



Administrative Report

To: Warden MacDonald and Members of Essex County Council

From: Melissa Ryan, CPA, Director, Financial Services/Treasurer

Date: Wednesday, May 7, 2025

Subject: Windsor-Essex Provincial Offences Program (POA) Annual Report 2025

Report #: 2025-0521-FIN-R12-MR

Purpose

To provide County Council with a copy of the 2024 Annual Report for the Windsor Essex Provincial Offences Program.

Background

In 1998, the province enacted Bill 108 which amended the Provincial Offences Act ("POA") enabling it to transfer various responsibilities of the POA Court System to municipalities. The Windsor Essex Provincial Offences Program ("POA Program") was created to accept this transfer of responsibility and provide services for the region.

Although rooted in legislation, the POA Program is essentially governed by a number of contracts, consisting of the Inter-Municipal Court Service Agreement ("ISA") 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.

Section 2.5 of the Inter-Municipal Service Agreement, that established the POA Program, provides that: "The Committee (Windsor Essex Court Service Area Liaison Committee) shall submit a report outlining the Committee's activities to the parties' Councils a minimum of once per year."

Discussion

The City of Windsor continues to administer the Windsor/Essex Provincial Offences (POA) Program on behalf of the region, which includes the County

of Essex and the seven local municipalities. As the upper-tier municipality, the County plays an oversight and coordination role through the Inter-Municipal Court Service Agreement (ISA) and active participation on the POA Liaison Committee.

The 2024 Annual Report reflects the POA Program's ongoing recovery and modernization. The program saw a 4.83% increase in charges laid, totaling 29,577, while increased judicial availability enabled a 22.8% rise in court hours, resulting in 38,692 matters being heard. Total fines collected reached \$6.18 million, up 14.2% from the previous year. These operational improvements, however, remain subject to external factors such as police enforcement levels, judicial capacity, and the volume and type of charges laid.

Operationally, several initiatives were introduced in 2024 to enhance efficiency and customer service. The program moved to an online booking system for meetings with the Part III Prosecutor and streamlined the disclosure request process, now accessible alongside the booking tool through a public kiosk in the POA lobby. The outsourcing of transcript production to third-party transcriptionists was initiated to better allocate internal resources, with plans to implement the York Model (used in 11 Ontario municipal courts) in 2025. The adoption of the Orbital Virtual Terminal system through Chase also allowed for more secure and convenient payment processing directly through staff workstations.

Financially, the POA Program remains a self-funded, revenue-generating model. In 2024, it concluded the year with a net operating profit of \$1,426,322. After deducting operational costs—such as staff salaries, court security, facility maintenance, and adjudication—the remaining net revenue was distributed among partners based on weighted assessment. The County of Essex Local Municipal Partners received 51.4% (\$731,768.74), the City of Windsor 48.3%, and Pelee Township 0.285%. Since local transfer in 2001, the program has generated approximately \$51.6 million in net revenue, benefitting local taxpayers across the region.

Red Light Camera (RLC) offences, despite decreasing to 16.8% of total tickets (down from 21.8% in 2023), still delivered a net profit of over \$1.1 million. A Canada Post strike in late 2024 disrupted the issuance of these tickets, particularly in December when no RLC offences were processed. In response to the inefficiencies of the traditional court system for such offences, Windsor's Environment, Transportation and Public Safety Committee endorsed transitioning RLC enforcement to an Administrative

Penalty (AP) system in 2025. If approved by City of Windsor Council, this move would streamline adjudication, retain 100% of penalty revenue by the City, and reduce pressure on POA court resources.

In addition to operational and financial updates, the POA Liaison Committee continued to meet regularly to discuss program direction, budgets, and strategic issues. Key topics in 2024 included the ongoing suspension of court operations in Leamington, the potential transfer of Part III prosecutions to municipalities, and long-term financial sustainability in the face of fluctuating caseloads.

Financial Implications

The financial sustainability of the POA Program is significantly influenced by external factors, including the volume and type of charges laid, the ability of individuals to pay imposed fines, and judicial capacity to hear matters. One of the more pressing challenges in recent years has been the shortage of judicial resources, which limited court time and reduced the number of matters that could be adjudicated. However, judicial resources in the Windsor-Essex region were fully restored by September 2024, which helped increase court activity in the latter part of the year and is expected to support higher revenue collection in 2025.

In 2024, the Windsor/Essex POA Program ended the year with a net operating surplus of \$1,426,322, an improvement over the 2023 surplus of \$1,007,689. Contributing factors included increased court hours, operational streamlining, and continued enforcement of defaulted fines. The POA Program continues to operate on a cost-recovery basis, providing net positive revenue that is shared among participating municipalities based on the Intermunicipal Court Service Agreement (ISA).

An important shift is anticipated in 2025 with the planned transition of Red Light Camera (RLC) offences to an Administrative Monetary Penalty (AMP) system. In 2024, RLC offences accounted for 16.8% of all tickets and generated a net surplus of approximately \$1.1 million. Once transitioned, this revenue will be retained entirely by the City of Windsor, as it will no longer flow through the POA Program or be included in the shared revenue distribution under the ISA. While this change is expected to streamline adjudication for minor traffic offences, it will also reduce the amount of revenue shared across the region.

Sustaining program funding in the future will depend on stable charge volumes, effective enforcement, and ongoing judicial capacity to manage caseloads efficiently.

Consultations

NA

Strategic Plan Alignment

Working as Team Essex County	Growing as Leaders in Public Service Excellence	Building a Regional Powerhouse
<ul style="list-style-type: none"><input type="checkbox"/> Scaling Sustainable Services through Innovation<input checked="" type="checkbox"/> Focusing “Team Essex County” for Results<input type="checkbox"/> Advocating for Essex County’s Fair Share	<ul style="list-style-type: none"><input type="checkbox"/> Being an Employer with Impact<input type="checkbox"/> A Government Working for the People<input checked="" type="checkbox"/> Promoting Transparency and Awareness	<ul style="list-style-type: none"><input type="checkbox"/> Providing Reliable Infrastructure for Partners<input type="checkbox"/> Supporting Dynamic and Thriving Communities Across the County<input type="checkbox"/> Harmonizing Action for Growth<input type="checkbox"/> Advancing Truth and Reconciliation

Recommendation

That Essex County Council receive report number 2025-0521-FIN-R12-MR, Windsor-Essex Provincial Offences Program (POA) Annual Report as information.

Approvals

Respectfully Submitted,

Melissa Ryan

Melissa Ryan, CPA, Director, Financial Services/Treasurer

Concurred With,

Sandra Zwiers

Sandra Zwiers, MAcc, CPA, CA, Chief Administrative Officer

Appendix	Title
A	2024 Windsor/Essex Provincial Offences (POA) Annual Report
B	Red Light Camera Program Changes - Memo