



STAFF REPORT INFORMATION ONLY

Auditor General's Office Review of Toronto Police Service – Court Services

Date:	May 29, 2007
To:	Audit Committee, City of Toronto
From:	Alok Mukherjee, Chair, Toronto Police Services Board

SUMMARY

The purpose of this report is to provide the Audit Committee with a copy of the Terms of Reference for the Review of the Toronto Police Service – Courts Services.

Financial Impact

There are no financial implications with regard to the receipt of this report.

ISSUE BACKGROUND

At its meeting held on April 26, 2007, the Toronto Police Services Board was in receipt of the following:

- Copy of correspondence dated February 26, 2007 from Jeff Griffiths, Auditor General, City of Toronto, to William Blair, Chief of Police, regarding the review that will be conducted of the Court Services Unit; and
- Terms of Reference for the Review of Court Services, dated April 04, 2007, from Jeff Griffiths, Auditor General, City of Toronto.

COMMENTS

The Board received the foregoing and agreed to forward copies to the City of Toronto – Audit Committee for information.

CONCLUSION

A copy of Board Minute No. P143/07, in the form attached as Appendix “A” to this report, regarding this matter is provided for information.

CONTACT

Alan Ash, Director
Auditor General’s Office
Telephone No. 416-392-8476
Fax No. 416-392-3754

SIGNATURE

Alok Mukherjee
Chair, Toronto Police Services Board

ATTACHMENT

Appendix A – Board Minute No. P143/07

A: city report court services.doc

Appendix A

THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON APRIL 26, 2007

#P143. AUDITOR GENERAL'S OFFICE REVIEW OF TORONTO POLICE SERVICE – COURTS SERVICES: TERMS OF REFERENCE

The Board was in receipt of a copy of correspondence dated February 26, 2007 from Jeff Griffiths, Auditor General, City of Toronto, to William Blair, Chief of Police, regarding the review that will be conducted of the Court Services Unit. A copy of the correspondence is appended to this Minute for information.

The Board was also in receipt of the following report April 04, 2007 from Mr. Griffiths:

SUBJECT: TERMS OF REFERENCE FOR THE REVIEW OF COURT SERVICES

Purpose:

This report presents the Terms of Reference for the Auditor General's audit of the Toronto Police Service's Court Services Unit.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the attached Terms of Reference for the audit of the Toronto Police Service's Court Services Unit be received for information; and
- (2) the Toronto Police Services Board forward this report to the Audit Committee for information.

Background:

The Auditor General's 2007 Work Plan includes a review of the Toronto Police Service's Court Services Unit. The attached Terms of Reference includes our preliminary assessment of the audit scope for this project. The scope of work may change depending on issues identified during the review.

Comments:

Sections 177 through 182 of the *City of Toronto Act, 2006* formalized the appointment of an Auditor General for the City of Toronto. However, the role of the City's Auditor General at the Toronto Police Service under the *City of Toronto Act* is restricted. In essence, the Auditor General of the City of Toronto under the new legislation has no authority to access records or conduct audit work at the Toronto Police Service.

At the February 2007 meeting, City Council approved the expansion of the Auditor General's mandate to permit audits of City local boards and agencies at the request of their boards, and that any resulting recommendations be submitted to the respective board.

On January 25, 2007, the Toronto Police Services Board approved the Police Chief's request that the Auditor General consider including in his annual work plan a review of the Toronto Police Service's Court Services Unit. After evaluating other audit priorities, and considering audit risks such as the extent of annual expenditures, budget increases and security concerns, the audit of the Toronto Police Service's Court Services Unit was included in the Auditor General's 2007 Audit Work Plan.

The focus of this audit will be to examine the funding arrangements, deployment of staff resources and related budget implications of the Toronto Police Service's Court Services Unit.

Conclusion:

The attached Terms of Reference provides the background, legislative environment, objectives and scope for our audit of the Toronto Police Service's Court Services Unit. The overall objective of this audit is to determine the extent to which public funds are administered cost effectively for the safe operation of court facilities in the City. In determining these terms of reference, as well as the audit objectives, a number of meetings have been held with both the Chief Administrative Officer and the Deputy Chief responsible for Court Services.

Contact:

Alan Ash, Director
Tel: 416-392-8476
Fax: 416-392-3754
AAsh@toronto.ca

Anne Cheung, Senior Audit Manager
Tel: 416-392-8439
Fax: 416-392-3754
ACheung1@toronto.ca

The Board received the foregoing and agreed to forward a copy to the City of Toronto – Audit Committee for information.

AUDITOR GENERAL'S OFFICE
TERMS OF REFERENCE

Division/Board: Toronto Police Services Board
Project Name: Court Services Review, Toronto Police Service
Year of Audit: 2007
Project Code: 07-BCS-01

A. Introduction/Background

The Toronto Police Service's Court Services Unit is responsible for the safe operation of all court facilities in the City. The mandate of Court Services is derived from the *Police Service Act of Ontario*, the new *City of Toronto Act, 2006*, *Criminal Code*, *DNA Identification Act*, the *Canada and Ontario Evidence Acts* and various Memorandums of Understanding between the Ontario Association of the Chiefs of Police and the Attorney General.

Until January 1, 1990, the Province of Ontario and former Metropolitan Toronto were involved in a cost sharing agreement for court security. In November 1989, Bill C-187 (The Police and Sheriffs Statute Law Amendment Act) was passed, and responsibility and liability for security and prisoner custody at all court facilities in Ontario were downloaded to local municipalities.

The Toronto Police Chief requested the Auditor General to conduct a review of the management and administration of staff resources in the Court Services Unit. The Toronto Police Services Board approved the Chief's request at its January 25, 2007 meeting. Consequently, the Auditor General's 2007 Audit Work Plan includes a review of the Court Services Unit.

B. Financial/Operational Highlights

The Court Services Unit, with an approved net budget of \$38.5 million in 2006, operates with 33 uniform staff, 457 full-time and 165 part-time civilian staff.

Court Services' responsibilities include:

- securing the transportation of persons in custody throughout Toronto;
- determining appropriate levels of security for court proceedings of a sensitive nature or intense public interest, and ensuring the security of judges and persons taking part or attending court proceedings;
- ensuring the security of related premises when judges and Toronto Police Service members are present;
- ensuring the secure custody of persons in custody on the premises; and

- providing services such as Crown liaison and serving court documents. Activities carried out by court officers include:
- scheduling pick-ups and providing transportation from detention centres, jails and local police stations for appearance at various court locations;
- providing courtroom security, including hallway patrol, wand and metal detection;
- escorting prisoners on court premises; and
- providing Crown liaison and serving court documents such as Summonses, Subpoenas and Evidence Act Notices.

In addition, Court Services staff perform Crown liaison, service court documents, processing Provincial Offences Act summonses, as well as staff recruiting, new staff training and in-service training.

C. Key Financial/Operational Issues and Controls

Since the provincial downloading of the responsibility and liability for court security and prisoner custody in 1990, Court Services has experienced significant staffing pressures, increased security concerns from judges, Crown Attorneys, and defense lawyers, increased prisoner volume, more high-risk security offences with trials spanning several months, and a steady increase in the number of court facilities.

In order to staff a new courthouse and expanded operations at two existing courthouses planned by the Province in 2007, Court Services estimates that an additional estimated cost of \$3.5 million (an annualized cost of \$7.1 million) will be required in the 2007 annual budget.

D. Audit Objectives and Scope

The objectives of this review are to assess and determine the extent to which financial resources are deployed cost effectively in meeting legislated responsibilities of the Court Services Unit.

This audit will include, but not be limited to, an examination of current funding arrangements, staff deployment and budget implications.

Our review will cover the period from January 1, 2006 to March 31, 2007.

The audit methodology will include a review of relevant legislation and policies, interviews with Court Services personnel, site visits, examination of documents and records, review of relevant audits and studies completed, analysis of data and any other procedures deemed appropriate. Benchmarking the best practices of other jurisdictions will also be conducted.



Jeffrey Griffiths, C.A., C.F.E.
Auditor General

Auditor General's Office
9th Floor, Metro Hall
55 John Street
Toronto ON M5V 3C6

Tel: 416 392-8461
Fax: 416 392-3754

February 26, 2007

Chief Bill Blair
Toronto Police Chief
40 College Street
Toronto, ON M5G 2J3

Dear Chief Blair:

Re: Court Services Review – Toronto Police Service

In accordance with your request for audit services approved by the Toronto Police Services Board at its January 29, 2007 meeting, the Auditor General's Office is initiating a review of the Court Services Unit of the Toronto Police Service.

The first stage of our audit work involves gaining an understanding of the court services operation to identify areas that would benefit most from an in-depth review. On January 16, 2007 Chief Administrative Officer Tony Veneziano and Deputy Chief Tony Warr met with myself and members of my staff to discuss the audit process and to answer questions related to the audit process. We have subsequently met with Superintendent Wayne Pye, Unit Commander of Court Services, Staff Superintendent Glenn De Caire, Unit Commander of Area Field, and their Staff on February 8, 2006. At the completion of the audit, we will arrange to meet with you to discuss issues identified and to obtain your comments and suggestions.

A final copy of the audit report will be forwarded to the Toronto Police Services Board.

Thank you for your assistance and co-operation. If you have any questions or concerns during this review, please feel free to call me at 416-392-8461.

Yours very truly,

Jeff Griffiths
Auditor General

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c: Alok Mukherjee, Chair, Toronto Police Services Board

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