

STREET LAW SMARTS #14

TICKETS

A police officer or other authorized official can give you a ticket if they think that you have broken a provincial law or municipal bylaw. These are non-criminal charges for breaking laws such as:

- *Liquor License Act* (e.g. being intoxicated in a public place)
- *Trespass to Property Act* (e.g. entering premises when entry is not allowed)
- *Safe Streets Act* (e.g. squeegeeing, aggressive panhandling)
- *Municipal Act* (e.g. spitting, smoking in prohibited places)
- *Highway Traffic Act* (e.g. jaywalking, driving violations)

If you are over the age of 16, you are considered an 'adult' for the purposes of dealing with your ticket. If you are between the ages of 12 and 16, then you are considered a young person. There are some extra procedures that must be followed when a ticket is issued against a young person, such as notifying their parents in some circumstances. Police usually issue these tickets, but they can also be issued by T.T.C. Special Constables, members of the Toronto Fire Department, and other agencies.

I've received a ticket – what next?

If you get a ticket stating that you must pay a fine, you have 3 options (which are listed on the back of your ticket). You must choose one of these options within 15 days (otherwise you are not disputing the charges and you will be convicted):

1. **Plead guilty and pay the fine:** You can do this by mailing it to the address on the ticket or by going to the provincial court in person. You must pay the "total payment" in full. If you need more time to pay the fine, you can go to the court office listed on the back of your ticket, at the time specified on the back of your ticket, and ask the court to give you an extension of time for payment. Paying a fine means that you are pleading guilty.
2. **Plead Not Guilty:** If you are pleading not guilty, you will schedule a trial. You or your "agent" (e.g. caseworker or lawyer) must go to the office listed, at the time or times listed, on the back of your ticket and fill out a Notice of Intention to Appear. The court will send you a notice by mail giving you a date when you should come back to court for your trial.
3. **Plead guilty with an explanation:** There are two ways you can plead guilty with an explanation. You can i) request a meeting with a prosecutor by indicating that request on the back of your ticket and delivering the ticket to the court office specified on it within 15 days of receiving the ticket, or ii) you can attend at the time

and place specified on the ticket and tell them you are pleading guilty with an explanation. Both options allow you to tell your side of the story and have the fine reduced (sometimes to zero). For example, if you jumped a TTC turnstile because you had no money for fare, you can explain this.

You can also provide evidence that you cannot pay the fine. Take any evidence that will support this. If you live in a shelter, get a letter from the shelter stating how much PNA (if any) you get. If you are on welfare, take your most recent stubs. If you are employed, take your most recent pay stubs. If you do not have any documents, it is still important to tell the official your story and to let them know that you are unable to pay. Sometimes the court will reduce the fine significantly or set up a payment plan.

What happens when you do NOT pay the fine

If you don't choose option 2 or 3 within 15 days and you don't pay the fine, the court will find you guilty and order you to pay the fine. Any unpaid fines will result in several penalties, including that you may be unable to get or renew a driver's license until the fine is paid.

However, even if you have defaulted payment, the justice can grant an extension of time to pay the fine, set a fine payment schedule or, in exceptional cases, reduce the amount of the fine or order that the fine doesn't need to be paid. A warrant for your arrest may be issued if you have been repeatedly warned to pay fines. This warrant will require you to be brought before the court and, if you are over the age of 16, may result in imprisonment.

I've received a summons – what next?

In some circumstances, a police officer may give you a summons to appear in court instead of a ticket. They are usually issued by police but they can also, in certain circumstances, be issued by T.T.C. Special Constables, members of the fire department and other agencies.

A summons is a legal document that requires you to appear before a court on a certain date. When you first go to court, you should ask the prosecutor for disclosure. If you don't show up on your court date a justice of the peace may issue a warrant for your arrest. If you are over the age of 16 the court may convict you in your absence.

Getting arrested?

If arrested, you should immediately ask to speak to a lawyer or duty counsel. You should not make any statement before you have had the opportunity to speak with a lawyer. Your rights when placed under arrest will depend on what you are being arrested for, and whether you have been arrested by the police or by a civilian.

Where to go for help with tickets in Toronto

Fair Change Community Services provides assistance in determining what tickets are registered against a person and information on how to fight or appeal tickets.

Drop-in at **Fred Victor Centre**, 145 Queen Street East, **Friday's** 12-4pm
<https://fairchangeecs.wordpress.com>

You can also contact the Street Youth Legal Services lawyer for advice, brief services, and representation on provincial offence or bylaw infraction trials and appeals.

Provincial Offences office

The Provincial Offences office is your first stop for pleading guilty with an explanation or scheduling a trial.

Provincial Offences Office

137 Edward Street, 2nd Floor
(416) 338-7320 (press 3)

For information related to getting a ticket, see the following Street Law Smarts Fact Sheets:

[Street Law Smarts #12: Stops and searches by police](#)

[Street Law Smarts #13: Security guards](#)

[Street Law Smarts #23: Police complaints](#)

[Street Law Smarts #24: Warrants](#)

For more information on specific violations, see the following Street Law Smarts Fact Sheets:

[Street Law Smarts #15: Panhandling](#)

[Street Law Smarts #16: Parks](#)

[Street Law Smarts #17: Trespassing](#)

[Street Law Smarts #18: Streets and Sidewalks](#)

[Street Law Smarts #19: Alcohol](#)