

**Ministry of the
Attorney General**

Court Services Division
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**Ministère du
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Our Reference # AC-2015-275

August 12, 2015

His Worship Fred Eisenberger
Mayor
City of Hamilton
City Hall
71 Main Street West
Hamilton, ON L8P 4Y5
clerk@hamilton.ca

Dear Mayor Eisenberger:

I am writing to inform you that the Ministry of the Attorney General will increase Provincial Offences Act (POA) courts cost recovery rates for adjudication services and the monitoring and enforcing of the POA transfer agreements, effective January 1, 2016.

As you know, when POA responsibilities were transferred to municipalities between 1999 and 2002, they became entitled to the balance of POA fine revenues collected after the remittance of surcharges, special purpose fines and specific related costs incurred by the ministry. The related costs include costs for adjudication services and for monitoring the POA transfer agreements. Under the Act and the transfer agreements, the province is legally entitled to recover these costs.

While justice of the peace resources and their costs have increased dramatically over the past ten years, the adjudication cost recovery rate has not been updated since 2004. Similarly, the cost recovery rate for monitoring the transfer agreements has remained constant at 50 per cent of the ministry's costs since 2002. This means that the province has been subsidizing the municipal delivery of local court services for many years.

Given the province's fiscal situation, the ministry is no longer in a position to provide this subsidy. As a result, the ministry plans to increase the adjudication cost recovery rate from \$200 to \$300 per in-court hour, effective January 1, 2016. The ministry also plans to increase the monitoring cost recovery rate to reflect the full cost of delivering these services, effective January 1, 2016.

Starting in 2016, the ministry will annually review its justice of the peace and monitoring costs to determine if the cost recovery rates need to be adjusted.

We have been working with municipal stakeholders on a range of initiatives that will reduce municipal POA costs and improve municipal fine collection. We will continue these efforts to mitigate the expected impacts of the planned POA cost recovery updates.

If you have any questions or concerns please contact Jeremy Griggs, Senior Manager, Provincial Offences Act Unit at Jeremy.Griggs@ontario.ca or (613) 536-7253.

We value your continued partnership in delivering a fair and accessible justice system for all Ontarians.

Sincerely,

A handwritten signature in blue ink that reads "Lynne Wagner". The signature is written in a cursive, flowing style.

Lynne Wagner
Assistant Deputy Attorney General
Ministry of the Attorney General

c: Jeremy Griggs, Senior Manager, Provincial Offences Act Unit