

To: Warden and Members of County Council

From: Director of Corporate Services

2023 Court Security Grant Special Tax Levy

RECOMMENDATION

- 1. That a special 2023 tax levy for a Court Security Grant for Woodstock Police Services in the amount of \$10,276, determined on the same basis as the 2018 to 2022 annual special tax levies, be considered during 2023 budget deliberations.**

REPORT HIGHLIGHTS

- 2023 proposed Court Security Grant of \$10,276 (\$51,541 – 2022) to offset a portion of the costs incurred by the Woodstock Police Service – 80.1% decrease from 2022
- Special Grant levy will be allocated to properties within each of the County's Area Municipalities with the exception of the City of Woodstock

Implementation Points

Upon approval of the recommendation contained in this report, County Council will give consideration of this matter as part of their deliberations in determining the 2023 County business plans and budget.

Financial Impact

The recommendation contained in this report infers sharing the Woodstock Police Service's net court security and prisoner transportation costs as they relate to the Oxford County Court House located in the City of Woodstock. The funding model is designed to share a portion of the court security and prisoner transportation cost incurred by the Woodstock Police Service based on prior year's actuals reported to the Solicitor General, net of the CSPT funding received from the Solicitor General for that year, shared 60% by the City and 40% by the remaining seven area municipalities.

For the purposes of the County's 2023 budget, the figures as set out in Table 1 illustrate the calculation of the 2021 deficit to be shared on the basis of 60/40 with the City being responsible for 60% of the deficit and the County funding the remaining 40% by means of a special levy applied to seven of the area municipalities, excluding only the City of Woodstock.

Table 1 – Grant Funding Model Calculation

Municipality	2021			Wdsk Deficit	Wdsk 60% Funded	County 40% Funded
	Allocation	CSPT Net Costs	% Funded			
Blandford-Blenheim Tp	\$0					
East Zorra-Tavistock Tp	0					
Ingersoll T	0					
Norwich Tp	0					
South-West Oxford Tp	0					
Tillsonburg T	0					
Zorra Tp	0					
Woodstock C	527,577	553,268	95%	\$25,691	\$15,414	\$10,276
County	30,431	32,117	95%			
Totals	\$558,008	\$585,385	95%			
Net Costs to County and Area Municipalities		\$27,376				
% of CSPT Net Costs Covered by Allocation		95%				
Provincial Upload Commitment		100%				







Note: OPP allocations and CSPT Net Costs for 2021 are not yet available from the Ministry for the seven area municipalities served by OPP.

Communications

The County's Communications and Strategic Engagement Team will facilitate the 2023 Business Plan and Budget communications strategy, including the Court Security and Prisoner Transportation special grant levy for the Woodstock Police Services.

The communications plan includes public engagement through [SpeakUp Oxford!](#). The 2023 Business Plan and Budget as released on November 23, 2022 and presentations delivered to Council at each of the budget meetings will be posted on the [SpeakUp Oxford!](#) site. The site also provides dates and times for each of the Council meetings with links to recordings if individuals are not able to attend the live meetings.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.iii.			

DISCUSSION

Background

In 1999, the Province initiated a “*Local Services Realignment*” exercise which included, among other services, the devolution of responsibility for the prosecution of offences and the collection of fines under Parts I, II and III of the *Provincial Offences Act* to upper tier and single tier municipalities. The revenues collected from fines related to Provincial Offences were intended to offset other public services downloaded to municipalities at the same time, being EMS, Ontario Works and Housing, to be revenue neutral in terms of budget/levy impact.

After almost a decade following that initiative, the Province completed the “*Provincial-Municipal Fiscal and Service Delivery Review*” (PMFSDR) to further assess the sharing of costs related to services deemed to be provincially significant. Included in that review were court security and prisoner transportation costs. This review determined that, starting in 2012, the Province would upload the costs of court security (including offender transportation) over seven years, by providing funding to municipalities to a maximum of \$125 million annually at maturity.

Being a two-tier municipal structure, the County of Oxford historically had three police services within its jurisdiction. That has since been reduced to two – one local police service serving the City of Woodstock and the OPP who serves the remaining seven municipalities.

The Oxford County Court House is geographically located in the City of Woodstock and, therefore is within the service area of the Woodstock Police Service (WPS). As such, the City is solely responsible for costs associated with delivering court security and prisoner transportation, net of the partial funding now apportioned to the City through the Court Security and Prisoner Transportation Program (CSPT). Unfortunately, there remains a significant cost burden that is funded by the residents of the City for a Court system that serves all of Oxford County, creating an inequity in local funding for this service. More specifically the CSPT net costs have increased over the years – from \$550,000 in 2012 to over \$882,465 in 2019, a 60% increase over eight years. The locally funded portion of costs in 2019 was approximately \$340,000 which will continue to rise over time as salaries, benefits and security costs increase, while the Provincial funding remains capped – notwithstanding the significant decrease in costs seen over the years 2020 to 2022 in which the Ministry paused court proceedings during the pandemic, which is assumed to be temporary.

To address the growing inequitable funding for court service delivery for the Oxford County Court House, in 2017, County Council adopted a Terms of Reference for the appointment of a Local Court Security Advisory Committee with a composition consisting of the Warden as Chair and non-County Councillor members, represented by three appointees from Woodstock Council and one appointee from each of the remaining area municipal Councils.

At the time of establishing the Committee, County Council adopted the following mandate:

- Annually recommend to County Council the level of County funding for costs incurred by the Woodstock Police Service and the Ontario Provincial Police for Court Security and Prisoner Transportation services, having regard for the efficient use of resources; and

- Advocate for court security and prisoner transportation funding from the Province that achieves 100% of municipal costs by 2019 and thereafter.

Upon its inception in 2017, the Local Court Security Advisory Committee designed a funding formula that they determined to be equitable for all of the municipalities within the County which was subsequently adopted by Council and employed for each of the ensuing budget years. The funding model imposes a special levy on all of the area municipalities with the exception of the City of Woodstock and then grants that special levy to the City of Woodstock to offset a portion of their annual court security and prisoner transportation costs delivered specifically for the Oxford County Court House.

In addition to annually recommending the amount of special levy to be granted to the City of Woodstock, the Local Court Security Advisory Committee recommended that County Council continue to advocate for the Province to assume 100% of the cost of court security related to provincially operated court systems in order to eliminate the inequity that exists in a two tier municipal government structure. In response, County Council advocated to the Ministry on an annual basis through correspondence and attending delegations at Rural Ontario Municipal Association (ROMA) and Association of Municipalities of Ontario (AMO) conferences at every opportunity that they were given.

At the time the current Provincial Government took office in 2018 they initiated their “Platform for Modernizing the way Ontario Manages Provincial Expenditures” with a view to achieve efficiencies and improvements in service delivery, modernization, cost efficiency, individual and business supports, and one-time savings.

Coming out of the aforementioned Provincial Government review, on January 21, 2022, the Ministry of the Solicitor General released the “Review of the Court Security and Prisoner Transportation Program – Final Report”, as prepared by Goss Gilvroy Inc. - summarized in [Report No. CS 2022-11](#) entitled “Court Security and Prisoner Transportation (CSPT) Program Agreement and CSPT Review Final Report”. In response to the Gilvroy Report, the Ministry has committed to continuing the CSPT Funding Program with no changes to the overall funding envelope, subject to the regular fiscal process. Instead, they set out a framework built on a phased approach to ensure a pathway for future planning and continuous improvement, founded on evidence that addresses gaps in the program to be identified through enhanced annual reporting on identified performance measures.

In spite of staff being generally supportive of the recommendations contained in the report, there was disappointment in the Minister’s confirmation that the Court Security and Prisoner Transportation Funding Program will not be enhanced. On the basis of the foregoing, County Council deemed the mandate of the Local Court Security Advisory Committee to be redundant, therefore a Terms of Reference for this Advisory Committee was not renewed for the next term of Council.

Comments

The grant formula first established by the Local Court Security Advisory Committee in 2017 has been adopted by County Council for inclusion in the annual business plan and budget for the years from 2018 to 2021. The basis of the grant formula for the purpose of sharing the City of Woodstock’s net court security and prisoner transportation costs as they relate to the Oxford

County Court House located in the City of Woodstock is calculated based on prior year's actuals reported to the Ministry of the Solicitor General (SOLGEN) net of the CSPT funding received from the SOLGEN for that year. The resulting deficit is then shared on the basis of 60/40 with the City being responsible for 60% of the deficit and the County being responsible for the remaining 40% which would be levied against seven of the area municipalities, excluding the City of Woodstock. Staff are of the opinion that this model, designed in collaboration with all area municipalities, represents a fair and equitable solution for all taxpayers of Oxford County.

Conclusions

The Local Court Security Advisory Committee tenure over the past term of Council responded to Council's assigned mandate by recommending a fair and reasonable allocation of costs related to ensure that efficient and effective court security continues to be delivered for the Provincial court system serving the County of Oxford, in the absence of Provincial funding program that addresses the inequity in a two tier municipal government structure.

SIGNATURES

Departmental Approval:

Original signed by

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

Approved for submission:

Original signed by

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