



LAW COMMISSION OF ONTARIO
COMMISSION DU DROIT DE L'ONTARIO

LCO Launches Public Consultation on the Modernization of the Provincial Offences Act

FOR IMMEDIATE RELEASE

TORONTO, November 16, 2009 - The Law Commission of Ontario (LCO) today launched a public consultation for its project on the Modernization of the *Provincial Offences Act*, the first stage of a project that will develop recommendations for changes to the *Provincial Offences Act* (POA) and possibly other statutes that significantly affect prosecutions under the POA.

The procedure for the enforcement and prosecution of offences that are created by provincial legislation and regulations and municipal by-laws is largely governed by the POA. Each year there are millions of charges in Ontario to which the POA applies. The charges are in such diverse areas as parking, driving, health and safety and environment. As a result the POA touches and affects many Ontarians.

Since the POA came into force nearly 30 years ago, many legal developments have occurred that need to be reflected in the prosecution of provincial offences under the POA. These include the adoption of the *Canadian Charter of Rights and Freedoms* in 1982, the increase in the maximum fines for many provincial offences, the increase in the use of administrative monetary penalties as an alternative to using the courts to deal with non-compliance with regulatory requirements and the use of new technologies in the justice system.

“Developments in the law have passed the POA by,” said the Executive Director of the LCO, Dr. Patricia Hughes, “resulting in considerable interest by individuals and organizations in examining the POA to discover what changes it needs to make it a more modern and effective statute that best serves the interests of Ontarians.”

The LCO has developed a Consultation Paper that outlines a number of issues and asks a series of questions about those issues. The purpose of the Consultation Paper is to seek public input on these questions. In addition, the LCO welcomes submissions on the threshold question of whether the issues should be pursued and addressed in the LCO's final report and if there are issues that have been missed in the Consultation Paper. Written submissions on the Consultation Paper will be accepted until Monday, February 1, 2010. The Paper also explains how people may provide feedback in more informal ways.

Launched in September 2007, the LCO is funded by the Law Foundation of Ontario, the Ministry of the Attorney General, Osgoode Hall Law School and the Law Society of Upper Canada and supported by the law deans of the other Ontario law schools. It operates independently of government to recommend reforms to enhance access to justice.

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