

**TO: Mayor Caul & Members of Council**

**FROM: Lisa Sheppard, Provincial Offences Administration**

**DATE: September 8, 2021**

**SUBJECT: Resumption of In-person POA Court attendance (Base court location of 320 Portage Avenue, Fort Frances, Ontario)**

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## **BACKGROUND**

As a result of the COVID -19 global pandemic and in order to ensure the safety of all participants; in-person Provincial Offences court attendance was suspended by the Chief Justice of Ontario beginning March 16, 2020. During the past 17 months; municipal court locations quickly pivoted and readied their sites for remote proceedings, installed and implemented safety measures in accordance with the Ministry of Attorney General Recovery Secretariat policies and protocols, base court sites were inspected by the Public Services Health and Safety Association (PSHSA), participated in and completed Court Recovery Verification Checklists, HVAC studies, prepared a POA Base Court Safety Plan, risk assessment and other numerous readiness preparations.

On January 5<sup>th</sup>, 2021 our POA Court location of 320 Portage Avenue was inspected virtually by PSHSA and found to be in compliance with all suggested safety measures including but not limited to: signage, multiple hand sanitizing stations, physical distancing measures, plexiglass dividers and barriers, face covering and Personal Protective Equipment (PPE) policies that aligns with the provincial court process, COVID positive case notification process policy, established active in-person screening procedures (as well as an option to screen online for our court location through the Provincial Courthouse Screening tool) for our court location, staff education on health and safety, implemented enhanced cleaning measures and etc.

The next step as per the Recovery Secretariat led readiness protocol - was to implement and train for remote proceedings for some POA court matters. The ZOOM platform (MAG approved the use of ZOOM platform with enhanced security protocols) was installed, staff were trained and a mock trial was held to "iron out any kinks" for equipment, microphones, cameras etc... and their use in a remote court proceeding. Our POA court location received approval to proceed by way of ZOOM on March 18<sup>th</sup>, 2021. This has absolutely modernized the way some appropriate court services can be delivered. However – remote proceedings do require access and familiarity with internet. The geographical area our POA Court Administration serves is vast and internet access can be unreliable or spotty in many locations in our district. In addition; not everyone has a personal PC, or a cell phone or a quiet and secure place to access a remote court proceeding using the ZOOM platform. For this reason; the goal has always been to work towards a safe resumption of in-person court attendance where necessary or for those matters where the Ontario Court of Justice and the Judiciary feels it is necessary.

It is my understanding that the ability to attend a court proceeding remotely will now always remain and be an efficient method (as it has proven to be an efficient modernization) – however the option for in-person attendance when necessary or required will be the final step in POA Courts resumption.

On August 13<sup>th</sup>, 2021 – our POA Court location received the final Endorsement Letter and HVAC report from Ministry of Attorney General Recovery Secretariat to support the move through our Municipal Approval to reopen our POA court location at 320 Portage Avenue, Fort Frances, Ontario for the resumption of in-person court proceedings. Court scheduling and the deployment of judicial resources for municipal courts is at the

sole discretion of the Ontario Court of Justice and the final determination as to when in-person matters can be scheduled at any specific Municipal location will be determined by the Office of the Chief Justice and in conjunction with our Regional Senior Justice of the Peace office.

I respectfully request Mayor and Council provide their approval for the resumption of in-person court attendance at our Fort Frances POA Court location of 320 Portage Avenue, Fort Frances, Ontario.

## **RECOMMENDATION**

The Administration & Finance Executive Committee recommends resumption of in-person court attendance at our Fort Frances POA Court location of 320 Portage Avenue, Fort Frances, Ontario.

***Council approval of this report will agree to the recommendation of the Administration & Finance Executive Committee to resume in-person court attendance at our Fort Frances POA Court location of 320 Portage Avenue, Fort Frances, Ontario.***