

POA - PROVINCIAL OFFENCES ACT (Court Services)



VALUE PROPOSITION

I expect to have timely access to justice and that the integrity of the justice system is maintained.

I need to be able to pay any POA charge in a timesaving and convenient manner using the channel I want, when I want, with convenient options for challenging the fairness of a charge.

KEEP IN MIND:

Influencing Factors

Influencing factors can create variances in comparison data from year-to-year and from municipality-to-municipality.



Charges & Cost Structures

Parking vs. non-parking charges; unique municipal costs and ability to account for true service delivery cost



Enforcement

Enforcement is beyond the control of the Court Administration and is dependent on enforcement staffing and prioritization of resources



Geographic Location

Municipalities with large population of seasonal residents, cross-border location or proximity to 400 series highways may have disproportionate offences



Judiciary Controls

Municipalities do not control allocation of court time to municipal courts.

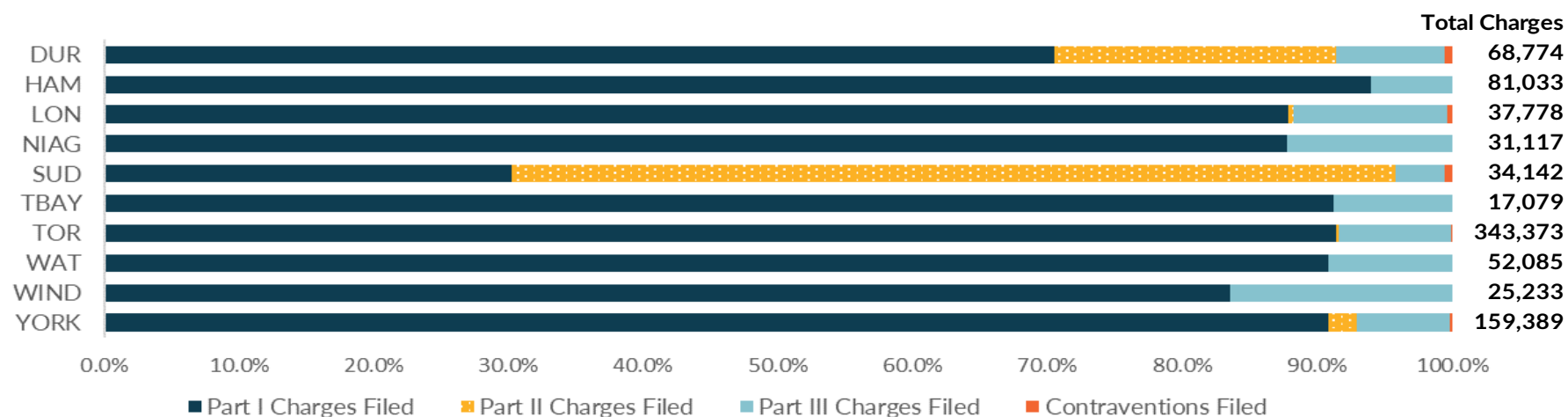
For a full description of influencing factors, please go to: www.mbncanada.ca

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Figure 25.1 Total Number of Charges Filed by Type - Percent Distribution

The following figure and table identifies 4 types of charges filed (**Note:** N/A means that the municipality does not process these charges):

- Part I Charges Filed: Often referred to as a “ticketing” process and is used for less serious offences. The defendant has 3 options: pay the fine, meet with prosecutor/walk-in guilty plea or request a trial.
- Part II Charges Filed: Applies exclusively to parking offences. The defendant has 2 options: pay the fine or request a trial.
- Part III Charges Filed: Used for more serious offences. The defendant must appear before a Justice of the Peace and has 2 options: resolve the charge(s) or request a trial. The charge cannot be resolved through the payment of a set fine.
- Contraventions Filed: Violations of minor federal laws that can be ticketed using provincial ticketing procedures.



MUNICIPALITY	Part I Charges Filed			Part II Charges Filed			Part III Charges Filed			Contraventions Filed		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
DUR	58,629	55,484	48,500	14,061	15,804	14,373	5,747	6,612	5,534	330	275	367
HAM	79,981	75,171	76,173	N/A	N/A	N/A	3,783	3,800	4,860	54	68	0
LON	36,642	34,953	33,179	62	172	149	4,423	4,475	4,305	51	35	145
NIAG	34,202	29,602	27,315	N/A	N/A	N/A	4,474	4,196	3,802	N/A	N/A	N/A
SUD	14,007	11,032	10,318	18,426	23,157	22,391	1,630	1,492	1,258	185	213	175
TBAY	19,948	18,419	15,574	N/A	N/A	N/A	1,336	1,429	1,505	N/A	N/A	N/A
TOR	312,785	322,940	314,008	237,444	213,964	429	36,698	34,630	28,813	107	70	123
WAT	54,332	53,772	47,311	N/A	N/A	N/A	4,877	5,028	4,774	0	0	0
WIND	24,260	22,818	21,089	N/A	N/A	N/A	4,295	4,369	4,144	N/A	N/A	N/A
YORK	137,355	145,647	144,849	2,766	3,012	3,316	12,303	11,491	10,911	306	365	313
MEDIAN	45,487	44,363	40,245	51	86	149	4,449	4,422	4,520	81	52	123

Source: PCRT810A (Statistic)

Source: PCRT810B (Statistic)

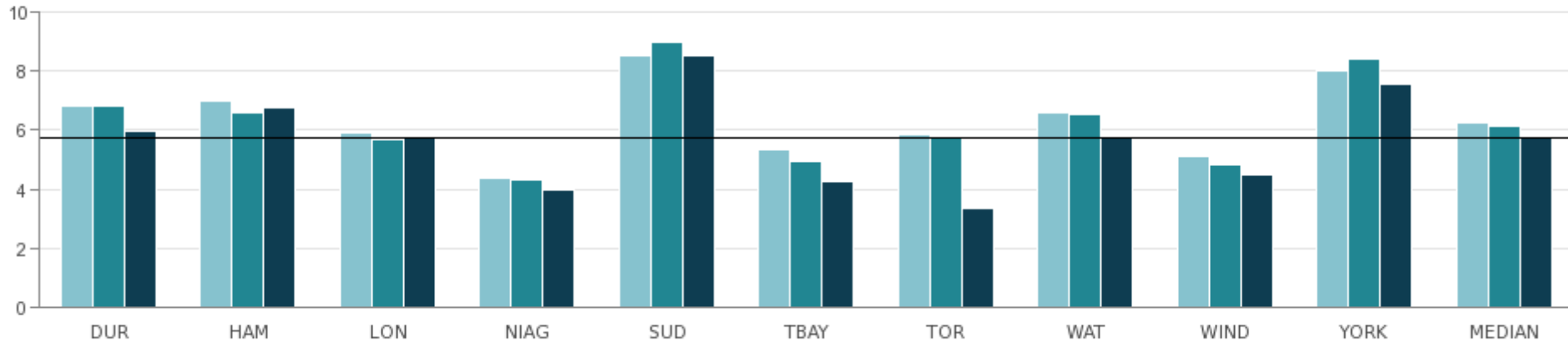
Source: PCRT810C (Statistic)

Source: PCRT810D (Statistic)

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Figure 25.2 Number of Charges Filed per Court Administration Clerk

(In Thousands)



2016	6,849	6,985	5,883	4,395	8,562	5,321	5,870	6,579	5,134	8,038	6,231
2017	6,798	6,587	5,662	4,333	8,974	4,962	5,716	6,533	4,855	8,448	6,125
2018	5,980	6,753	5,741	3,989	8,536	4,270	3,334	5,787	4,506	7,590	5,764

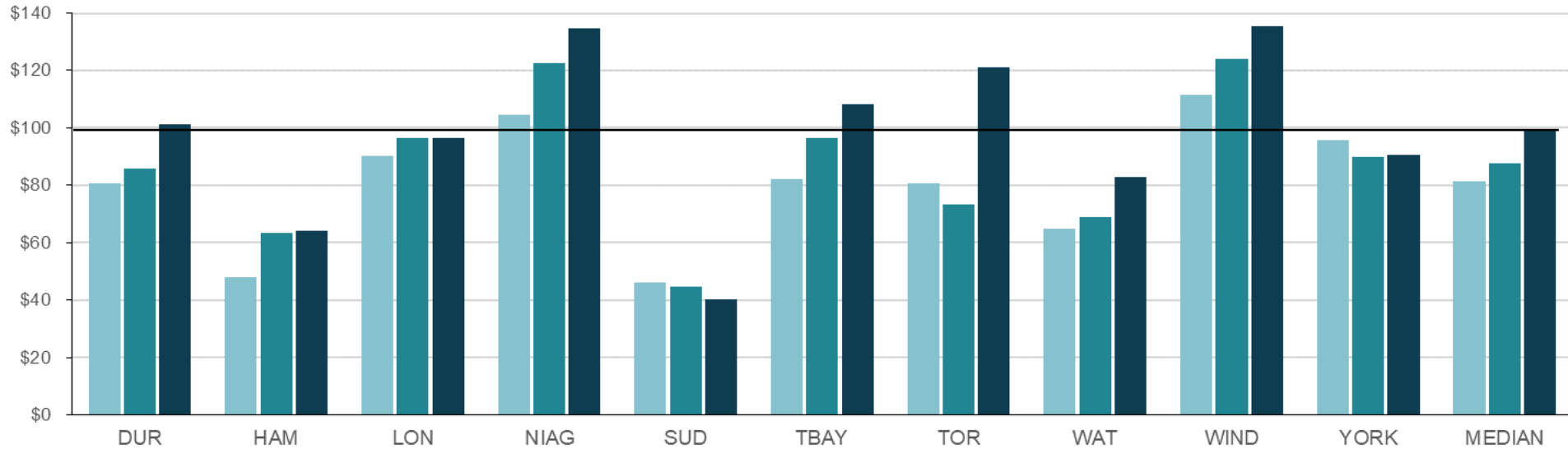
Source: PCRT222 (Service Level)

Toronto: Due to the implementation of Administrative Penalty System for parking charges, parking tickets are not adjudicated under Provincial Offences Act (POA). As a result, Part II charges are significantly lower compared to previous years (See Figure 25.1).

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Figure 25.3 Total Cost of POA Services per Charge Filed

This measure reflects the total cost to administer POA Services on a per charge basis.



2016	\$80.87	\$48.18	\$90.34	\$104.70	\$46.20	\$82.24	\$80.58	\$65.03	\$111.72	\$95.89	\$81.56
2017	\$85.75	\$63.60	\$96.61	\$122.71	\$44.77	\$96.36	\$73.40	\$68.93	\$123.90	\$89.91	\$87.83
2018	\$101.24	\$64.32	\$96.65	\$134.72	\$40.38	\$108.23	\$121.16	\$82.99	\$135.41	\$90.66	\$98.95

Source: PCRT305T (Efficiency)

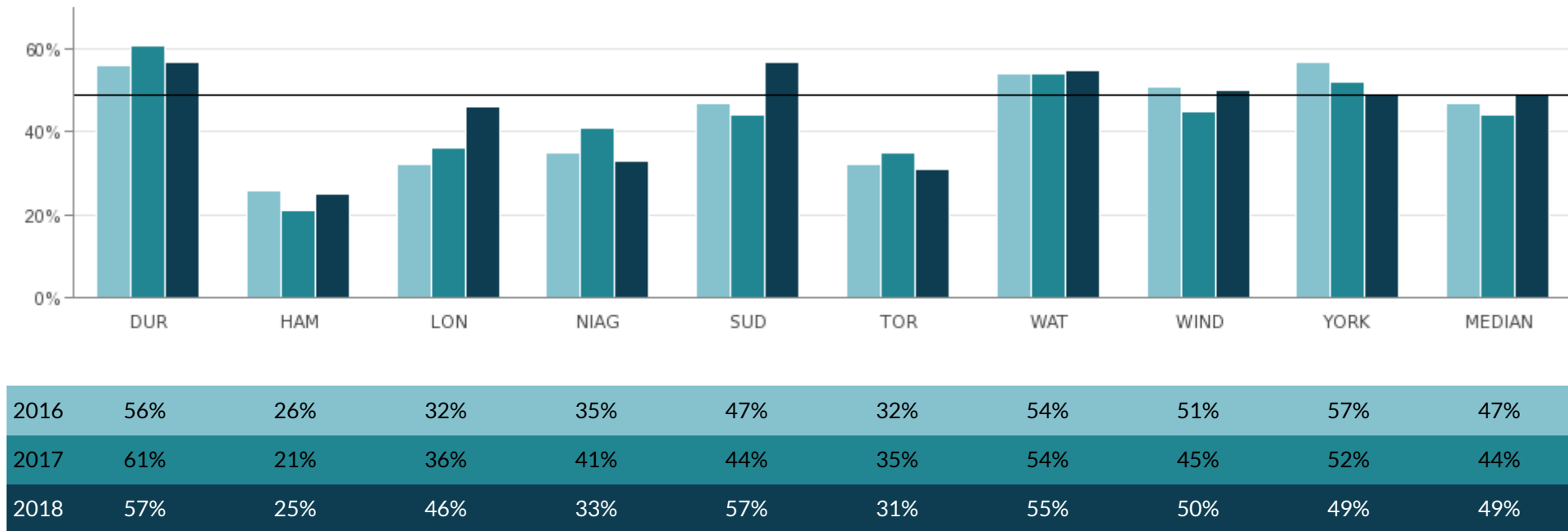
Niagara: Increase can be attributed to capital-related costs of new court facility.

Toronto: Due to the implementation of Administrative Penalty System for parking charges, parking tickets are not adjudicated under Provincial Offences Act (POA). As a result, Part II charges are significantly lower compared to previous years (See Figure 25.1).

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Figure 25.4 Defaulted Collection Rate

This measure tracks how successful Ontario municipalities with POA responsibilities are in collecting defaulted fines using a variety of collection methods, including but not limited to collection agencies, tax rolls, license suspension and plate denial. The Provincial Offences Act (POA) gives defendants charged with offences three options: (1) to pay fine, (2) dispute the charge through early resolution, or (3) request a trial. If a defendant fails to choose one of these 3 options or fails to pay the fine imposed by the court following early resolution or trial, the fine goes into default. POA fines are debts to the Crown and therefore remain in default until paid.



Source: PCRT310 (Efficiency)

London: Collection rate improved in 2018 due to increased efforts by internal collection staff to collect prior to sending to a third party.

Thunder Bay: Does not report - technology restrictions.

