



## Ontario Alliance to End Homelessness

November 23, 2023

### **Re: Proposed motion related to encampments within the downtown**

Dear Mayor Guthrie and City Council,

On October 17th, Guelph City Council unanimously supported a motion to adopt a human rights-based approach to housing, including a Housing First philosophy, to align with the National Housing Strategy.

Adopting a human rights approach to housing must inform a municipality's approach to engagement with people who are living in tents. While Guelph has a number of supportive housing projects in progress, today, there are people with nowhere to go.

The motion put forward by Mayor Guthrie for consideration at the November 28th Council Meeting is not aligned with the approach adopted just last month and criminalizes homelessness and poverty.

We draw your attention to the new [Homeless Encampments: Municipal Engagement Guidance](#) developed by the National Working Group on Homeless Encampments. The Ontario Alliance to End Homelessness shares their position that residents of encampments are rights holders whose rights and dignity should be upheld.

There are a number of valid reasons why a person may choose a tent over a shelter bed, but most people in tents would take an offer of housing that meets their needs. We encourage City Council and staff to consider the Municipal Engagement Guidance when designing your own protocol for engaging with encampment residents in a safe, peaceful, housing-focused manner. International human rights law does not permit governments to destroy peoples' homes, even if those homes are made of improvised materials and established without legal authority. While encampments do not satisfy the right to housing, the rights of encampment residents must be protected.

Bylaws that prohibit the erection of temporary or permanent structures or shelters on city land or targeting people who are living in public spaces by prohibiting loitering add another layer of punitive surveillance and are more likely to perpetuate homelessness than it is to reduce it. While unhoused individuals may not face jail time as a result of these types of anti-homeless

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bylaws, it is still considered a form of criminalization. It uses the legal system to punish people who are living in poverty and/or are unhoused. Studies have found that consistent, punitive interactions with police and bylaw officers, even those that do not result in arrest and incarceration, cause both material and psychological harm. These anti-homeless laws limit access to services while damaging the health, safety, and well-being of those targeted and still fail to reduce “urban disorder.” “Though each of these interactions alone may seem inconsequential, collectively, the process of pervasive penalty produces a sequence of criminal justice contact that is more powerful than the sum of its parts and perpetuates homelessness and poverty,” writes Chris Herring in his [2020 study](#).

We urge Guelph City Council to use housing-focused solutions to support people in encampments. Rapid re-housing with support costs less than the surveillance and dismantling of homes that you are proposing to spend. Most importantly, housing-focused solutions such as this would reflect a true human rights-based approach to homelessness.

We hope Guelph City Council will revert to the positions adopted last month, reject this harmful proposed approach, and not proceed with the motion at Tuesday’s meeting.

Thank you,



Jennifer van Gennip  
Co-chair



Daphna Nussbaum  
Co-chair



Kaite Burkholder Harris  
Co-chair