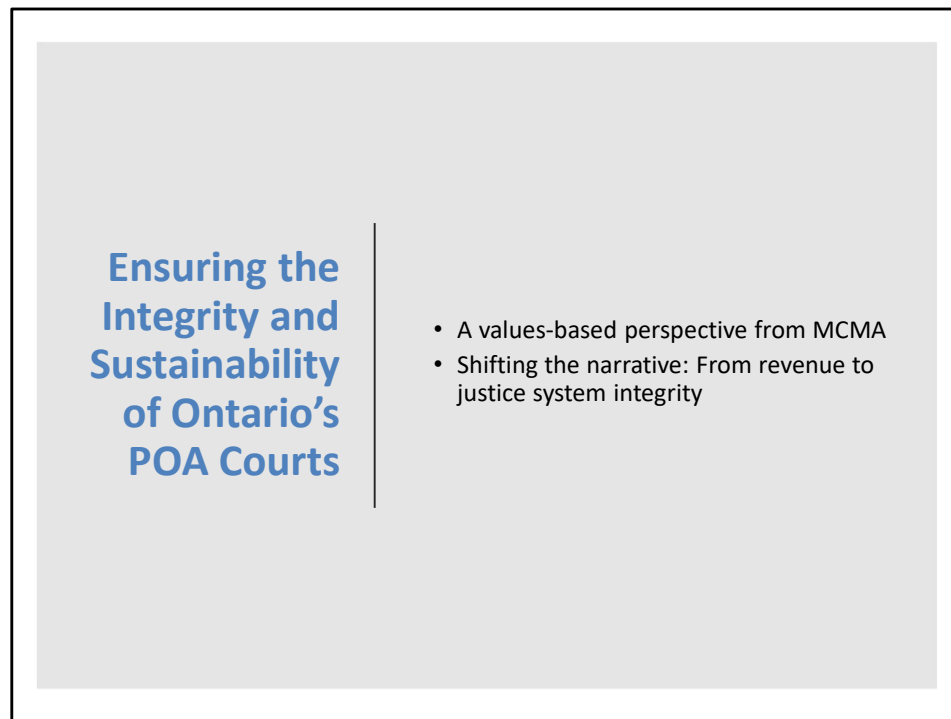




The POA system is entering a period of policy review, and how issues like set fines and collections are framed in the next phase will shape outcomes for years. If MCMA is not clear and aligned, those decisions will be made without our perspective at the table.

Historically, when these issues have been raised, they have been framed as revenue questions and that framing has consistently shut the conversation down. Today, we are intentionally changing that narrative.

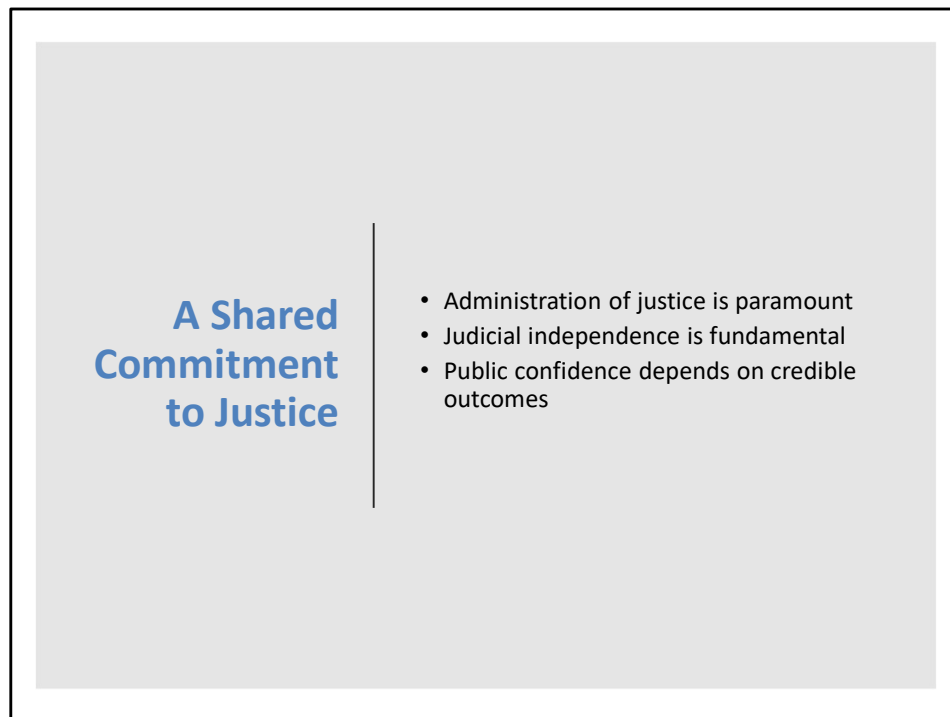
Our focus is clear: modernizing set fines so penalties remain meaningful and removing barriers to collections so court orders can actually be complied with.

This is not about harsher penalties or aggressive enforcement; it is about credibility, deterrence, and ensuring the system works as intended.

To be effective with the Ministry and the judiciary, MCMA must speak with one voice, grounded in justice outcomes first and sustainability as the result.

We are not advocating for revenue, we are advocating for a POA system where court orders remain meaningful, enforceable, and fair.

Why are we asking this now? The difference now is that the ministry has launched a policy review, and if we don't come forward with a disciplined, credible position, others will define this for us.

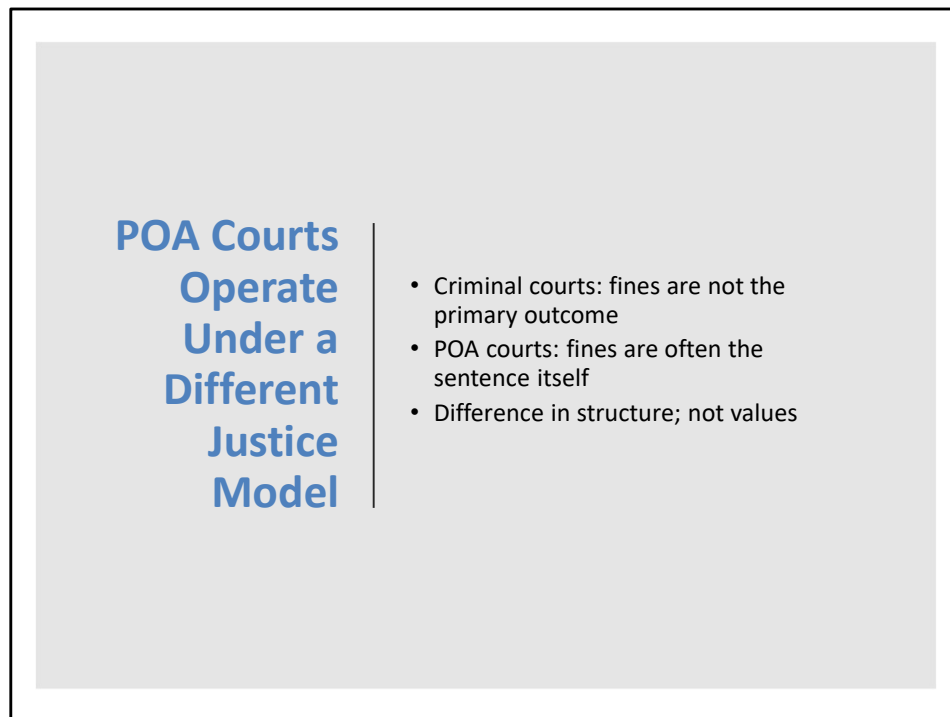


First and foremost, MCMA is grounded in a shared commitment to the administration of justice, that is why POA courts exist and why our work matters.

Our goal is not to challenge judicial independence or decision-making; it is to ensure that the systems supporting those decisions actually work.

Framing our advocacy around justice integrity and public confidence allows us to have necessary conversations, about fines and collections, in a way that aligns with our values and earns credibility

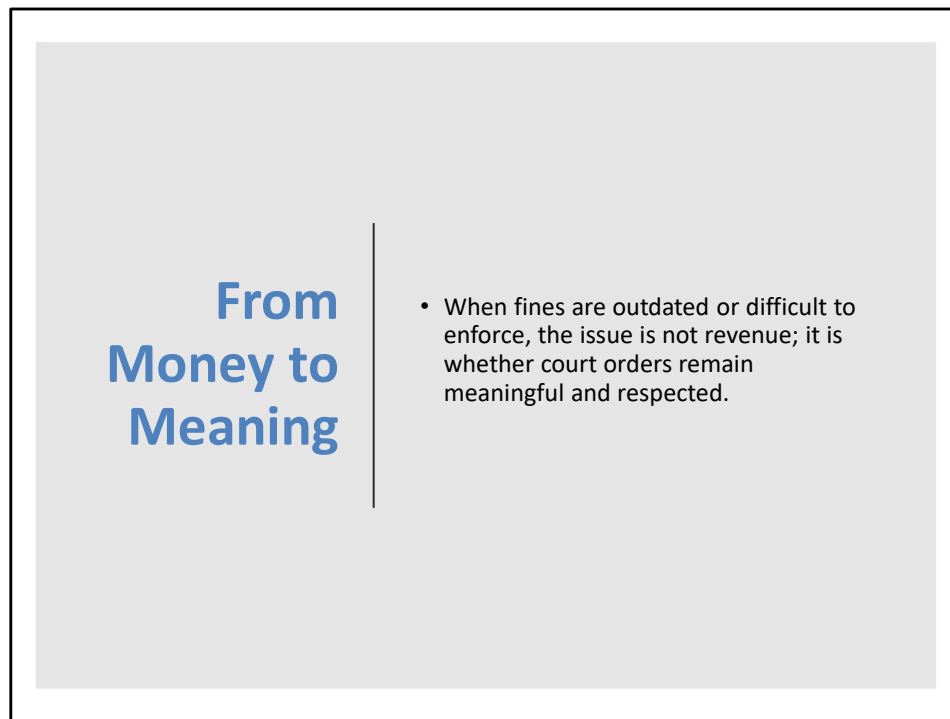
Starting from these shared values is what allows us to have the harder conversations that follow.



Discussions about revenue are inappropriate in the criminal context. POA courts, however, operate under a different statutory design. This is not a difference in values; it is a difference in structure. That does not mean POA justice is lesser. It means the mechanism by which justice is delivered is different.

Because the fine is the court-ordered outcome in POA matters, the design of penalties and the ability to enforce them directly affects whether the justice system functions as intended.

At times, POA courts are understandably viewed through a criminal-court lens. That lens, however, can obscure an important reality: applying a criminal-court funding and policy framework to POA courts creates structural misalignment. This is not about treating fines as revenue. It is about treating fines as meaningful judicial orders.

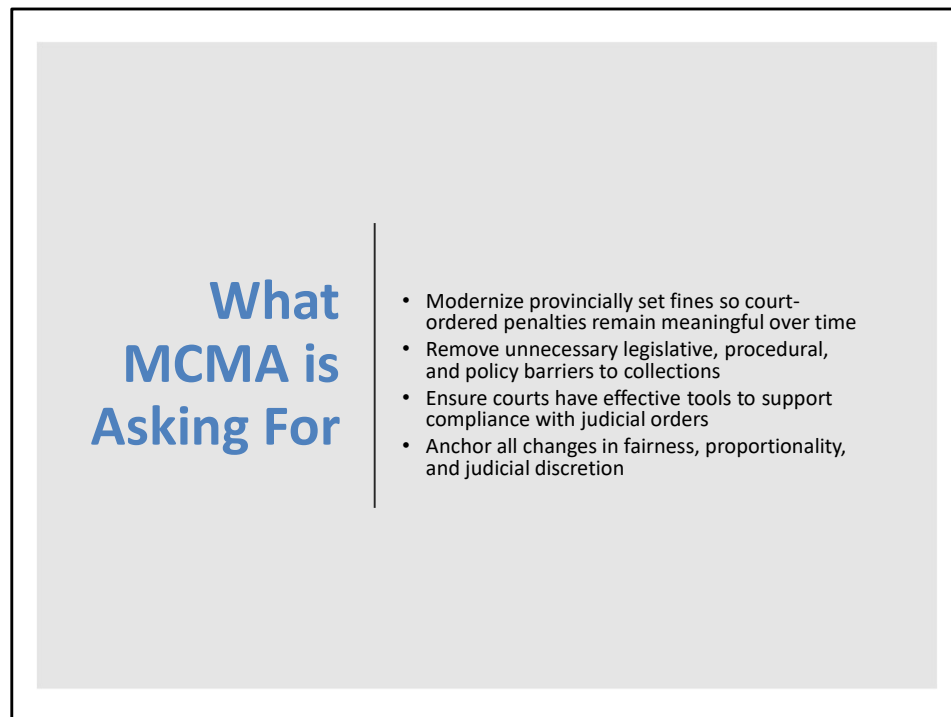


It is easy for discussions about fines to be heard as discussions about money. That framing quickly becomes uncomfortable, particularly in a justice setting. But it is also misleading.

In POA matters, fines are not administrative fees and they are not cost-recovery tools. They are judicial outcomes, court-ordered penalties imposed to address unlawful behaviour. If a court order cannot realistically be enforced, its authority is weakened.

Over time, that erodes deterrence, consistency, and public confidence in the justice system. Meaningful penalties are not necessarily harsher penalties. They are penalties that remain proportionate, current, and capable of being enforced in a fair and consistent way.

When court-ordered fines are meaningful and enforceable, the POA system functions as intended. Financial sustainability follows from that: it is an outcome, not the objective.



At this point, I want to be explicit about what MCMA is asking for, because clarity matters, especially internally.

MCMA is not asking the Ministry to increase fines for revenue purposes. We are asking the Ministry to modernize set fines so court-ordered penalties remain meaningful, proportionate, and credible.

We are also asking the Ministry to remove unnecessary barriers to collections, because collections are about compliance with court orders, not punishment, not revenue. These are justice system integrity issues. When penalties are outdated or court orders can't realistically be complied with, the authority of the system itself is weakened.

For this work to move forward effectively, MCMA needs to speak with one, disciplined voice. That's why member understanding and support for this framing and this direction is essential.



Enforcing payment of fines is enforcing compliance with court orders. Collections are sometimes perceived as punitive or revenue-driven. In the POA context, however, collections are fundamentally about compliance with the decision already made by the court. A system that enforces compliance consistently is a fair system.

Those who comply with court orders should not be disadvantaged relative to those who do not. When there are unnecessary barriers to collections, whether procedural, technological, or legislative, the issue is not effort or intent. It is that the system itself makes it more difficult for court orders to be carried out. This does not mean aggressive or inflexible enforcement. Proportionality, time-to-pay options, and judicial discretion remain essential. But where a court order is made, the system should support reasonable compliance. When court orders are not consistently complied with, public confidence is affected, not just in collections, but in the justice system more broadly. Removing barriers to compliance supports the authority of the court, reinforces fairness, and allows the POA system to function as intended.



Courts are already attentive to proportionality, ability to pay, and the individual circumstances of defendants. That discretion is built into the system and remains fundamental.

At the same time, fairness must be considered from a broader public perspective, including fairness to those who comply with the law and with court orders. When court-ordered penalties cannot be enforced effectively, the cost of administering the system does not disappear. Instead, it is often absorbed through tax levy. That means the cost is shifted to law-abiding Ontarians who had no involvement in the offence and no opportunity to comply or not comply.

Affordability considerations are important. But affordability should not translate into a system where non-compliance is effectively subsidized by the broader public. A justice system that is seen as fair, both to individuals before the court and to the public at large, is one that maintains credibility and trust. This is why modern penalties and effective compliance tools matter, not to increase burden, but to ensure that responsibilities are allocated fairly and transparently.



When court-ordered penalties cannot be enforced, costs are shifted to taxpayers who had no involvement in the offence. This is a fairness issue, not a punitive one. (Tax levy survey to help us measure current state)



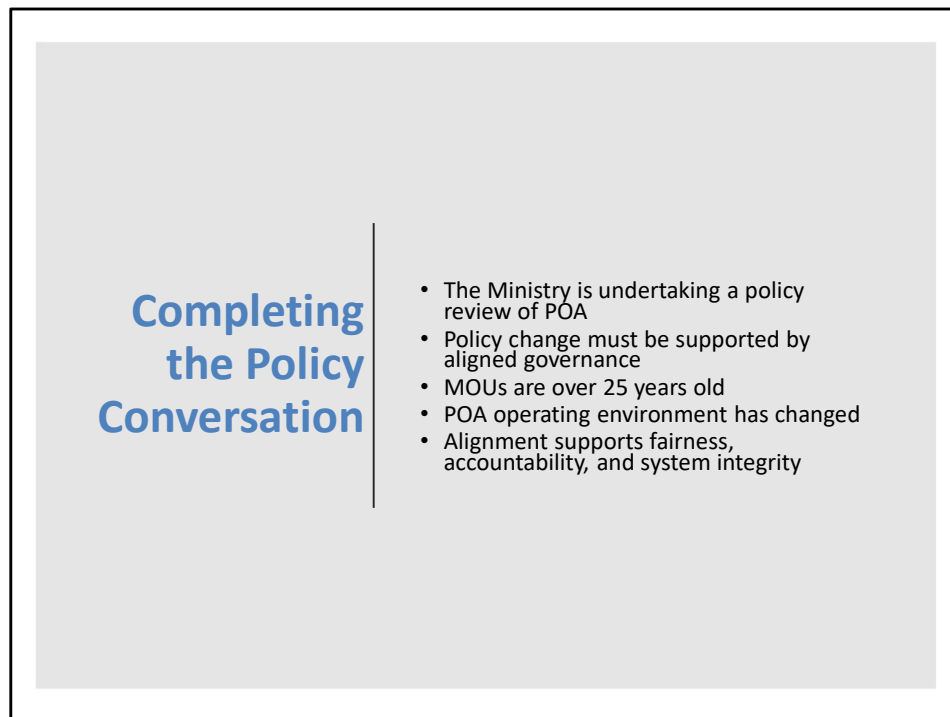
Everything we've talked about so far, meaningful penalties, effective compliance, and fairness, is directly shaped by governance.

Set fines, enforcement authorities, and key legislative tools are established at the provincial level, while municipalities are responsible for administering the system day-to-day.

That division of responsibility is workable only when authority, accountability, and policy design are aligned. Increasingly, they are not.

Municipalities are required to deliver justice outcomes that depend on policy levers we do not control, including the level of set fines and the availability of effective compliance tools.

This is not about shifting responsibility or reopening old debates. It is about recognizing that governance decisions directly affect whether court orders remain meaningful and enforceable in practice.



The Ministry's policy review is an important and welcome opportunity. It recognizes sustainability pressures, operational complexity, and the evolving expectations placed on the POA system.

But policy reform alone will not achieve its objectives if the governance framework that supports delivery remains outdated.

The existing MOUs were developed more than 25 years ago, in a very different operating environment, before current technology, data requirements, cost structures, and procedural complexity.

If we are serious about modernizing set fines, supporting compliance with court orders, and maintaining public confidence, then governance alignment is not optional, it is essential.

MCMA's position is that reviewing set fines and removing barriers to collections must be accompanied by a review of the MOU, so authority, accountability, and responsibility are aligned with modern policy intent.

Before we engage further with the Ministry, we need internal consensus to advance this position clearly, consistently, and responsibly.

We are asking MCMA members to support this position: that modernizing set fines and removing barriers to collections must be paired with a review of the MOU, as part of the Ministry's policy review.