



June 23, 2021

Mayor Caul and Council:

Please find attached to this letter a copy of the Provincial Offences charges from 2020 that were scheduled for trial. As part of the Memorandum of Understanding with the Province, the Municipal Prosecutor is required to keep record of all cases and be prepared to provide the Ministry of Attorney General with the above-mentioned records upon request. I am providing Mayor and Council with this information exclusively as this information is confidential in nature.

For the 2020 Provincial Offences Act Statistics for the entire Rainy River District, there were SIXTEEN (16) tickets that the public chose to take to trial. I do not have the statistics on how many tickets are issued in a year by law enforcement, only those that are passed onto the Prosecutor's office. This is a decrease of 38 tickets set for trial from the previous year. COVID 19 played a major role in this decrease.

In some cases, the person who we refer to as that defendant, will set a trial date, reconsider and pay their fine as did TWO (2) defendants. After vetting the Provincial Offence tickets and briefs, EIGHT (8) tickets were withdrawn for "no reasonable prospect of a conviction" which means that after reviewing the offence brief and the charge as written in the Highway Traffic Act, there was not enough evidence to prove the charge beyond a reasonable doubt.

There were FOUR (4) POA tickets that were resolved by the defendant entering a plea to a lesser charge. As a Prosecutor, we are encouraged to attempt to resolve a matter rather than take the matter to trial. If you calculate in the additional costs to proceed to a trial, not only are resolutions cost effective but also fair to the defendant. ZERO (0) tickets went to trial in 2020.

The final three points are for those who set a trial date and then do not show for their trial. ONE (1) defendants were convicted under Section 9(1) of the Provincial Offences Act and ZERO (0) chose to plead guilty to the original charge on the day of trial. Also, there were ONE (1) Alternative measures and ZERO (0) Appeals which the sentence stayed the same.

Also, I assisted KENORA in one conflict matter.

The Transfer of PART III charges to the Municipalities did not occur due to Covid 19.

If anyone wishes to discuss that above mentioned with myself, I will more than welcome speaking to Mayor and/or Council.

Respectfully,

A handwritten signature in blue ink, appearing to read "Gary J. Beck". The signature is fluid and cursive, with a large initial "G" and "B".

Gary J. Beck  
POA Prosecutor  
Town of Fort Frances/District of Rainy River.

## **2020 PROVINCIAL OFFENCES ACT STATS**

**16 - CASES SET FOR TRIAL**

**2 - CASES – PAID FINE BEFORE TRIAL - \$120.00.**

**8 - CASES – WITHDRAWN – NO REASONABLE PROSPECT OF A CONVICTION AND PART OF RESOLUTION. (CHARGE CAN NOT BE PROVEN). (- \$1672.50 )**

**0 – CASES WENT TO TRIAL - – FOUND GUILTY - \$00**

**0– NOT GUILTY – (.00)**

**4 – RESOLUTIONS – PLEA TO DIFFERENT CHARGE – \$1270.00**

**1 – SET FOR TRIAL- NO SHOW – 9(1) POA - \$95.00**

**0 – GUILTY PLEAS DAY OF TRIAL ORIGINAL CHARGE. \$.00**

**1– ALTERNATIVE MEASURES - -\$100.00.**

**0 – APPEAL – (NOT OVERTURNED) - \$.00.**