



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

Response To Council Request For Information On Red Light Camera Infractions

Date:	October 30, 2012
To:	Government Management Committee
From:	Director of Court Services and City Solicitor
Wards:	All
Reason for Confidential Information:	This report is about litigation or potential litigation that affects the City or one of its agencies, boards, and commissions.
Reference Number:	

SUMMARY

This report provides information requested by Council on November 29, 2011, following consideration by Audit Committee on October 20, 2011, of the Auditor General's August 25th, 2011 report on the red light camera program.

RECOMMENDATIONS

The Director of Court Services and City Solicitor recommend that:

1. this report be received for information; and
2. City Council authorize the public release of the information contained in the Attachment 1 to this report at the discretion of the City Solicitor.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

Council on November 29, 2011 requested that the Director of Court Services and City Solicitor report back to Council with information "on the average in-court fine" for red light camera infractions. Council also requested that the Director of Court Services, in consultation with the City Solicitor, report on the impact of the Early Resolution procedures, and on other options, including administrative penalties, if the number of trials requested in relation to red light camera charges did not decrease substantially.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.AU4.1>

ISSUE BACKGROUND

The Auditor General's report of August 25, 2011, made several recommendations which were adopted by Council at its meeting November 29, 2011. This report responds to recommendations 9 and 10 as follows:

9. City Council request the Director, Court Services, in consultation with the City Solicitor report back to Council by December 2012 on the impact of the Early Resolution procedures and on other options, including administrative penalties, if the number of trials requested in relation to red light camera charges does not decrease substantially.
10. City Council request the Director, Court Services and City Solicitor, in accordance with the request of Council, report back to Council "on the average in-court fine" for red light camera infractions.

COMMENTS

The Early Resolution procedures were introduced by Provincial legislation that took effect March 31, 2012. To assess the impact of Early Resolution in relation to red light camera charges, staff examined trial rates (number of court trials as a percentage of total tickets issued) after the introduction of Early Resolution and compared them to the rates prior to the introduction.

For the five month period of March 31 to August 31, 2012 a total of 14,886 red light camera tickets were issued by Transportation Services. In relation to these tickets, there were a total of 3,600 defendant requests for Early Resolution meetings with a prosecutor before deciding whether to proceed to trial. Early indications are that about 90% of meetings result in a resolution of the ticket. During the same period a total of 4287 requests for a court date, without asking for a meeting with a prosecutor, were received by the court office resulting in a trial rate of 29%. Adding tickets that went to Early Resolution but were not resolved to the trial rate increases the percentage bringing the trial request rate to 31%. This data was compared to data from the same time period for 2011 when the trial rate was 43%. The comparison supports the conclusion that the

introduction of the Early Resolution program, while still in its early stages, has had a significant positive effect in reducing the trial rate by over twenty-five per cent

The attached Confidential Attachment 1 relates to prosecutions and to the fines imposed in courts in relation to red light camera charges.

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SIGNATURE

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ATTACHMENTS

Confidential Attachment 1 – Confidential Information