

To: Warden and Members of County Council

From: Director of Corporate Services

Court Security and Prisoner Transportation (CSPT) Program Agreement

RECOMMENDATION

1. **That County Council hereby authorizes the Director of Corporate Services to execute a Funding Agreement with the Ministry of Community Safety and Correctional Services, under the Court Security and Prisoner Transportation Program, as outlined in Report No. CS 2021-18.**

REPORT HIGHLIGHTS

- Court Security and Prisoner Transportation (CSPT) Program provides partial funding for municipal court security and prisoner transportation costs
 - Annual court security and prisoner transportation costs related to the County's Provincial Offices Administration (POA) budget is approximately \$14,000 in a typical year
 - 2021 court security and prisoner transportation special levy \$95,088
- 2021 funding allocation under the CSPT program is \$78,818

Implementation Points

Subject to the County entering into a Transfer Payment Agreement with the Ministry, the Ministry will provide allocations of funding based on the County's 2018 provincial court security and prisoner transportation costs. Funding allocations will be received in four installments over the course of the year – the first being upon the County and the Minister signing of the funding agreement; the second installment upon the Province's receipt and approval of the County's 2020 Annual Financial Report; and, the remaining two installments will be released in September and December 2021 respectively.

Financial Impact







A provision for Court Security and Prisoner Transportation Funding was not included in the 2021 budget, as staff were informed that the Province's review of the CSPT program was still ongoing and therefore, were not in a position to commit to funding agreements for 2021. Although the program review has yet to be concluded, the Ministry has now informed municipalities of their commitment under this program for 2021.

Considering municipal allocations are determined in relation to all municipalities CSPT actual costs for two years prior to the transfer payment, and is limited to a \$125 million provincial funding commitment, the County's 2021 allocation has been calculated to be \$78,817.82.

Communications

The communications requirements of the transfer payment agreement indicates that the County will acknowledge the Province's financial support for these services and any related publications be qualified as views of the County that do not necessarily reflect those of the Province.

Strategic Plan (2015-2018)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
1.ii.					

DISCUSSION

Background

In response to *The Provincial-Municipal Fiscal and Service Delivery Review* (PMFSDR) that was completed in 2008, commencing in 2012 the Province began uploading costs of court security (including prisoner transportation) over seven years, by providing funding to municipalities to a maximum of \$125 million annually at maturity. Table 1 below illustrates the timing of the upload and the percentage of \$125 million allocated to municipalities across the Province over the transition period.

Table 1 – Provincial Upload Schedule – Court Security and Prisoner Transportation Costs

	2012	2013	2014	2015	2016	2017	2018
Court Security	14%	29%	43%	57%	71%	86%	100%

In 2018, the newly elected provincial government immediately initiated a province-wide review of government expenditures. In the ensuing years, municipalities have received notice of the continuation on the CSPT funding program on an annual basis within the funding year – typically at the end of March.

In preparation of the 2021 budget, the Ministry informed staff that the review of the CSPT Program was still underway and they were unable to provide an indication of whether the program would continue for 2021. On that basis, no provision was included in the 2021 budget.

Correspondence dated March 31, 2021 from the Ministry of the Solicitor General indicates that the a final report of the findings resulting from the review to reduce court delays, leverage technology and improve public safety to build a more responsive and efficient justice system is expected soon.

Comments

An expenditure-based model is used to determine funding amounts for each municipality eligible for funding under the CSPT Program. The 2021 CSPT funding is allocated based on each municipality's relative share of the total 2019 court security and prisoner transportation costs across the province. As a result, the County's allocation for 2021 in comparison to years 2017 to 2020 is set out in Table 2 below.

Table 2 – 2017 – 2021 CSPT Funding Allocations vs Costs for Oxford County

Calendar Year	County Allocation	Actual/Budget Costs	% of Actual/ Budget Court Security Costs^{1,2}	Provincial Upload Commitment of \$125 million
2017	\$9,300	\$12,540	74.2%	86%
2018	10,850	131,358	8.3%	100%
2019	9,842	108,579	9.1%	100%
2020	99,911	51,525	193.9%	100%
2021	78,818	109,088	72.3%	100%
Total	\$208,721	\$413,090	50.5%	

Note 1: 2021 percentage is based on 2021 approved budget costs

Note 2: 2018 was the first year court security costs includes the court security and prisoner transportation grant to the City of Woodstock

Conclusions

Securing a Funding Agreement for the CSPT Program will allow the County to receive \$78,818 in 2021 to offset the cost of providing court security and prisoner transportation in the Provincial Offenses Courtroom and offices, and the grant paid to the City of Woodstock, as the future of this funding program remains subject to the Province determining if it meets their current mandate.

SIGNATURES

Departmental Approval:

Original signed by _____

Lynn S. Buchner, CPA, CGA
Director of Corporate Services

Approved for submission:

Original signed by _____

Michael Duben, B.A., LL.B.
Chief Administrative Officer