

WINDSOR/ESSEX PROVINCIAL OFFENCES (POA) ANNUAL REPORT

The 2023 Annual Report is a detailed summary that highlights the activities and operations of the Windsor/Essex POA department throughout the year. It is provided to the Liaison Committee Members every year and includes an overall assessment of the operations and its structure, key performance indicators and financial results.

Issued on: March 14,
2024

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MESSAGE TO OUR MUNICIPAL PARTNERS

It is my pleasure to present the 2023 Windsor/Essex Provincial Offences Annual Report which details the operational results and financial performance that we achieved throughout the year.

The POA team members worked diligently throughout the year to meet its objectives and supported a number of new initiatives that had a positive impact on the overall business operations. Some of the key highlights include:

- A POA specific Write Off Policy was approved by council on January 16, 2023. In 2023, \$1,335,638.74 was written off under this new policy.
- The Provincial Offences Office became PCI compliant as of October 26, 2023 ensuring all our credit card transactions are processed securely and in accordance with the new City policy.
- Legislative changes were implemented which now allow for court staff to convict defendants who do not attend court which should free up time for Justices of the Peace, and court staff can now grant re-openings which should also help free up time for Justices of the Peace.
- Successfully upgraded the Collection Agency Management System (CAMS) from version 3.18 to 3.21, which included enhanced administration features and reporting mechanisms.
- The Windsor/Essex POA program ended the year with a net operating profit of \$1,007,689.

In 2024 the department will continue to explore avenues to improve our court processes and operating environment for the public to ensure equal and efficient access to justice. We anticipate and look forward to continued legislative changes aimed at modernizing the provincial offences court system.

Sincerely,

Chris Carpenter

Manager of Provincial Offences

SECTION A – BACKGROUND & OPERATIONAL ACTIVITIES

In 1998, the province enacted Bill 108 which amended the Provincial Offences Act (“POA”) thereby enabling it to transfer various responsibilities of the POA Court system to municipalities across Ontario. Offences governed by the POA are regulatory in nature created pursuant to provincial statutes such as the Highway Traffic Act, the Compulsory Automobile Insurance Act, the Liquor License Act, and the Trespass to Property Act, to name a few. The transfer of POA responsibilities included court support and administration functions, the prosecution of ticketed offences under Part I of the POA (with the more serious charges under Part III continuing to be prosecuted provincially), as well as the collection and enforcement of most fines. Part II matters (also known as parking ticket) and the collections of those tickets are handled by the Parking Enforcement division of the City of Windsor under the administrative penalty system. The POA Transfer did not include criminal matters, which continue to be processed and prosecuted in a court system managed by the province.

The Windsor/Essex Provincial Offences Program (“POA Program”) was created as a special-purpose vehicle to accept the transfer of POA responsibilities from the province. It functions as a self-funding, operating division of the City of Windsor (“City”), having been established for the express purpose of locally implementing the POA Transfer at the regional level.

Although rooted in legislation, the POA Program is essentially governed by a number of contracts, consisting of the following agreements:

- The Transfer Agreement between the City and the province of Ontario as represented by the Ministry of the Attorney General (“MAG”), consisting of 2 contracts, namely a generic Memorandum of Understanding (“MOU”) and a Local Side Agreement (“LSA”). The Transfer Agreement sets forth the City’s responsibilities and duties, inclusive of various guidelines and standards;
- The Intermunicipal Court Service Agreement (“ISA”) entered into amongst the City and those other affected municipalities together constituting the Windsor/Essex Court Service Area (“Area”), which encompasses the geographic territory consisting of the City of Windsor, the County of Essex and Pelee Island. It serves to outline the roles and responsibilities of the POA Program and the 9 serviced municipalities.

The ISA provided for an initial term of six fiscal years, commencing on March 5, 2001 (the live transfer date) through December 31, 2006. The ISA has been renewed three times since the original agreement each time for a period of 5 years. The current agreement which was renewed in 2021 commenced January 1, 2022 and expires December 31, 2026.

The POA Program also has responsibility for various POA Court operations at the Leamington courthouse, where the POA Court presided the 1st, 3rd and 5th Thursday of every month prior to the pandemic. At the time of writing this report, the Leamington courthouse operations have

not resumed. The proceedings that would typically be held in Leamington are being held virtually in Windsor courts. If and when the Leamington courts open back up to in person proceedings, Windsor/Essex POA will review its operations and determine the best course of action moving forward with hosting POA matters at this location.

The POA Program provides services and facilities to various stakeholders within the administration of the justice system. These stakeholders include law enforcement personnel whose mandates entail the initiation of proceedings against defendants alleged to have violated provincial legislation and municipal by-laws, defendants and their legal representatives, victims of such violations, various provincial authorities, as well as an independent and impartial judiciary. Operations of the POA Program fall into four functional categories. These four sections together constitute the operational aspects of the POA Program:

Court Administration: This area has general carriage of the POA Court office. Responsibilities include the intake, processing, filing and preservation of charging documents (i.e. tickets) and associated certificate control lists received from law enforcement agencies; the intake of mail and allocation and processing of payments and legal documentation; tracking of on-line remittances via www.Paytickets.ca; staffing of cashier stations to handle payments and queries; generation of POA Court dockets including fail-to-respond, trial, first appearance, and Early Resolution; setting of trials; procuring interpreter services; liaising with police court services personnel; intake and processing of motions, re-openings, appeals and applications for extensions of time to pay fines; maintaining updated data in the provincial mainframe application known as the Integrated Courts Offences Network (“ICON”); enforcement of delinquent fines via driver’s license suspensions; processing of daily financial matters; procurement of equipment/supplies; and overall maintenance of the operations. Due to changes enacted by Bill 177, court administration, as clerks of the court, are able to review and approve reopenings as well as extensions of time to pay and convict fail to respond matters as of November 1, 2021.

Court Support: This area is composed of POA Court monitors, being a combination of court clerks/reporters whose responsibilities include ensuring that the POA Court dockets and associated charging documents are properly presented in court; paging defendants; assisting the Justices of the Peace in arraignments and endorsements; issuing statutory warnings to defendants; generating payment slips to defendants wishing to immediately satisfy imposed fines; maintaining updated ICON data; ensuring that the proceedings are properly recorded; typing transcripts for use in appeals and other proceedings; logging and preserving exhibits including disposal of same in accordance with judicial directions or retention requirements. Due to changes enacted by Bill 177, court clerk reporters, as clerks of the court, are able to convict 9.1.b convictions for fail to respond individuals in an early resolution setting.

Prosecution: The Municipal Prosecutors appear in POA Court to call the trial list and to conduct trials, to deal with motions, to set trial dates; they meet with defendants and their representatives in conjunction with the Early Resolution process with a view to resolving matters;

they review law enforcement files to ensure that matters should be proceeded with and assist with disclosure to Defendants and their Representatives and they appear in the higher courts on both prosecution and defence appeals. Municipal by-law matters are heard in POA court and each municipality prosecutes their own by-laws. In 2023, Part III matters under the POA remained the prosecutorial responsibility of the Crown Attorney's office &/or specialist Prosecutors provided by various ministries.

On December 14, 2017, Bill 177 – Stronger, Fairer Ontario Act - was passed by the Legislative Assembly of Ontario that enables the Attorney General to enter into agreements with municipalities to transfer responsibility for certain prosecutions currently prosecuted by the Ministry's Criminal Law Division under Part III of the POA. Based on the current wording of the legislation, a Part III transfer is permissible, but not mandatory, and municipalities have made it clear to the Ministry that taking on this transfer would need to be approved by their respective councils. If Part III offences are transferred to the municipalities, the Crown Attorney's office will continue to monitor the more serious cases. Based on a preliminary review of the statistics regarding Part III matters, it is expected that an additional prosecutor would need to be added to the permanent staff establishment. Further incentives would need to be provided in order to recommend the transfer to Council. The prosecution of City of Windsor By-laws was transferred to the POA Municipal Prosecutors from the Legal Department in 2017. The Municipal Prosecutors are also prosecuting charges laid by any of the Fire Services in Essex County.

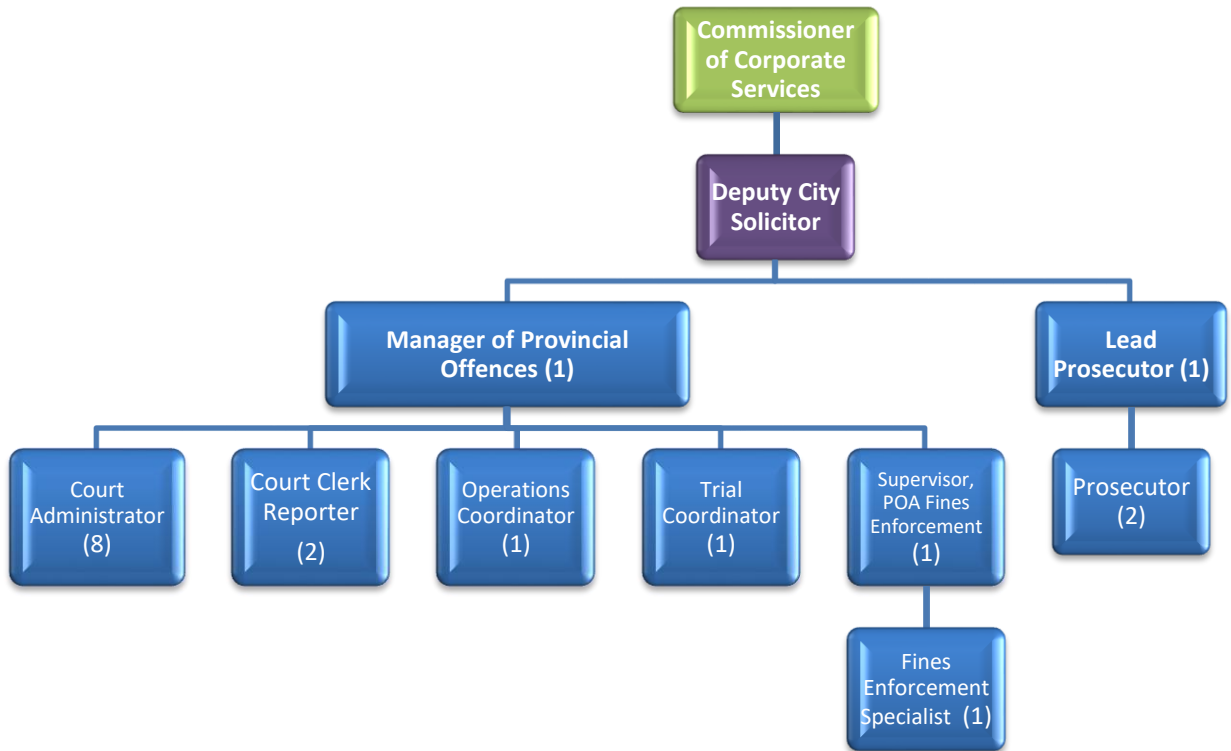
Fines Enforcement (Collections): One POA Fines Enforcement Supervisor along with one POA Fines Enforcement Specialist are responsible for ensuring that POA Court judgments, being orders imposing monetary penalties, are honoured by defendants including seeing to it that certificates of default are prepared and filed in a timely fashion at the Superior Court of Justice; for sending out dunning letters; for locating and meeting with defendants having defaulted fines and making arrangements for collecting; for ensuring that writs of seizure and sale and garnishments are proceeded with in appropriate cases; for attending on judgment debtor examinations primarily at the Small Claims Court level; for filing proofs of claim with trustees in bankruptcy and estate trustees; and for liaising with collection agencies and credit bureaus with which the POA Program has relationships.

The Windsor POA facility also houses a satellite office of the Police Court Services Branch. Among other things, that office works closely with the Prosecutors to ensure that law enforcement files are available for use at trials, at Early Resolution meetings and on appeals. The Court Services office also advises Police Officers of trial dates, summons lay witnesses, arranges for personal service of court documents, provides disclosure to Defendants and their legal representatives and procures necessary official documentation for use in court as evidence.

An organizational diagram of the POA Program is included and identified as CHART A-1, which was in effect at the end of the subject reporting period.

CHART A-1

ORGANIZATIONAL CHART OF THE WINDSOR/ESSEX POA OFFICE



SECTION B – LIAISON COMMITTEE

The ISA calls for the setting up of an administrative advisory panel, being the Windsor/Essex Court Service Area Liaison Committee (“Liaison Committee”), composed of one representative from each participating municipality. Among other items, the 10-person Liaison Committee:

- Serves as the liaison between the City and the 9 Serviced Municipalities on all matters relating to the operation of the POA Program
- Reviews all reports submitted by the Commissioner of Corporate Services and Deputy City Solicitor in conjunction with the Manager of Provincial Offences and makes recommendations to the operations of the POA Program
- Reviews and recommends for approval the annual budgets
- Generates an annual report for review by the respective councils of the participants

By virtue of the ISA, each party municipality provides a member of its administration as its Liaison Committee representative, with the Windsor representative currently being the Commissioner of Corporate Services. The latter is also the Chair.

For 2023, the final composition of the POA Liaison Committee was as follows:

MUNICIPALITY	MEMBER	POSITION
Amherstburg	Tracy Prince	Director, Corporate Services/CFO
Essex (County)	Melissa Ryan	Director of Financial Services/Treasurer
Essex (Town)	Kate Giurissevich	Director, Corporate Services/Treasurer
Kingsville	Ryan McLeod	Director of Fin. & Corp. Services/Treasurer
Lakeshore	Justin Rousseau	Director of Finance/CFO
LaSalle	Dale Langlois	Director of Finance/ Treasurer
Leamington	Laura Rauch	Director of Finance & Business Services
Pelee	Michelle Feltz	Treasurer/Tax Collector
Tecumseh	Tom Kitsos	Director of Financial Services/CFO
Windsor	Dana Paladino (Chair)	Commissioner of Corporate Services
Windsor	Chris Carpenter	Manager of Provincial Offences

The Liaison Committee is mandated by the ISA to convene at least twice annually. In 2023, there were two meetings that were held on the following dates and locations:

Date

April 5, 2023

November 20, 2023

Location

Remote Meeting through Zoom

Remote Meeting through Zoom

SECTION C – CASELOADS & STATISTICS

The POA Program’s caseload is dependent upon charges laid by professional law enforcement personnel and agencies. The workflow of the POA Program commences with the initiation by Police and other Officers of legal proceedings against alleged violators of provincial legislation and municipal by-laws. Legal proceedings are instituted by personal service upon the defendant by either a Provincial Offence Notice (also known as a Part I ticket) or a more formal Summons to Defendant requiring attendance at court (also known as a Part III ticket). These charges are ultimately disposed of by an independent and impartial judiciary presiding in the form of the POA Court. Pursuant to Part X of the POA and the Transfer Agreement, the POA Program receives fine revenue from Part I and Part III charges, provided that the fine revenue is not “dedicated” to some special purpose. Further detailed distinctions are possible, as indicated below:

- Charges laid by traditional Police forces, being local police services including the OPP: all fine revenues belong to the POA Program virtually without exception unless the charges are laid under federal legislation or under certain municipal bylaws
- Charges laid by specialized Police forces, such as the OPP contingent securing Casino Windsor: for the most part all fine revenues belong to the POA Program, unless charges are laid under federal legislation (for example by the CNR or CPR police under the *Railway Safety Act* of Canada)
- Charges laid by specialized agencies and most Provincial Ministries, for example the Ministry of Labour under the *Occupational Health and Safety Act*: for the most part all fine revenues belong to the POA Program, unless there is statutory dedication
- Charges laid by Municipal Inspectors and Police Officers under bylaws (e.g. licensing, zoning, noise, prohibited turns, parking, etc.) and provincial statutes (e.g. *Building Code Act*): the fine revenues belong to the charging municipality, with the POA Program receiving no compensation for services rendered and facilities made available, other than relatively insignificant court costs/fees
- Charges laid under federal enactments, or by certain Provincial Ministries or bodies in situations where the fines are statutorily “dedicated” to special purposes: the POA Program receives no fine revenue or other compensation for services rendered and facilities made available, other than relatively insignificant court costs/fees.

In 2023, the POA Program took in a total of 28,213 charging documents, for a monthly average intake of approximately 2,351 tickets. TABLE C-1 which follows below shows the charging volume for each agency and the year over year percentage change.

NOTE: *The numbers and/or percentages of charges do not necessarily translate into more or less fine revenue generation. The quality of the charges is important along with the final resolution of the fines.*

Table C-1: 2023 CHARGING VOLUME BY AGENCY

Agency	2023	% Change '23 vs. '22	2022	% Change '22 vs. '21
Windsor Police	10,949	39.8%	7,834	-26.7%
Ministry of Transportation	2,194	37.6%	1,595	21.3%
RLC-Joint Processing Centre	6,141	15.5%	5,318	N/A
Essex OPP	5,437	32.3%	4,109	19.1%
Tecumseh OPP	274	80.3%	152	-42.9%
Leamington OPP	405	11.9%	362	-54.0%
Lakeshore OPP	214	-10.8%	240	-54.5%
Essex Town OPP	82	-24.1%	108	-34.9%
Kingsville OPP	122	-20.8%	154	-53.3%
LaSalle Police	1,228	-39.3%	1,226	84.4%
Essex Detachment Heat Unit	0	N/A	0	-100.0%
Canadian Pacific Rail Police	333	-2.9%	343	-44.1%
Ministry of Natural Resources	229	-5.4%	242	19.8%
Windsor Fire Department	39	62.5%	24	33.3%
Casino OPP	12	50.0%	8	33.3%
Windsor Essex County Health Unit	60	-38.8%	98	-50.8%
Windsor Bylaw	182	93.6%	94	-27.1%
Ministry of Finance	5	N/A	0	-100.0%
Ministry of Labour	110	182.1%	39	-57.1%
Ministry of Environment	51	6.3%	48	-34.2%
Ministry of Solicitor General	9	125.0%	4	N/A
Ontario College of Trades	0	N/A	0	N/A
Lakeshore Fire	1	-88.9%	9	200.0%
Humane Society – Windsor	1	N/A	0	N/A
Amherstburg Bylaw	22	2100.0%	1	-94.4%
Amherstburg Fire Department	0	-100.0%	1	-75.0%
Lakeshore Bylaw	43	437.5%	8	100.0%
Canadian Heritage Parks	45	28.6%	35	29.6%
Electrical Safety Authority	0	-100.0%	4	N/A
Real Estate Council - Windsor	0	N/A	0	N/A
OPP-Traffic Mgt/Ride Mount Forest	0	N/A	0	N/A
OPP-Traffic Mgt/Ride London	39	-31.6%	57	103.6%
Orillia O.P.P	5	150.0%	2	N/A
Kingsville Bylaw	5	150.0%	2	-71.4%
Ontario Motor Vehicle Industry Council	65	-4.4%	68	44.7%
Tarion Warranty Corp	0	N/A	0	N/A
Kingsville Fire	0	-100.0%	3	200.0%
Tecumseh Fire	3	N/A	0	N/A
Essex Bylaw	5	-50.0%	10	N/A
Essex Fire Department	1	-66.7%	3	N/A
Ministry of Municipal Affairs & Housing	6	100.0%	3	N/A
Ministry of Government and Consumer Services	36	N/A	0	N/A
Leamington Bylaw	103	1371.4%	7	-90.0%
Essex Region Conservation Authority	1	N/A	0	N/A
Canadian National Rail Police	0	N/A	0	N/A
Ontario New Home Warranties Program	0	N/A	0	N/A
OPP Pelee Island	0	N/A	0	N/A
Leamington Fire	36	-50.7%	73	N/A
London-Heat Unit	0	N/A	0	-100.0%
Alcohol & Gaming Commission	0	N/A	0	-100.0%
Workplace Safety & Insurance Board	0	N/A	0	N/A
Tecumseh Bylaw	1	N/A	0	-100.0%

Private Complaints	0	N/A	0	N/A
LaSalle Fire	2	N/A	0	N/A
Major Crime Squad	0	N/A	0	N/A
Public Health Agency of Canada	11	-97.1%	377	-7.1%
Greater Essex County District School Board	0	N/A	0	N/A
Probation Office	0	N/A	0	N/A
Wildlife Canada	0	N/A	0	N/A
Ministry of Agriculture & Food	0	-100.0%	4	100.0%
Childrens Aid Society	0	N/A	0	N/A
Probation Office - Windsor	0	N/A	0	N/A
Ministry of Environment, Conservation & Parks-Windsor	6	0.0%	6	N/A
Royal Canadian Mounted Police	0	N/A	0	N/A

External Benchmarking of Caseloads

Windsor experienced an increase in overall charges for 2023 with an 26.4% higher ticket volume than 2022. The majority of growth seen in 2022 was the result of the Red Light Camera (RLC) program coming online. Although the number of RLC tickets issued in 2023 did increase by 832 (15.6%) this only represents 14% of the total increase for 2023 (5,889 more tickets). TABLE C-2 below provides details on the charging volumes of various municipalities as well as Windsor and the total provincial charges filed.

Table C-2: 2023 CHARGING VOLUME COMPARATOR

Agency	MBN Canada	2023	% Change '23 vs. '22	2022	% Change '22 vs. '21	2021	% Change '21 vs. '20
Windsor	Yes	28,213	26.4%	22,324	8.09%	20,518	-16.3%
Barrie	Yes	33,542	18.2%	28,368	-64.51%	46,669	1.1%
Durham	Yes	127,229	26.1%	100,866	21.04%	79,640	12.5%
Hamilton	Yes	87,179	-1.3%	88,339	-0.20%	88,514	0.5%
London	Yes	37,741	15.7%	32,611	25.05%	24,443	-3.2%
Niagara	Yes	42,408	69.1%	25,086	-5.21%	26,393	-3.5%
Ottawa	Yes	297,647	59.3%	186,873	15.19%	158,478	21.6%
Thunder Bay	Yes	22,279	18.3%	18,834	28.35%	13,495	2.7%
Toronto	Yes	796,360	27.6%	624,286	7.02%	580,460	31.7%
Waterloo	Yes	66,123	42.2%	46,514	6.93%	43,289	-3.4%
Brampton	No	62,547	-1%	63,206	-22.32%	77,315	-29.5%
Brantford	No	15,134	33.2%	11,363	23.00%	8,749	-439.7%
Caledon	No	22,532	8.6%	20,744	-58.86%	32,954	74.2%
Chatham	No	8,902	13.7%	7,828	-21.65%	9,523	-180.3%

Guelph	No	22,578	32.5%	17,042	20.71%	13,513	-6.8%
Lambton	No	11,795	4.3%	11,308	18.46%	9,221	-53.5%
Provincial	N/A	2,238,216	26.8%	1,765,733	6.50%	1,650,915	15.7%

Operational Statistics

As shown above, our ticket volume increased by 26.4% to 28,213. In addition to the POA Program’s caseload being dependent upon charges laid by professional law enforcement personnel and agencies, our ability to try cases is dependent on the amount of judicial resources made available to us. That is to say, the number of hours a Justice of the Peace is available to sit in our courts. Although our ticket volumes increased, we also experienced the following:

- \$5,419,699 in fines paid (2022 - \$5,682,011) **down 4.6%**
- 1,098 courtroom operating hours (2022 – 1,484) **down 26%**
- 5,088 Early Resolution meetings (Part I) (2022 – 4,783) up 6.3%
- 33,411 Matters heard in court (Parts I & III) (2022 - 40,890) **down 18.3%**

It is clear that even with the number of tickets increasing, our production is restricted due to insufficient courtroom operating hours. TABLE C-3 below shows that, for the most part, in areas where revenue has grown, court hours have also grown.

NOTE: Many factors influence the amount of revenue generated. Delinquent fine rates, dispute rates, rates of extension requests, number of dedicated fines etc. all impact overall revenues. The intention of the below chart is to show that year over year change in court hours impacts year over year revenues.

Table C-3: 2023 REVENUE AND COURT HOURS COMPARATOR

Agency		2022	2023	% Change '23 vs. '22
Windsor	Revenue	\$5,682,011	\$5,419,699	-4.6%
	Court Hours	1,484	1,098	-26%
Barrie	Revenue	\$3,600,511	\$3,900,575	8.3%
	Court Hours	505	798	58.1%
Durham	Revenue	\$9,859,824	\$12,140,714	23.1%
	Court Hours	806	1,066	32.3%
Hamilton	Revenue	\$13,565,258	\$16,247,809	19.8%
	Court Hours	970	1,082	11.6%
London	Revenue	\$7,127,255	\$7,445,312	4.5%
	Court Hours	765	1,047	36.9%
Niagara	Revenue	\$4,322,578	\$7,353,591	70.1%
	Court Hours	981	672	-31.5%
Ottawa	Revenue	\$29,910,374	\$38,095,827	27.4%
	Court Hours	874	1,214	39%
Thunder Bay	Revenue	\$2,930,681	\$3,638,832	24.2%
	Court Hours	563	669	18.7%

Toronto	Revenue	\$56,245,653	\$81,333,137	44.6%
	Court Hours	4,138	6,612	59.8%
Waterloo	Revenue	\$8,419,199	\$9,189,821	9.2%
	Court Hours	891	719	-19.3%
Brampton	Revenue	\$11,200,039	\$11,226,665	0.2%
	Court Hours	1,462	1,857	27.1%
Brantford	Revenue	\$1,786,841	\$2,781,587	55.7%
	Court Hours	162	466	187.3%
Caledon	Revenue	\$3,468,124	\$3,421,088	-1.4%
	Court Hours	480	508	5.8%
Chatham	Revenue	\$1,466,020	\$1,506,830	2.8%
	Court Hours	341	241	-29.5%
Guelph	Revenue	\$3,859,417	\$3,509,790	-9.1%
	Court Hours	422	329	-21.9%
Lambton	Revenue	\$1,641,888	\$1,740,269	6%
	Court Hours	366	249	-32%

A decrease in court room hours has had several operational impacts on the POA program.

There is insufficient court time to facilitate the number of new charges leading to a backlog of cases. This backlog results in charges exceeding 18 months between the time of the charge being issued and the conclusion of the trial. As a result, charter applications have been received which consume a considerable amount of resources. Often a viable rationale for the delay, beyond citing a lack of judicial resources, cannot be mounted and the charges have to be dropped.

With limited court hours less matters can be dealt with each year. In 2023, 33,411 events were heard compared to 40,890 events in 2022 (a decrease of 18.3%). The number of events heard in 2021 were 46,883 representing a 12.8% decrease from 2021 to 2022. Over this 2-year period, the number of events heard in court dropped by 28.7%.

At this time, the greatest barrier to revenue growth is the lack of court room hours. In an effort to make the most effective use of court time a focus has been put on early resolution meetings as they take much less court time per matter. Early resolution meetings increased 6.3% year over year and will continue to be a focus of the POA Program. Part 1 offences can be paid without going to trial. Approximately 46% of the 24,496 part 1 offences issued in 2023 were paid without going to trial. In 2024, the POA office will be reviewing options to encourage the prepayment of tickets to reduce the demand for court hours.

The POA office has also been advocating to have more Justices of the Peace appointed and assigned to Windsor. On January 29, 2024, the Ministry of the Attorney General announced the appointment of two additional Justices of the Peace for Windsor. These Justices will take approximately one year to complete their training. In addition, our Local Administrative Justice of the Peace Renaud has advised by September of this year, two additional Justices of the Peace assigned to Windsor will have completed their training. Justice Renaud has estimated that these two Justices will result in one additional court day per week. Assuming total ticket volumes are

maintained, this increase in judicial resources should result in increased revenue for 2024.

Red Light Camera (RLC) Offences

Red Light Cameras became operational in Windsor in January of 2022. A red light running camera is a type of traffic enforcement camera that captures an image of a vehicle that enters an intersection during a red light.

The key reasons why municipalities have installed cameras are to change driving behaviour, reduce angled collisions, and increase safety.

Below are the statistics for the second operational year of Red Light Cameras. The program produced a net profit of \$1,009,138 for the 2023 year and the offences made up 21.8% of the overall tickets received. Please note that this net revenue figure includes expenses directly related to the RLC program (such as camera rental charges and JPC fees) and does not factor in shared operating expenses such as staffing costs, office supplies, etc.

Ontario Regulation 355/22 under the Highway Traffic Act allows for the use of Administrative Penalties (AP) for vehicle-based offences captured by automated enforcement systems such as Automated Speed Enforcement and Red Light Cameras. APs are an alternative method to adjudicate these offences outside of the traditional POA court system. APs are penalties imposed directly by the municipality and are intended to encourage compliance without the need for a more serious judicial procedure. As APs are administered by the municipality, the appeal and payment process are considered to be more customer friendly. The penalty revenue goes directly to the municipality. The intention of the AP approach is to move offences that are considered less serious out of the POA system to allow POA resources to be focused on more serious offences. The suitability of the AP process for the existing Red Light Camera program is being explored by the City of Windsor's administration.

A separate Red Light Camera information report relating to the success of changing driving behaviors, reducing angles collisions and increased safety will be brought to Council from the City's Traffic Operations Department.

Table C-4: Red Light Camera Offences

Red Light Camera Offences Statistics														
Year to Date Revenue as of April 30, 2022														
RLC Revenue Received (Jan to Dec)	\$ 1,224,201.00													
RLC Expenses (Actuals*)	\$ 215,063.00													
Net	\$ 1,009,138.00													
*Note: JPC Toronto expenses are billed annually and have not been received as of April. Jenopik Expenses are billed monthly, however they are 1 month behind. Expenses reflected are direct RLC expenses and does not include any overhead expenses such as staffing, office expenses, etc.														
Agency	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2023	% of Total Volume
RLC-Joint Processing Centre	279	310	562	394	693	687	475	634	530	656	525	396	6,141	21.8%

SECTION D – DEFAULTED FINES ENFORCEMENT

Under the Transfer Agreement with MAG, the responsibilities of the City include the collection and enforcement of POA fines for and on behalf of the area. The POA Fines Enforcement area currently has two full-time employees.

Ongoing efforts to enforce defaulted fines continue to be aggressive and at the same time very challenging. Enforcement constitutes a highly labour-intensive activity which consumes a lot of resources and time. There are a variety of enforcement tools that are readily available and frequently used by the collection staff in order to encourage payment and/or to legally enforce payment of defaulted fines. Some of these include:

- Selectively adding defaulted fines to the tax roll of sole property owners for collection pursuant to section 441.1 of the Municipal Act.
- Registering Certificates of Default with the civil court having monetary jurisdiction, thereby constituting deemed orders or judgments for enforcement purposes.
- Filing and maintaining wage garnishment proceedings where the employer has been identified and the offender's employment status has been verified.
- Use of Collection Agencies. In addition to skip tracing and making the usual contacts with debtors, our collection agencies have reported numerous defaulters to the major credit bureaus, thereby impairing the creditworthiness of the offenders.
- Filing and maintaining Writs of Seizure and Sale with sheriff's offices, thereby erecting judicial liens against present and future proprietary interests.
- Driver's License suspensions and plate denials under various statutes and regulations.
- Intercepting indemnity deposits with permit-issuing City departments, by redirecting the indemnity refunds to POA where the indemnitors have defaulted fines
- Exercise of prosecutorial discretion to encourage defendants presenting themselves with fresh charges, to finally honour monetary sentences previously imposed by the POA Court.

Although not frequently used due to operational challenges and privacy legislation, there are other enforcement tools that can be applied to ensure collection efforts are maximized:

- Examinations-in-Aid of Execution, whereby judgment debtors may be examined in depth as to their abilities and means to make good their monetary obligations including being compelled to fully disclose their assets, liabilities, sources of income, bank accounts, RRSP's etc. (this tool is rarely used as our Collections staff would have debtors not attend their scheduled appointments and those that would attend did so because they had no ability to pay).
- Contempt hearings where debtors have refused or neglected to attend on examinations-in-aid.
- Garnishment proceedings whereby bank accounts, rentals from tenants etc. are

attached as information and used for enforcement (the more commonly used enforcement tool is the garnishment of wages which is discussed later in this report)

- Monitoring of death notices in the hopes of collecting from estates.
- Encouraging revocation of CVOR certificates in liaison with the Ministry of Transportation, respecting businesses making use of commercial motor vehicles whose operations perennially default on fines.

Active Collection Efforts

We recognize the fact that the POA department has little to no control over charging volumes therefore considerable efforts and resources are redirected towards implementing an active and aggressive collection model and procedures. The results of these efforts are summarized in the following sub-sections below.

Municipal Tax Rolling

Under Section 441.1 of the Municipal Act, 2001, a local municipality is permitted to add any part of a fine for a commission of a provincial offence that is in default under section 69 of the Provincial Offences Act to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine. Accordingly, a Defaulted Fine can only be added if the offender in default is the sole owner of the property. The Defaulted Fine is collected in the same manner as municipal taxes at the request of a municipality.

The tax roll process continued to be a supplementary collection tool to utilize in 2023. An additional 3 accounts were added in 2023 with a dollar value of \$9,457.50. We also collected \$3,132.50 through this method of collection in 2023 from accounts added in prior years.

Garnishment of Wages

The process of finding where an offender is employed is one of the most challenging tasks due to the limited amount of information that is available to our staff. In many cases the offenders are either unemployed, working for cash, or on some form of assistance which cannot be garnished.

However, when employment is confirmed and the garnishment documents are in place, it becomes one of the most effective enforcement tools. In 2023 we initiated 20 new garnishments and collected \$42,394.46 in revenue from all garnishments.

3rd Party Collections

On July 1, 2021, changes to our 3rd party collection vendors were made as a result of an RFP issued in late 2020. Three collection agencies, General Credit Services, International Credit Experts and Gatestone, were procured. Table D-1 summarizes the year over year results of third party vendor collection of POA fines.

Description	As of December 31, 2023	As of December 31, 2022	Increase/ (Decrease)
Revenues Collected from Third Party Agencies	\$975,722	\$798,644	\$177,078

There was an increase of \$177,078 in collected revenue from Third Party Agencies in 2023 compared to 2022. With the current 3rd party collections agencies procured in July of 2021, we have seen a significant increase in revenue as the old cases were redistributed to new agencies in 2021. Revenue from 3rd party collections represents approximately 17% of overall revenue collected in the year.

Fines Paid at Service Ontario

All defendants who have suspended driver's licenses due to POA offences have the ability to pay their outstanding POA fines at Service Ontario. This allows the individual to obtain their license back immediately as they pay their outstanding fines and the re-instatement fee due to the Ministry and their license is re-instated on the spot.

In 2023, 1,729 fines were collected at Service Ontario through this program. From these payments, revenue of \$563,448.13 was received. This continues to be a positive and efficient method of collecting defaulted fines that may have not have been collected otherwise.

In May of 2017, a plate renewal program was implemented by the Ministry of Transportation (MTO) whereby all outstanding defaulted driver fines have to be paid in full before one can renew their plates. All Red Light Camera Offences fall under this program. Therefore, anyone who does not pay their RLC offence will be required to pay before renewing their license.

In February of 2022, the provincial government made a decision to eliminate the costs associated with renewing license plates. Plates will still need to be renewed every one or two years — to ensure car insurance and any outstanding tolls or municipal fines are paid — but it will be free to do so with no sticker required. The full impact of this decision cannot be quantified at this time but it is assumed that it will cause a decrease on the number of offences issued for expired plates and will cause a delay in the requirement for people to pay their fines.

Outstanding Fines Paid

Regardless of how effective the active collection efforts are, there remains a significant number of outstanding fines. As of December 31, 2023, there were approximately 64,091 records of unpaid fines for a total outstanding amount of \$44,715,391. (See Table D-2 for further details). The significant number of outstanding fines is not just a Windsor specific issue; it is experienced province wide.

Table D-2: Number of Unpaid Fines				
Description	2023		2022	
	#	% Change	#	% Change
Pre-Transfer	20,362	-28.6%	28,517	-1.3%
Post- Transfer	43,729	0.6%	43,483	1.5%
Total	64,091	-28.0%	72,000	0.2%

Table D-3: Dollar Value of Unpaid Fines				
Description	2023		2022	
	#	% Change	#	% Change
Pre-Transfer	\$4,099,603	-19.9%	\$5,115,997	-1.5%
Post- Transfer	\$40,615,788	1.7%	\$39,944,294	1.9%
Total	\$44,715,391	-18.2%	\$45,060,290	0.4%

Many of these older fines (i.e. pre-transfer) have been ‘scrubbed’ multiple times and all reasonable and appropriate measures to collect have been made. A POA specific write off policy was approved by Council in January of 2023 and \$1,335,638.74 was written off in 2023 (reflected by the decrease in the number and value of pre-transfer unpaid fines). Final account write offs are finalized by the Ministry in a batch process that gets completed in September of each year.

It’s important to note that a write-off policy refers to the cessation of active fine collections and is done for accounting purposes only. It does not absolve a convicted offender from the requirement to pay a fine, as debts to the Crown are owed in perpetuity and are never forgiven.

The POA office will be undertaking another review in 2024 and widen the criteria for fines that can be written off. The ultimate goal is to use write offs to both create an accurate picture of outstanding fines that have the potential to be collected and to better focus our collection efforts on outstanding fines that have a higher likelihood of being collected.

SECTION E – FINANCIAL RESULTS

The negotiated financial arrangement underpinning the POA Program is in essence a partnership, under which the participating municipalities annually share approximately \$1.1 million of net revenue or “profit”. The City, as the managing partner, front-ends the operation and collects and enforces the monetary fines imposed by the POA Court. From the total revenue derived, all operating costs pertaining to the POA Program are deducted. These costs include such things as staff salaries, Windsor Police court security, facility rent and maintenance, office equipment and supplies, Victim Fine Surcharge remittances, and the adjudication expenses associated with running courtroom proceedings. The net revenue is then shared amongst the signatories to the ISA in proportion to their respective weighted assessments (See SECTION F for more details). In 2023 the net profit was allocated as follows:

County Contribution	51.053%
Pelee Contribution	0.287%
<u>City of Windsor Contribution</u>	<u>48.660%</u>
TOTAL	100.00%

In an extremely challenging economic environment and recognizing that fine imposition amounts have not been indexed for inflation, the POA Program still enjoys a successful self-funding model, delivering a net positive revenue budget which benefits all of our local taxpayers. Each benefiting municipality is free to allocate its respective portion to such municipal purposes as deemed appropriate by the elected council thereof.

TABLE E-1 provides a high level five-year financial summary which can be used for internal benchmarking and comparative purposes.

TABLE E-1: ANNUAL FINANCIAL RESULTS - 5 YEAR SUMMARY

Description	2023 Actuals (\$)	2022 Actuals (\$)	2021 Actuals (\$)	2020 Actuals (\$)	2019 Actuals (\$)
Revenue:					
Court Fines	\$ 4,605,422	\$ 5,234,813	\$ 4,757,901.00	\$ 4,001,907	\$ 6,349,877
Red Light Camera Revenue (RLC)	\$ 1,224,201	\$ 822,823	\$ -	\$ -	\$ -
User Fees	\$ 9,174	\$ 7,373	\$ -	\$ -	\$ -
By-Law Fines	\$ 8,301	\$ 34,623	\$ 21,728.00	\$ 22,401	\$ 53,198
Recovery of Expenses	\$ 3,300	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 5,850,398	\$ 6,099,632	\$ 4,779,629	\$ 4,024,308	\$ 6,403,075
% Inc./ (Dec.) YOY	-4.09%	27.62%	18.77%	-37.15%	15.23%
Expenditures:					
Salaries & Wages	\$ 2,112,446	\$ 1,822,931	\$ 1,824,393	\$ 1,845,637	\$ 1,850,825
Administrative Overhead	\$ 325,178	\$ 346,231	\$ 318,446	\$ 290,203	\$ 354,341
Materials & Services	\$ 570,552	\$ 567,795	\$ 347,615	\$ 347,280	\$ 378,267
Provincial Charges	\$ 1,518,534	\$ 1,683,854	\$ 1,378,242	\$ 981,033	\$ 1,589,165
Facility Rental	\$ 316,000	\$ 316,000	\$ 316,000	\$ 316,000	\$ 308,389
TOTAL EXPENDITURES	\$ 4,842,709	\$ 4,736,811	\$ 4,184,696	\$ 3,780,153	\$ 4,480,987
NET SURPLUS	\$ 1,007,689	\$ 1,362,821	\$ 594,933	\$ 244,155	\$ 1,922,088
% Inc./ (Dec.) YOY	-26.06%	129.07%	143.67%	-87.30%	53.61%

Table E-2: 2023 Provincial Offences Financial Summary - Year End as of December 31, 2023

Acct. #	Account Description	Product #	Account Description	2023 Budget A	2023 Actuals B	Year End Surplus/Deficit C = A-B
REVENUES						
6485	Bylaw Fines - Courts	5117	Provincial Fines	\$ 5,924,000	\$ 4,605,422	\$ 1,318,578
6485	Bylaw Fines - Courts	5115	Tickets- RLC	\$ 900,000	\$ 1,224,201	\$ (324,201)
6485	Bylaw Fines - Courts	5118	Bylaw Fines	58,093	\$ 9,174	\$ 48,919
6485	Bylaw Fines - Courts	5613	Transcript Revenue	15,000	\$ 8,301	\$ 6,699
6735	Recovery Of Expenses	5510	Prosecution Fees	-	\$ 3,300	\$ (3,300)
TOTAL REVENUES				\$ 6,897,093	\$ 5,850,398	\$ 1,046,695
EXPENSES						
Salary & Benefits						
8110	Base - Salary	5115	STD - Provincial Offences	\$ 1,516,907	\$ 1,525,599	\$ (8,692)
8130	Overtime - Salary	5115	STD - Provincial Offences	1,000	\$ 1,790	\$ (790)
8150	Temp - Salary	5115	STD - Provincial Offences	26,129	\$ 57,726	\$ (31,597)
8190	Other Pay	5115	STD - Provincial Offences	-	\$ 15,678	\$ (15,678)
8380	Workers Comp. - Admin.	5115	STD - Provincial Offences	-	\$ (1,380)	\$ 1,380
8381	Workers Comp. - Medical	5115	STD - Provincial Offences	-	\$ 350	\$ (350)
8399	Fringe Benefits (Dept.)	5115	STD - Provincial Offences	504,766	\$ 512,684	\$ (7,918)
Total Salary & Benefits				\$ 2,048,802	\$ 2,112,446	\$ (63,644)
Materials & Services						
2145	Housekeeping Supplies	5115	STD - Provincial Offences	\$ 3,420	\$ -	\$ 3,420
3176	Facility Operations - Internal	5355	Caretaking	62,124	\$ 71,247	\$ (9,123)
2215	Bldg. Maintenance Services	5115	STD - Provincial Offences	2,500	\$ 1,502	\$ 998
2920	Legal Services	5115	STD - Provincial Offences	3,000	\$ -	\$ 3,000
2950	Other Professional - External	5115	STD - Provincial Offences	15,420	\$ 19,280	\$ (3,860)
2950	Other Professional - External	5341	Security Services -	259,960	\$ 259,960	\$ -
2950	Other Professional - External	5342	Security Services -	8,200	\$ -	\$ 8,200
2980	Contracted Services	5115	STD - Provincial Offences	540,000	\$ 215,063	\$ 324,937
2995	Other Purchased Services	5115	Language Line	-	\$ 89	\$ (89)
2995	Other Purchased Services	5054	Language Line	12,000	\$ 3,410	\$ 8,590
Total Materials & Services				\$ 906,624	\$ 570,552	\$ 336,072
Administrative Overhead						
2010	Office Supplies	5115	STD - Provincial Offences	\$ 16,500	\$ 12,430	\$ 4,070
2020	Postage & Courier	5115	STD - Provincial Offences	28,560	\$ 28,036	\$ 524
2070	Outside Printing	5115	STD - Provincial Offences	12,000	\$ 4,926	\$ 7,074
2085	Publications	5115	STD - Provincial Offences	18,500	\$ 4,611	\$ 13,889
2610	Travel Expense	5115	STD - Provincial Offences	3,000	\$ 1,712	\$ 1,288
2620	Car Allowance	5115	STD - Provincial Offences	-	\$ 275	\$ (275)
2710	Telephone Equipment - Gene	5115	STD - Provincial Offences	7,160	\$ 31	\$ 7,129
2711	Cell Phones	5115	STD - Provincial Offences	950	\$ 1,099	\$ (149)
3120	Rental Expense - External	5115	STD - Provincial Offences	4,000	\$ 1,957	\$ 2,043
3175	Facility Rental - External	5115	STD - Provincial Offences	316,315	\$ 316,000	\$ 315
3181	Computer Maint and PYG	5115	STD - Provincial Offences	18,000	\$ 18,000	\$ -
3210	Building Insurance	5115	STD - Provincial Offences	2,844	\$ 2,844	\$ -
3230	Liability Insurance	5115	STD - Provincial Offences	1,056	\$ 1,056	\$ -
4020	Membership Fees & Dues	5115	STD - Provincial Offences	8,900	\$ 4,864	\$ 4,036
4050	Training Courses	5115	STD - Provincial Offences	4,174	\$ 2,539	\$ 1,635
4155	Registrations & Conferences	5115	STD - Provincial Offences	2,500	\$ -	\$ 2,500
4520	Cashiers Short and Over	5115	STD - Provincial Offences	-	\$ 85	\$ (85)
4540	Bank Charges	5115	STD - Provincial Offences	71,500	\$ 86,588	\$ (15,088)
4560	Collection Charges	5115	STD - Provincial Offences	177,900	\$ 122,592	\$ 55,308
4295	Public relations	5115	STD - Provincial Offences	8,517	\$ -	\$ 8,517
5111	Machinery & Equipment	5115	STD - Provincial Offences	-	\$ 6,761	\$ (6,761)
5125	Computers - PCs	5115	STD - Provincial Offences	8,715	\$ 5,463	\$ 3,252
5126	Computers - Software	5115	STD - Provincial Offences	-	\$ 3,357	\$ (3,357)
2925	Computer Maintenance	5115	STD - Provincial Offences	-	\$ 1,126	\$ (1,126)
2927	Computer & SW Maint-Extern	5115	STD - Provincial Offences	7,100	\$ 13,789	\$ (6,689)
5130	Office Furniture & Equipment	5115	STD - Provincial Offences	12,000	\$ 1,035	\$ 10,965
Total Administrative Overhead				\$ 730,191	\$ 641,178	\$ 89,013

Provincial Charges						
2950	Other Professional - External	5509	ICON Fees	\$ 56,555	\$ 55,600	\$ 955
2950	Other Professional - External	5507	Adjudication Services	390,000	346,563	\$ 43,437
2950	Other Professional - External	5510	Prosecution Fees	49,050	32,853	\$ 16,197
2950	Other Professional - External	5511	Quality Assurance	45,748	43,884	\$ 1,864
2950	Other Professional - External	5116	Victim Fines	1,010,500	926,816	\$ 83,684
2950	Other Professional - External	5508	Dedicated Fines	65,000	112,818	\$ (47,818)
Total Provincial Charges				\$ 1,616,853	\$ 1,518,534	\$ 98,319
TOTAL EXPENSES (BEFORE COST SHARING)				\$ 5,302,470	\$ 4,842,709	\$ 459,761
Total Net Operating Revenue				\$ 1,594,623	\$ 1,007,689	\$ 586,934
RECONCILIATION						
Cost Sharing Payments						
4295	County Contribution (51.053%)	5115	STD - Provincial Offences	\$ 865,456	\$ 514,458	\$ 350,998
4295	Pelee Contribution (0.287%)	5115	STD - Provincial Offences	4,609	2,887	\$ 1,722
Total Cost Sharing Payments				\$ 870,065	\$ 517,345	\$ 352,718
Balance to City of Windsor (48.66%)				\$ 724,558	\$ 490,344	\$ 234,214
Total Net Operating Revenue				\$ 1,594,623	\$ 1,007,689	\$ 586,934

Since the local POA Transfer date of March 5, 2001 through to the end of 2023, this Area's POA Program has realized total combined net revenue of approximately \$50,172,000. The calculation is broken down by year and by municipal partner in TABLE E-3 below:

TABLE E-3: CUMULATIVE ANNUAL NET REVENUE DISTRIBUTIONS-\$000's

Year	Amher.	Essex	Kings.	Lake.	LaSalle	Leam.	Tec.	Pelee	Wind.	Total
1999	164.7	135.9	141.8	263.4	195.2	184.8	267.5	7.4	2,115.6	3,476.3
2000	182.8	150.8	157.4	292.3	216.7	205.1	296.9	8.2	2,348.0	3,858.2
2001	155.3	128.9	134.3	241.6	182.5	172.1	242.3	7.5	1,898.8	3,163.3
2002	124.8	103.5	108.9	199.0	152.4	138.3	194.0	6.0	1,523.8	2,550.7
2003	120.6	100.3	107.4	199.2	147.3	135.1	180.5	6.3	1,447.4	2,444.1
2004	96.0	79.8	86.0	168.1	123.9	106.8	148.3	5.3	1,134.3	1,948.5
2005	124.3	103.0	112.7	226.4	162.0	139.4	190.0	7.0	1,467.5	2,532.2
2006	114.0	94.5	105.2	214.8	151.5	127.4	172.1	7.1	1,342.0	2,328.6
2007	99.3	82.9	92.8	189.8	133.6	111.8	149.4	6.2	1,159.2	2,025.1
2008	95.9	80.3	90.5	187.8	130.2	109.2	143.6	6.0	1,112.0	1,955.6
2009	98.8	81.7	94.4	193.0	129.3	113.2	144.6	6.0	1,047.7	1,908.8
2010	124.7	102.3	119.3	243.7	161.2	141.8	178.7	7.6	1,286.9	2,366.1
2011	135.4	110.4	130.9	267.3	174.5	152.7	191.5	8.3	1,369.9	2,540.7
2012	111.8	90.2	108.6	221.5	143.4	126.4	154.6	6.9	1,117.2	2,080.5
2013	104.2	84.3	101.9	134.4	203.3	115.9	138.2	5.7	997.9	1,885.9
2014	85.4	70.0	84.7	169.1	111.6	94.8	112.4	4.4	807.7	1,540.1
2015	105.5	85.7	105.8	210.4	138.9	113.4	138.0	5.6	975.4	1,878.7
2016	112.4	91.3	114.5	226.0	150.1	120.4	145.7	5.9	1,027.8	1,994.0
2017	73.2	59.3	74.7	151.8	103.2	77.4	97.6	3.8	671.2	1,312.1
2018	69.3	56.1	72.0	101.3	147.6	73.8	93.9	3.5	633.6	1,251.1
2019	106.4	85.9	110.5	159.9	229.9	114.3	143.9	5.2	966.0	1,922.0
2020	13.5	10.8	14.2	20.7	29.7	14.9	18.2	0.6	121.5	244.1
2021	33.1	26.4	35.0	51.1	72.9	36.7	44.0	1.6	294.1	594.9
2022	76.8	61.4	81.4	118.2	168.3	84.6	99.9	3.6	668.6	1,362.8
2023	57.4	45.4	61.3	87.7	125.8	63.5	73.3	2.9	490.3	1,007.7
Total	2,586	2,121	2,446	4,538	3,685	2,874	3,759	139	28,024	50,172

There are a number of factors that must always be taken into consideration when reviewing the financial results for any fiscal year, as well as when projecting potential results for subsequent reporting periods:

- A ticketing and the laying of charges are outside of the POA program’s control. Additionally, issues such as lack of judicial resources is also beyond our control. Although the POA Program has other sources of revenue (notably aggressive enforcement efforts targeting old or defaulted fines) the bulk of receipts is highly dependent upon the number, type and quality of new charges laid, as well as the attendance of trained officers at trials in disputed cases.
- Another significant and uncontrollable external revenue factor is the number of fines imposed by an independent and impartial judiciary in the exercise of their discretionary sentencing functions, in the event of the entering of convictions.
- The POA Program is highly vulnerable to certain uncontrollable external expenses, notably the provincial charges for Victim Fines Surcharges, adjudication and those for Part III prosecutions, both of which are mandated by the Transfer Agreement.

SECTION F – REVENUE DISTRIBUTION DETAILS

In accordance with the approved weighted assessment formula for 2023, distributions of net operating results over the course of the subject reporting year were effected as indicated in the detailed tabulation set forth in TABLE F-1 below:

Table F-1: 2023 Revenue Distribution (Based on Weighted Assessment - 2022 WA Rates)

Weighted Assessment (\$)	(%)	% of County	2023	2023 Q1	2023 Q2	2023 Q3	2023 Q4	2023	Surplus/ (Deficit)
			Budget	Jan-April Actuals	May - June Actuals	July- Oct Actuals	Nov - Dec Actuals	Total	
Net County & Pelee Revenue			\$ 870,065.00	\$ 352,491.20	\$ 86,992.89	\$ 81,874.67	\$ (4,014.13)	\$ 517,344.64	\$ (352,720.36)
Net City of Windsor Revenue			\$ 847,092.00	\$ 334,094.44	\$ 82,452.67	\$ 77,601.58	\$ (3,804.63)	\$ 490,344.06	\$ (356,747.94)
TOTAL			\$ 1,717,157.00	\$ 686,585.65	\$ 169,445.55	\$ 159,476.25	\$ (7,818.76)	\$ 1,007,688.69	\$ (709,468.31)
<u>Allocation/Payment Summary</u>									
Amherstbur	2,672,114,770	11.16%	\$ 96,542.72	\$ 39,101.42	\$ 9,650.01	\$ 9,082.26	\$ (445.28)	\$ 57,388.40	\$ (39,154.32)
Essex	2,115,784,062	8.83%	76,442.66	\$ 30,960.55	7,640.89	7,191.34	(352.58)	45,440.21	\$ (31,002.44)
Kingsville	2,855,639,541	11.92%	103,173.42	\$ 41,786.96	10,312.79	9,706.04	(475.87)	61,329.92	\$ (41,843.50)
LaSalle	5,858,604,326	24.46%	211,669.66	\$ 85,729.75	21,157.63	19,912.82	(976.28)	125,823.92	\$ (85,845.74)
Lakeshore	4,083,254,550	17.05%	147,526.79	\$ 59,750.81	14,746.17	13,878.58	(680.44)	87,695.13	\$ (59,831.66)
Leamington	2,957,638,859	12.35%	106,858.62	\$ 43,279.53	10,681.15	10,052.73	(492.86)	63,520.54	\$ (43,338.08)
Tecumseh	3,411,102,479	14.24%	123,242.13	\$ 49,915.12	12,318.78	11,594.00	(568.43)	73,259.47	\$ (49,982.66)
Total Count	23,954,138,588	51.053%	\$ 865,456.00	\$ 350,524.14	\$ 86,507.42	\$ 81,417.77	\$ (3,991.73)	\$ 514,457.60	\$ (350,998.40)
Pelee	134,425,696	0.287%	\$ 4,609.00	\$ 1,967.07	\$ 485.46	\$ 456.90	\$ (22.40)	\$ 2,887.03	\$ (1,721.97)
Windsor	22,831,365,322	48.660%	\$ 847,092.00	\$ 334,094.44	\$ 82,452.67	\$ 77,601.58	\$ (3,804.63)	\$ 490,344.06	\$ (356,747.94)
TOTAL	46,919,929,606	100.0%	\$ 1,717,157.00	\$ 686,585.65	\$ 169,445.55	\$ 159,476.25	\$ (7,818.76)	\$ 1,007,688.69	\$ (709,468.31)
Total Count	24,088,564,284	51.34%							
County	99.44%								
Pelee	0.56%								

Notes:

2023 Budget was based on 2022 WA rates as that was the only available information at the time.

Details of the quarterly payments are itemized below:

Quarter	Cheque Issuance Date	\$ Amount - County	\$ Amount - Pelee
Q1	May 2023	\$39,998.46	\$224.46
Q2	September 2023	\$86,507.42	\$485.46
Q3	December 2023	\$81,417.77	\$456.90
Q4	February 2024	\$306,533.94	\$1,720.21
TOTAL		\$514,457.59	\$2,887.03

APPENDIX A – GLOSSARY OF TERMS

Area ~ Windsor/Essex Court Service Area, which encompasses the geographic territory of the City of Windsor, Essex County and Pelee Island

ARO ~ ARO, Inc., one of the registered Canadian collection agencies who have been retained in 2016 to assist the POA Program in the collection of defaulted fines owed by Canadian residents

Bill 108 ~ amending legislation to the *Provincial Offences Act* which in 1998 added Part X thereto, enabling the transfer of administration of justice functions to the municipal sector

Bill 197 ~ amending legislation to the *Provincial Offences Act* which in 2020 added additional expansion of remote court functions.

City ~ The Corporation of the City of Windsor, a single tier municipality continued as such under the *Municipal Act, 2001*

Council ~ the elected City of Windsor Municipal Council

CAMS ~ A Collection Agency Management System installed in 2014 used to track, record and document newly issued as well as defaulted fines.

CBV ~ CBV Collections Services, LTD, one of the registered Canadian collection agencies who have been retained in 2016 to assist the POA Program in the collection of defaulted fines owed by Canadian residents

Early Resolution ~ used to be known as First Attendance early resolution, slated for implementation in 2012. While taking a more formalistic approach, provision is made for convictions of those defendants who fail to appear for their meetings with the prosecutor

Gatestone ~ Gatestone & Co International Inc., one of the registered collection agencies who have been retained in 2016 to assist the POA Program in the collection of defaulted fines owed by Canadian residents

ICON ~ Integrated Courts Offences Network, being the provincial mainframe application used and relied upon by administration of justice staff in relation to all aspects of POA matters

ISA ~ the Intermunicipal Court Service Agreement underpinning the local POA Court operations for Windsor/Essex, entered into amongst the City and the other 9 municipalities together constituting the Area

Liaison Committee ~ the Windsor/Essex Court Service Area Liaison Committee erected pursuant to the ISA, being an advisory administrative body

LSA ~ Local Side Agreement, being one of the 2 contracts together constituting the Transfer Agreement

MAG ~ the Ministry of the Attorney General for the Province of Ontario

MOU ~ Memorandum of Understanding, being one of the 2 contracts comprising the Transfer Agreement

MBNCanada (previously OMBI) ~ The Municipal Benchmarking Network Canada (MBNCanada) is a groundbreaking initiative collecting data for more than 850 measures across thirty-seven (37) municipal service areas

Part I ~ that portion of the POA dealing with ticketing procedures for non-parking matters

Part II ~ that portion of the POA dealing with ticketing procedures for parking matters

Part III ~ that portion of the POA dealing with the issuance of summonses for persons to attend POA Court in order to be arraigned on Informations and thereafter to be dealt with by a Justice of the Peace. There are no provisions for out-of-court payments nor for failure-to-respond convictions

POA ~ *Provincial Offences Act (Ontario)*

POA Court ~ referring to that judicial complement of the Ontario Court of Justice, composed primarily of Justices of the Peace, whose duties include dealing with POA matters

POA Office ~ the premises where the City executes the POA administration of justice functions

POA Program ~ the City's operational structure for the delivery of POA administration of justice functions

POA Transfer ~ the transfer by the province to the City of POA administration of justice functions

Serviced Municipalities ~ those 9 signatories to the ISA for which the City is the service provider pursuant to the POA Transfer, consisting of Leamington, LaSalle, Tecumseh, Essex Town, Kingsville, Pelee, Amherstburg, Lakeshore and Essex County

Transfer Agreement ~ contractual arrangement between the City and MAG where the City became the local service provider for transferred administration of justice functions, composed of the MOU and the LSA

Victim Fine Surcharge ~ all fines levied under Part I and Part III of the POA are statutorily bumped-up by this surcharge. Where the base fine does not exceed \$1,000, the surcharge amount is applied in stepped amounts ranging from \$10 to \$125; fines over \$1,000 have a flat 25% surcharge added. All surcharge amounts are remitted without deduction to the province for appropriate application as determined by senior government