



ANNUAL REPORT

For the Year Ended December 31, 2022

COURT AND TRIBUNAL SERVICES

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York Region



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COURT AND TRIBUNAL SERVICES MANDATE

Court and Tribunal Services provides two distinct functions:

- Court Operations and Prosecution

Provides services to:

- Members of the public
- York Region's nine local cities and towns
- More than 30 law enforcement and regulatory agencies
- Ministry of the Attorney General
- Judiciary



**MESSAGE FROM DIRECTOR OF
COURT AND TRIBUNAL SERVICES**
LISA BROOKS



As I look back at 2022, I am filled with a sense of pride and accomplishment while I reflect on the year that has passed. This year marked the launch of Court's Digital Roadmap and the successful conclusion of Court's 2019-2022 Multi-Year Plan. Our investment in new technologies and procedural reform has improved service delivery and access to justice. We have also continued to address the spillover impacts of COVID-19 by working collaboratively with internal and external stakeholders.

Throughout the year, we have taken significant steps to enhance access to justice for all court users. We have upgraded courtroom technology, implemented a more efficient process for hybrid hearings and expanded fine payment options to provide our customers with greater flexibility and convenience.

I am proud to share that we have made significant progress on several key initiatives aimed at optimizing internal resources and streamlining court operations. These include the development of a Regional Administrative Penalty Tribunal (APT), planning for the implementation of Court's Digital Roadmap and facilitating the transfer of prosecution of Part III proceedings to the Region from the Province through an Interim Transfer Agreement.

In addition, Court and Tribunal Services developed the 2023 – 2026 Court and Tribunal Services Action Plan (the Action Plan) setting out Branch objectives and priorities over the next four years. Aligned with the strategic direction set by York Regional Council, the Action Plan balances continuing delivery on our key mandate of providing modern, timely and accessible justice services,

while supporting the advancement of community health, safety, and well-being initiatives. Building on the previous success of the 2019-2022 Multi-Year Plan, this Action Plan focuses on increasing productivity through innovation, optimizing the use of technology and process reform to improve service delivery and accessibility of services. We will continue to work toward creating an equitable workplace while ensuring the court system is sustainable.

York Region recognizes the key role our staff play in delivering our objectives and Court and Tribunal Services has directed its focus to achieving a solid foundation for a more equitable, diverse and inclusive workplace culture.

I look forward to continued collaboration with partners to further improve the operations of the Courts in York Region.

2022 KEY ACCOMPLISHMENTS

Customer service improvements:

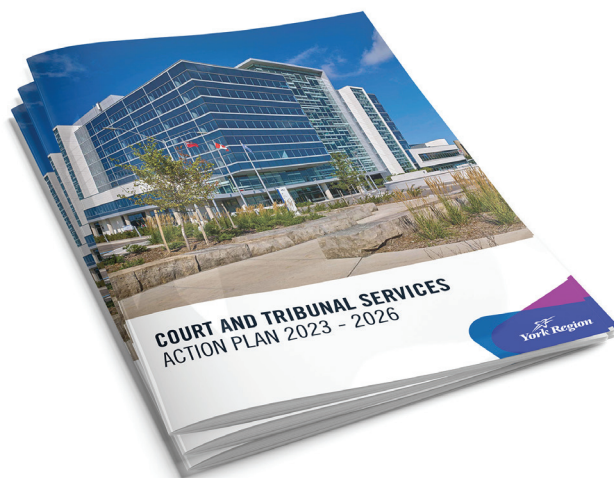
- Expanded fine payment options to include accepting payments over the phone, in addition to the existing online, mail, and in-person options; this increased accessibility and convenience to court users
- Created a walk-in service option for court users who required assistance from front counter staff; Prior to 2022, court users were required to have an appointment, to ensure COVID-19 health and safety guidelines were adhered to - the walk-in option improved the court user experience by making our front counter services available through appointment and on demand

Information technology upgrades:

- Successfully transitioned to hybrid hearings adhering to Provincial direction while ensuring secure and reliable access; hybrid hearings provide participants the option to attend virtually or in-person, promoting more equitable access to justice

Research and Planning:

- Completed a blueprint of Court and Tribunal Services' data inventory through mapping out all data collection and reporting sources as a foundation for the development of Court's Data Strategy
- Accomplished the planning and preparation for the implementation of Court's Digital Roadmap, which involved resource commitment and alignment with both corporate and Provincial digital initiatives



- Developed Court and Tribunal Services' 2023 – 2026 Action Plan, which outlines a path to modernize and streamline court services, improve access to justice and enhance the effectiveness and efficiency of York Region's Provincial Offences Courts; the initiatives within the Action Plan were established in collaboration with staff and the management team and support the priorities identified in York Region's *2023 to 2027 Strategic Plan: From Vision to Results*

Training and Development:

- Designed and implemented an equitable and transparent process to provide development opportunities for all staff through special projects and assignments
- Provided staff with resilience training and enhanced crisis and safe talk management
- Provided *Unconscious Bias, Responding to Microaggressions, and Bystander Intervention* training to shift mindset, skillset, behaviour, and practices; creating a systemic workplace culture shift toward a more equitable, diverse, and inclusive workplace is a key priority
- Reviewed key Branch policies and procedures concerning hiring and succession planning with an equity lens and made diversity and inclusion a priority in the recruitment process; job postings now appear on more job boards to increase visibility and expand the range of candidates

Provincial Offences Court Process Improvement:

- Received Council approval in June 2022 to develop a Regional Administrative Penalty Tribunal (APT) which will support the shift of bylaw and camera-based enforcement from the Provincial Offences Court system to a more efficient and cost-effective administrative process
- Facilitated the transfer of prosecution of Part III proceedings to the Region from the Province through an Interim Transfer Amending Agreement between York Region, the nine local cities and towns and the Ministry of the Attorney General
- Supported the Ministry of the Attorney General in implementing Clerk of the Court reforms across the province, including providing FAQ documents and hosting remote facilitated discussions through the Municipal Court Managers Association (MCMA) membership and staff in support of the *Provincial Offences Act* modernization and streamlining initiatives

KEY WORKLOAD DRIVERS

The following data reflects the disruption of services caused by the COVID-19 pandemic response. York Region will continue to report this data for transparency and to contribute to future post-pandemic analysis. While this data should not be considered the norm, it reflects the pressures experienced and showcases the need for a continued focus on recovery initiatives.

Total Charges Filed by Agencies

In 2022, the total number of charges filed increased slightly in comparison to 2021. While this increase is a promising sign that the system is returning to pre-pandemic norm, the total number of charges filed in 2022 was 22% lower than pre-COVID-19 data. This can likely be attributed to the expansion of business telework opportunities resulting in less daily commuting traffic and fewer public interactions with enforcement.

Total Charges Filed (by Agency) in 2022

	Number of Charges	Percentage of Caseload
York Regional Police	60,130	52.57%
Ministries and Other Agencies	31,391	27.44%
Ontario Provincial Police	13,449	11.76%
York Region	4,557	3.98%
Town of Aurora*	1,565	1.37%
City of Markham	266	0.23%
Town of East Gwillimbury*	573	0.50%
Town of Whitchurch-Stouffville*	1,729	1.51%
City of Vaughan	294	0.26%
Town of Richmond Hill	122	0.11%
Township of King*	240	0.21%
Town of Georgina	62	0.05%
Town of Newmarket	-	0.00%
Total Charges Filed	114,378	100.00%

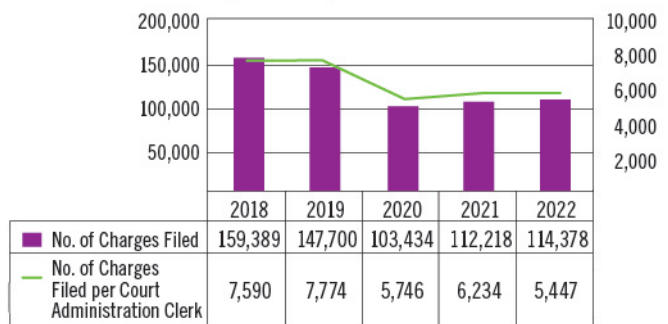
*These municipalities have not yet "opted in" under section 18.6(1)(a) of the *Provincial Offences Act*. Their Parking Tickets continue to be processed through the Provincial ICON system and are included in the total number of charges filed. For other municipalities (those that have "opted in"), parking charges are not included in the data above.

Type of Offence	Number of Charges Filed
Provincial Certificate of Offence (Motor Vehicle Accident)	2,710
Provincial Information (Motor Vehicle Accident)	80
Federal Certificate of Offence	51
Federal Information	1
Provincial Certificate of Offence	96,798
Parking Infraction Notice	3,994
Provincial Information	10,744
Grand Total	114,378

Number of charges filed per Court Administration Clerk

The Provincial standard for number of charges filed per Court Administration Clerk is 5,000 to 6,000. In 2022, York Region added three Court Administration Clerks to the staff complement. With a total of 21 Court Administration Clerks and a reduction in the number of charges filed, York Region was able to return to operating within the suggested Provincial standard. Workload management strategies were also developed at the operational level to ensure Provincial standards were maintained while focusing on high quality work and customer service.

Number of Charges Filed per Court Administration Clerk



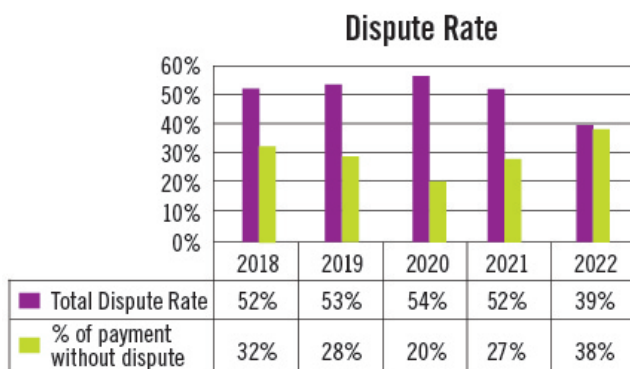
Number of Customer Interactions

Court and Tribunal Services continues to provide live customer service by telephone and in-person to assist court users in navigating the court process. In 2022, over 85,000 people sought services through either telephone or in-person appointment. Court and Tribunal Services also provides online support to court users through email correspondence as well as processing and following-up on electronic forms. Approximately 41,000 court users were assisted through online services in 2022. The total number of live interactions was approximately half of pre-pandemic levels. Transitioning court users to online services is a favoured trend as it supports York Region's *2023 to 2027 Strategic Plan: From Vision to Results* objective to improve customer experience by leveraging digital transformation.

	In Person	Telephone	Online
Newmarket Court Location	9,339	33,234	20,830
Richmond Hill Court Location	13,380	29,306	20,205
Total	22,719	62,540	
	85,259		41,035

Dispute rate

High dispute rates within York Region continue to put pressure on Court and Tribunal Services. Approximately half of the tickets issued within the Region in 2022 were filed for trial. The calculated dispute rate includes court users who have selected Option #2 "Walk-In Guilty" or Option #3 "Request for a Trial". The increase in payment without dispute for 2022 in comparison to 2021 is likely due to more camera-based enforcement which tends to have a lower dispute rate (around 20%).



Court appearance

In 2022, more than 44,000 charges were disposed of, resulting in the resolution of 66,233 offences. It should be noted, this data is based on the number of offences, and it is possible for a single charge to resolve multiple offences in one court appearance, particularly for Part III charges.

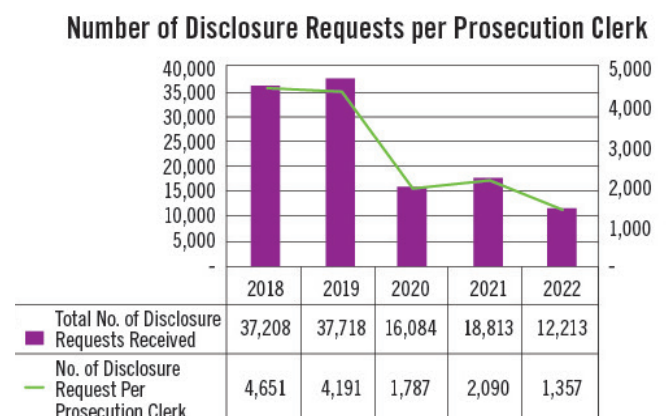
In accordance with the Province's Court Services Master Plan, four trial courtrooms were fully operational in 2022; three in Newmarket and one in Richmond Hill. This represents an improvement from 2021 when Court and Tribunal Services was still dealing with the effects of the COVID-19 pandemic, including delays in reopening additional courtrooms to the public and resuming previous service levels.

To address these challenges, Court and Tribunal Services implemented more efficient processes for hybrid hearings, which offered a combination of remote and in-person options to help ensure access to justice for all court users. As a result, the number of charges on the docket increased, contributing to a 60% increase in offences resolved compared to the previous year.

Appearance Room	Offences Resolved
R4 - Includes R4 and R4 Part One Traffic Court	13,878
A2 - Part One Traffic Court	12,518
A6 - Ministry and Municipal Parking and Bylaw Court	6,643
A7 - Part One Traffic Court	33,194
Total Number of Matters on Trial Dockets	66,233

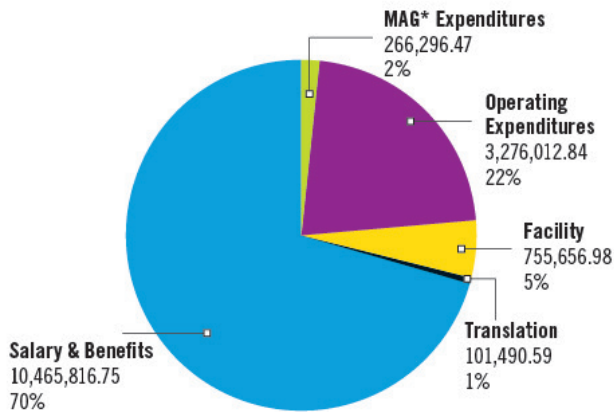
Disclosure requests

To address backlog in 2021, Prosecutions launched the Offer to Resolve program. Under this program, Prosecutors offered defendants or their agents the opportunity to resolve matters before a trial date had been set. In early 2022, the Offer to Resolve program ended, which meant the Prosecutions Branch stopped accepting disclosure requests unless a trial date had already been scheduled. This resulted in a 35% decrease in disclosure requests.

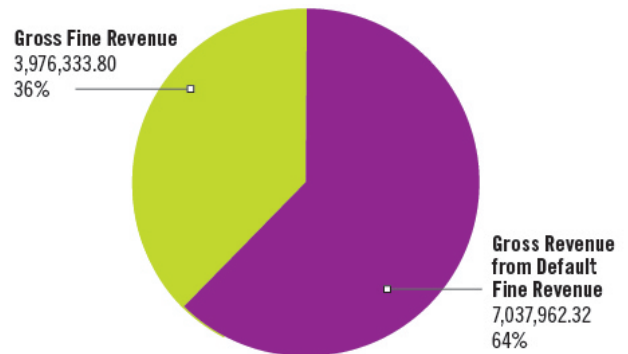


2022 OPERATING EXPENDITURE AND REVENUE ANALYSIS

Operating Expenditures



Revenue Sources



*Ministry of the Attorney General

NOTE:

Gross Fine Revenue - includes all revenue retained by the court municipality, including recovered third-party collection fees, but does not include pass-through revenues (Victim Fine Surcharges, Dedicated Fines, Bylaw revenue).

Gross Revenue from Defaulted Fines represents the files where administrative fees have been added.



2022 AUDITORS REPORT

An independent audit of the consolidated financial statements of the Regional Municipality of York for the year ending December 31, 2022 was completed by KPMG on April 25, 2023. Accordingly, the scope of the audit included the information about the results of the Region's Provincial Offences Office presented in the notes to the consolidated financial statement.

Excerpt from the Region's Audited Financial Statements

PROVINCIAL OFFENCES ADMINISTRATION

The Region administers prosecutions and the collection of related fines and fees under the authority of the *Provincial Offences Act* ("POA"). The POA is a procedural law for administering and prosecuting provincial offences, including those committed under the *Highway Traffic Act.*, *Compulsory Automobile Insurance Act*, *Trespass to Property Act*, *Liquor License Act*, Municipal Bylaws and minor federal offences. Offenders may pay their fines online, by mail, by phone, or

in-person at any POA court in Ontario, at which time their receipt is recorded in the Integrated Courts Offences Network system ("ICON"). The Region recognizes fine revenue on a gross basis when the receipt of funds is recorded by ICON regardless of the location where payment is made.

Gross revenue is comprised primarily of fines levied under Part I, II and III of the *Provincial Offences Act* (including delay penalties). The gross revenue for 2022 amounts to \$14,378,814 (2021 - \$20,410,600 after Safe Restart and Municipal Recovery Funding) and the net surplus/(deficit) amounts to \$(3,714,161) (2021 - \$2,996,589). Balances arising from operations of POA offices are consolidated with these financial statements and reported in protection to persons and property on the Consolidated Statement of Operations and Accumulated Surplus.



The Regional Municipality of York

Provincial Offences Office Statement of Receipts and Expenses Year ended December 31, 2022

	Budget	2022	2021
Revenue			
Fines	\$ 21,534,173	\$ 13,975,987	\$ 12,203,235
Other Revenue	340,000	402,827	384,305
Provincial Funding (Note 2)	-	-	7,823,061
	<u>21,874,173</u>	<u>14,378,814</u>	<u>20,410,601</u>
Expenses and Disbursements			
Salaries and Benefits	11,874,763	10,661,733	10,043,911
General Administration	2,327,724	2,059,759	2,005,960
Program Related Services	1,714,253	941,281	611,845
Professional Services	1,084,624	514,546	937,209
Occupancy Expenses	1,098,662	754,730	807,386
Amortization	-	71,920	40,057
Asset Acquisitions	100,882	33,763	3,682
	<u>18,200,908</u>	<u>15,037,732</u>	<u>14,450,050</u>
Income before disbursements to Area Municipalities and Others	3,673,265	(658,918)	5,960,551
Disbursements to Area Municipalities and others	(5,496,790)	(3,055,243)	(2,963,962)
Net Surplus (Deficit)	<u>(1,823,525)</u>	<u>(3,714,161)</u>	<u>2,996,589</u>
Contribution from Court Services Reserves	866,860	2,367,537	264,703
Contribution to Facilities Rehabilitation Reserves	(126,590)	(126,590)	(118,000)
Net Surplus (Deficit) after Contribution to/from Reserves	<u>\$ (1,083,255)</u>	<u>\$ (1,473,214)</u>	<u>\$ 3,143,292</u>

The Regional Municipality of York

Notes to Statement of Receipts and Expenses

December 31, 2022

The Regional Municipality of York (the Region) administers prosecutions and the collection of related fines and fees under the authority of the *Provincial Offences Act* ("POA"). The POA is a procedural law for administering and prosecuting provincial offences, including those committed under the *Highway Traffic Act*, *Compulsory Automobile Insurance Act*, *Trespass to Property Act*, *Liquor Licence Act*, Municipal By-laws and minor federal offences. The POA governs all aspects of legal process from serving notice to a defendant, to conducting trials, including sentencing and appeals.

1. Significant Accounting Policies

The statement of financial activities for the Region's Provincial Offences Office is prepared by management in accordance with generally accepted accounting policies for local governments as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. Significant aspects of the accounting policies are as follows:

(a) Revenue

Revenues are accounted on cash basis. The revenues of the court office consist of fines levied under Parts I, II and III (including delay penalties) for POA charges filed at the courts located at 17150 Yonge St., Newmarket and 50 High Tech Road, Richmond Hill. Offenders may pay their fines online, by mail, by phone, or in-person at any POA court in Ontario, at which time their receipt is recorded in the Integrated Courts Offences Network system ("ICON") operated by the Province of Ontario. The Region recognizes fine revenues when the receipt of funds is recorded by ICON regardless of the location where payment is made.

The Region also recognizes revenues that are collected on behalf of Area Municipalities and the Ministry of the Attorney General. These revenues include payments recovered with respect to local area municipal bylaws, Dedicated Fines related to various statutes, licence plate denial fees and the Province's portion of parking fees as well as the Victim Fine Surcharge.

Partial payments received for fines are automatically applied in the ICON system in the following order:

- Victim fine surcharge
- Fine
- Costs
- Administrative Fees
- Collection agency costs

(b) Expenses

Expenses are recorded on the accrual basis of accounting which recognizes expenses as they are incurred and measurable as a result of the receipt of goods or services and creation of a legal obligation to pay.

(c) Use of Estimates

The preparation of the financial statement in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of revenues and expenditures and disclosure of contingencies at the date of the financial statement and for the period being reported on. Actual results could vary from these estimates.

(d) Reserve

In 2015, a reserve was established to assist in planning and managing costs, which can vary significantly each year. The reserve will be funded through any net surplus in the prior year, after allocations, with an established upset limit.

2. Provincial Funding

Provincial funding includes \$0 in 2022 (2021 - \$7,583,925) of Safe Restart and Municipal Recovery funding from senior level of government to help offset the financial impacts of the COVID-19 pandemic.

COURT SERVICES: PRIORITIES FOR 2023

Provincial Offences Court Process Improvement:

- Conduct a review of Court and Tribunal Services' business processes to find efficiencies and identify opportunities for process automation to improve productivity and workflow; this will help ensure Courts is well-prepared for implementing new digital tools and technologies and can fully leverage its capabilities to drive efficiency and effectiveness as part of the Digital Roadmap.
- Start the phased digitization of Court Administration and Prosecution forms to make the forms interactive and more user friendly; this project aligns with the Region's goal of providing accessible online self-service forms that do not require in-person support. The digitization process will also ensure that forms are complete and can be submitted to central locations as well as routed to the appropriate staff for processing.

Training and Development:

- Develop a Learning and Development Personas Program to ensure all staff receive the same training and better support through changes to business processes and technologies. Training will be aligned with performance appraisals, professional responsibilities, educational background, skill level and role-specific software applications.

Technology Enhancements:

- Expand the virtual payment solution capabilities to support the automated payment plans program. This will streamline the payment process, reduce workload for staff, support collection of large receivables and improve the customer experience by enabling automatic payments on a pre-determined schedule.

Research and Planning:

- Review the implementation plan of the Digital Roadmap to understand the current state of dependencies among court technology systems and explore opportunities to expedite benefit delivery to achieve the highest possible value.

- Develop Administrative Penalty Tribunal (APT) processes and technology to offer a modern, convenient, and customer-oriented method for handling certain types of offences outside of the traditional Provincial Offences Court system, including automated speed enforcement (ASE) and red-light camera (RLC). APT will streamline the process of handling offences, reduce the backlog of appeals in Provincial Offences Courts, and use technology to improve the customer experience by making it easier and faster to pay or dispute offences. This will also generate additional revenue for the Region.
- Explore the feasibility of establishing a Regional automated enforcement processing centre, in partnership with the Public Works Department. The processing centre will be responsible for analysing camera-based enforcement images and laying charges. This will provide the Region with autonomy over expansion of the Regional camera-based enforcement program.



