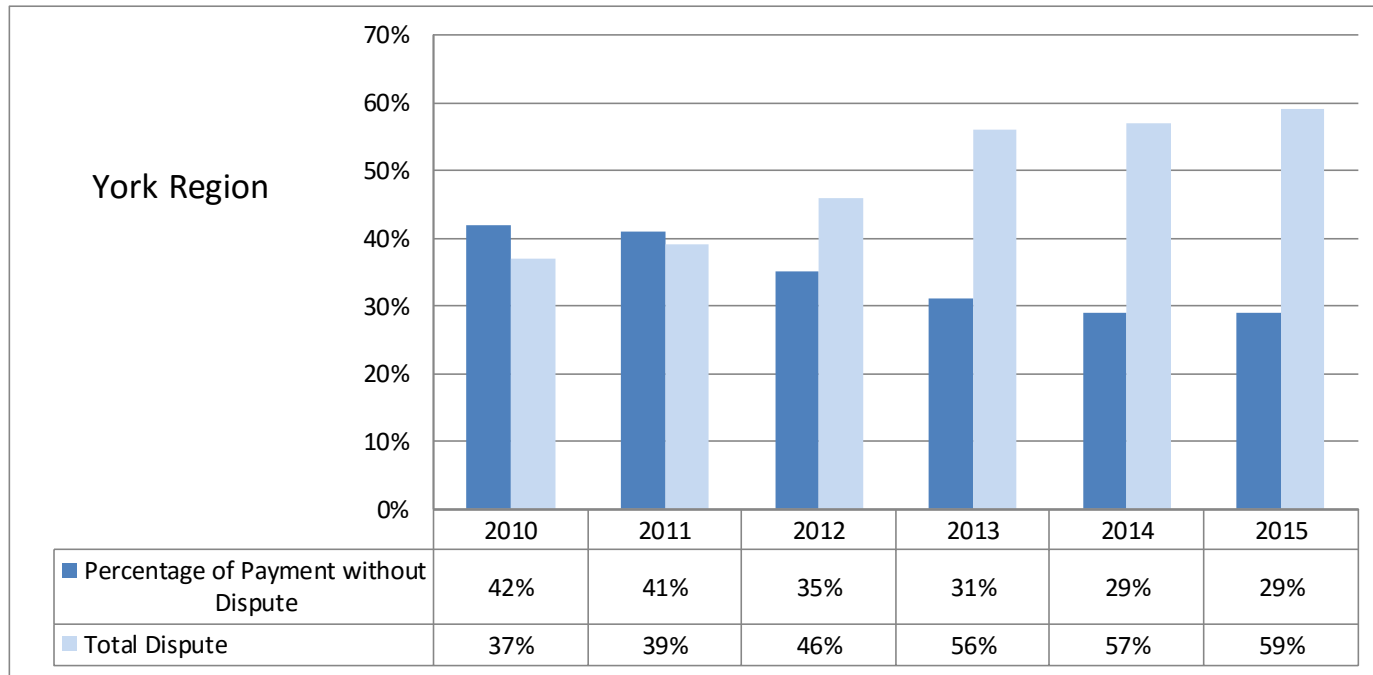
Operational Challenges

- Lack of judicial resources impacts courts ability to meet legislative requirements and scheduling targets

**York Region POA Courts
Available Court Days vs Trial Requests**



Rising Dispute Rate



*The remaining percentage of workload is Fail to Respond convictions

Increased dispute rate results in higher operational costs

Municipal Initiatives

- York Region continues to identify innovative ways to meet the demands and challenges
 - Revised collection strategy
 - Review trial scheduling practices
 - Implementation of new technology – Court Administration Management System (CAMS)
 - Electronic disclosure process

Opportunities for Improvement

- Recover costs for program delivery
 - Review and increase “Set Fines”
 - Increase POA costs set out in *Ontario Regulation 945*
- Increase Judicial Appointments
 - Increase court availability for POA court matters

Opportunities for Improvement

- Enhance existing collection mechanisms (Bill 31)
 - Expand plate denial to all POA fines
 - Apply plate denial retroactively to all eligible fines regardless of the age
- Remove sole ownership requirement in the *Municipal Act, 2001* and allow for addition to tax roll where the debtor is on title

POA Modernization

- Ensure legislative changes address the challenges facing POA Court programs
 - Increase powers of the clerk of the court for administrative work
 - Minimize judicial involvement in early resolution process
- Proposed online dispute resolution system needs to be cost effective and adaptable to the needs of different jurisdictions

Thank you

