

## APPENDIX “C”

**Seeking your input on a new approach that could make the process of disputing certain infractions, like traffic matters, faster, easier and more convenient**

### Comment period

Consultation start date: **March 3, 2015**

Consultation end date: **April 14, 2015**

Consultation end date: **April 28, 2015** (NEW! - submission deadline extended)

### About the consultation

The ministry is exploring new and innovative ways for Ontarians to pay or challenge traffic tickets and other Provincial Offences Act (POA) charges.

The purpose of this consultation is to gather your input on the merits of a potential **administrative monetary penalty system** that would, if implemented, replace formal in-court procedures for resolving disputes, with an online system.

**Please note: Charges related to more complex matters (i.e., offences that have a potential for jail time, such as those involving death or serious harm) are not under consideration.**

#### A new process

The current court process for disputing charges under the POA mirrors the criminal trial process, which involves significant public resources, such as the time of a justice of the peace, a prosecutor and the enforcement officer who laid the charge. This is in addition to the inconvenience and expense often incurred by defendants, including the time and costs associated with finding legal representation, travel and child care costs, and taking time off work to attend court.

As an alternative to an in-court process, an administrative monetary penalty system, delivered online, could provide a more appropriate way for the justice system to deal with less complex traffic infractions that would at the same time be simpler, faster and less expensive for Ontarians.

Under an administrative monetary penalty system, the person receiving a penalty notice (“ticket”) would still have the option to pay or dispute the penalty, but through an online process. The ministry would ensure that any new system is fair, effective and maintains the principles of procedural fairness, including the right to be heard before an unbiased decision-maker.

#### Online dispute resolution

An online application could provide a faster and more convenient process for paying tickets and resolving disputes. It could also provide important resources for defendants, including information about the dispute process, relevant legal considerations and other helpful information, such as available defences and evidence requirements.

The chart shows how an online process would differ from the current process for disputing infractions of provincial statutes and municipal by-laws:

<b>Current in-court, paper-based system for minor POA infractions</b>	<b>Ontario’s vision for an online administrative monetary penalty system for minor POA infractions</b>
Option to pay the fine or request a trial in court to dispute the charge.	Option to pay penalty immediately or elect to dispute it through online system.

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Paper forms must be completed to dispute charges and the defendant may be required to attend the municipal court office in person to request a trial.	Information needed to initiate and support dispute is entered online.
Trial process requires the participation of a justice of the peace, prosecutor, enforcement officer, etc.	Dispute resolution process managed by unbiased expert decision maker.
Defendant and/or his or her representative must attend the trial in-person.	Convenient 24/7 access to online system that provides information, guidance and access to unbiased expert decision-makers. No need to travel to a courthouse.

### How to participate

1. Read the consultation document. ([PDF](#)) ([MS Word](#)) ([Text only](#))
2. Prepare answers to the **consultation questions** listed on pages 8 and 9 and any other feedback you would like to provide
3. Email your responses to [poa-amp.feedback@ontario.ca](mailto:poa-amp.feedback@ontario.ca). Use subject line: **Online Administrative Monetary Penalty System for Provincial Offences.**

You may also mail your responses to the following address:

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