

## 34 POA (Court Services)\*

SECTION III



### What is the Service?

In 2001, the Province of Ontario transferred the responsibility for the administration and prosecution of provincial offences to municipalities. In administering the POA Courts, staff are responsible for setting trials, prosecuting certain Provincial Offence matters, recording court proceedings, and receiving fine payments resulting from charges laid by the various police forces and enforcement agencies operating within the municipality. Municipalities also uphold the decisions of the court by pursuing collection of unpaid POA fines.

*Provincial offences are minor (non-criminal) offences that include, but are not limited to:*

- Speeding, careless driving, or not wearing your seat belt – Highway Traffic Act
- Failing to surrender your insurance card or possessing a false or invalid insurance card – Compulsory Automobile Insurance Act
- Being intoxicated in a public place or selling alcohol to a minor – Liquor License Act
- Entering prohibited premises or failing to leave premises after being directed to do so – Trespass to Property Act
- Violations of the Occupational Health and Safety Act and environmental legislation
- Noise, taxi and animal care by-laws – City by-laws

### Influencing Factors:

**Charges & Cost Structures:** Parking vs. non-parking charges; costs that might be unique to some municipalities (e.g. interpreter costs, night court program—deleted from Toronto program June 2008) and ability to account for the true cost of delivering the service can affect the results.

**Enforcement:** This varies year-to-year based upon the enforcement agencies staffing complement and the prioritization of their resources and is beyond the control of Court Administration.

**Geographic Location:** Municipalities that experience seasonal swings between permanent and seasonal residents (i.e. cottage country), border towns or those with 400 series highways going through them, have offences disproportionate to population or local demographics.

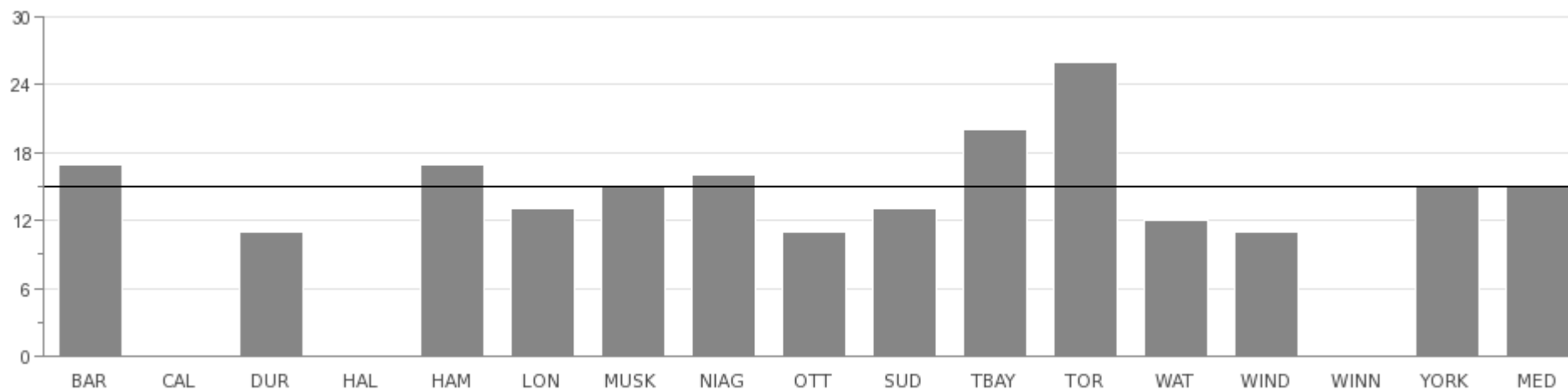
**Judiciary Controls:** No transparent rationale for allocation of court time to municipal courts, i.e. Court Administration units are assigned Justices of the Peace and, based on the priorities of the day, Justices of the Peace are reassigned. This has the effect of reducing their availability to POA Court. Justices of the Peace are not accountable to Court Administration for efficient utilization of allocated court time.

### Additional Information:

## POA (Court) Services

How many provincial offences are there (excluding parking)?

Fig 34.1 Number of Provincial Offences (excluding parking) per Capita



2011	.17	N/A	.11	N/A	.17	.13	.15	.16	.11	.13	.20	.26	.12	.11	N/A	.15	.15
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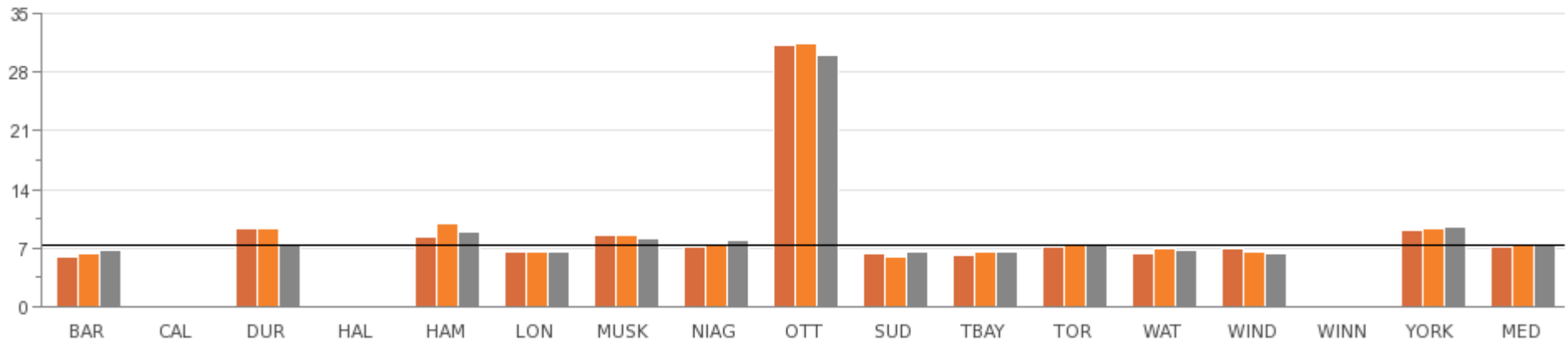
Source: PCRT216 (Service Level)

Note: New measure in 2011 therefore only one year of data available.

## How many charges are filed?

Fig 34.2 Number of Charges Filed per Court Administration Clerk

(In Thousands)



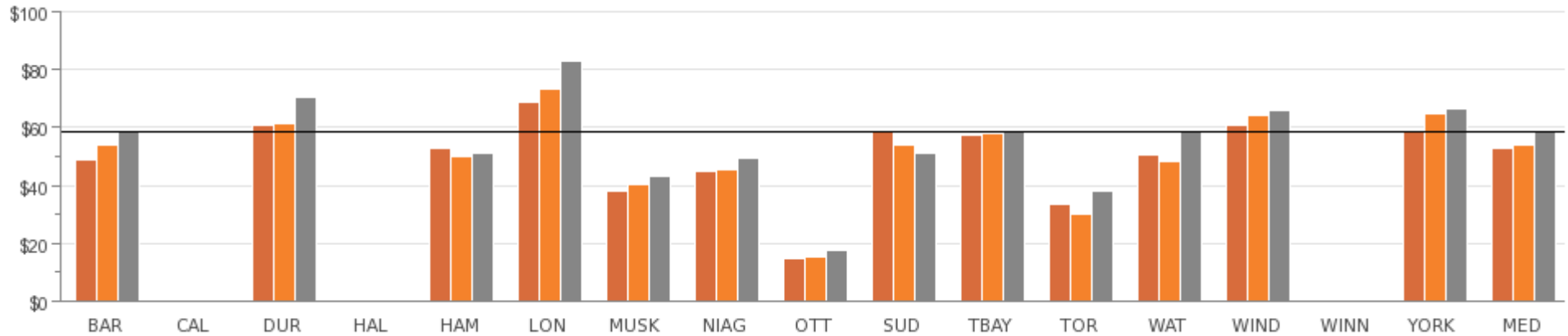
2009	5,961	N/A	9,228	N/A	8,274	6,453	8,561	7,068	31,182	6,301	6,026	7,188	6,280	6,829	N/A	9,161	7,068
2010	6,390	N/A	9,269	N/A	9,832	6,595	8,460	7,515	31,538	5,983	6,426	7,545	6,943	6,607	N/A	9,259	7,515
2011	6,759	N/A	7,580	N/A	8,910	6,602	8,213	7,918	30,097	6,501	6,616	7,395	6,805	6,353	N/A	9,462	7,395

Source: PCRT222 (Service Level)

Note: Ottawa's result includes parking tickets.

### What is the total cost of POA services for charges filed?

Fig 34.3 OMBI Total Cost of POA Services per Charge Filed (includes amortization)



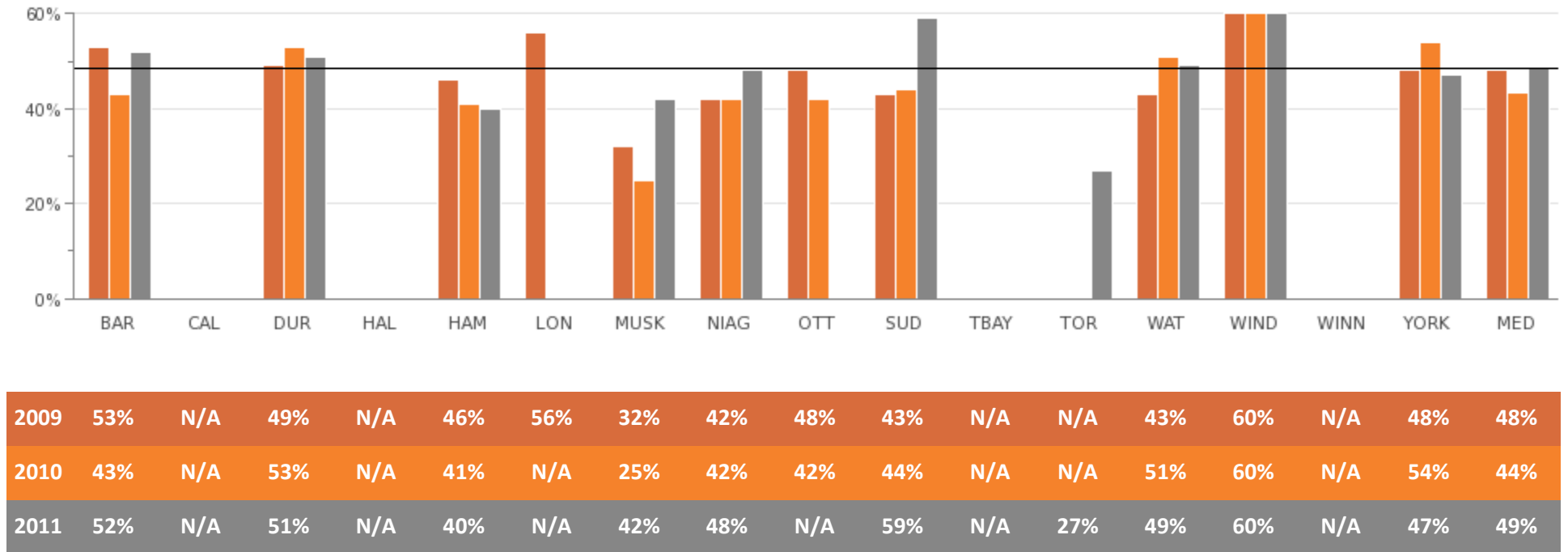
2009	\$48.96	N/A	\$60.79	N/A	\$52.82	\$68.91	\$38.06	\$44.98	\$14.80	\$58.37	\$57.46	\$33.68	\$50.55	\$60.71	N/A	\$59.17	\$52.82
2010	\$54.25	N/A	\$61.64	N/A	\$50.04	\$73.08	\$40.41	\$45.45	\$15.18	\$54.05	\$57.92	\$29.92	\$48.43	\$64.47	N/A	\$64.75	\$54.05
2011	\$58.85	N/A	\$70.74	N/A	\$51.21	\$83.02	\$43.33	\$49.45	\$17.61	\$51.18	\$58.29	\$37.92	\$58.51	\$65.69	N/A	\$66.41	\$58.29

Source: PCRT305T (Efficiency)

Note: Calculation includes amortization.

## What is the collection rate for fines that have gone into default?

Fig 34.4 Collection Rate



Source: PCRT310 (Efficiency)