



***Law Union of Ontario - Annual Conference 2009
Feb. 28 - Hart House, UofT***

Charter of Rights Panel (with Peter Rosenthal and Bruce Porter)

Cathy Crowe's remarks

Eleven years ago Toronto Disaster Relief Committee, hundreds of organizations, and major Canadian cities declared homelessness a national disaster. Eleven years later a federal Minister Responsible for Homelessness has come and gone. Over \$1 billion in Federal bandaid relief in the form of a new federal homelessness program has been doled out across the country. There have been two national conferences on homelessness. There has been research and reports, deputations, inquests, court cases, public forums, squats, a waterfront Tent City with over 50 houses, actions and rallies, even a national investigative tour by the United Nations Special Rapporteur on Affordable Housing.

Today, mere months into the recession, it is evident that homelessness is poised to reach catastrophic proportions. I often say that THIS is our Katrina. This is our Katrina because just like those hurricane and flood victims, Canada's homeless are displaced, economic refugees, left in hellish conditions by political leaders and bureaucrats who will not deal with the question of the right to housing. It is not the lack of political will or action. It is political will.

What are the consequences of that?

What are the conditions?

Or should I say what is the evidence?

- Drop-in centres which are day-time shelters – crowded, 20-30% increase in numbers. Families with children now going to drop-ins that traditionally have served adults. Why? For food.
- Families in family shelters (if the city or town has one) – I have seen them in rooms that do not meet the UN Standards for Refugee Camps, There are so many families now that they overflow into scummy and dangerous shelter motels considered and counted as shelter beds by the municipality.
- Newly homeless people. They are coming from homes they are losing and like the last wave of newly homeless from the last economic downturn they are shocked they are there. This time, in the first post-workfare recession there is no EI for most and eligibility criteria for social assistance mean that once they seek out social assistance they have lost everything.
- Clusters of homeless deaths. More and more violent deaths. Death by fire, suicide, disease. People homeless so long, left outside, that they are now requiring end of life care.
- Severely crowded shelters. Now bedbug infested. Shelters that have to turn people away. Church programs that this winter report turning people away.
- Forced outdoor sleeping. Squats and encampments, cardboard boxes, sleeping bags, families living in tents or trailers in some communities.
- Hunger, emaciation, starvation.
- Old diseases like tuberculosis. New diseases: Norwalk virus, MRSA, Strep A.
- Increased criminalization of homeless people. In 2004 police gave out 2725 tickets, in 2007 that number almost quadrupled to 10,584 tickets for ‘aggressive panhandling’. City policies that prohibit community agencies that receive their funding from providing survival supplies including hot food, sleeping bags and blankets to homeless people.

A Toronto Star editorial noted:

“....The community cannot allow its citizens to starve or freeze, and if the cost of keeping them alive must be met it should be possible to reach some kind of conclusion as to the best method of meeting it....Canada is in some respects a progressive country, but it has little reason to boast of its social legislation....” (1925 editorial in the Toronto Star)

We have no choice but to try all means at hand. For us from the community sector that means sometimes spending time in inquests, in courts, and in this case working on a Charter Challenge.

However there will be challenges and we have to inform this process from our past experiences.

1. We will need to build momentum and support during a time where most agencies and groups working with homeless people are seeing huge strains on their organizations – increased demand on services (Scott Mission up 20% since December, Daily Bread up 13%) and a drop in donations. However if attendance at meetings, and inquiries from across the country is any indication there is growing interest and support for this endeavour.
2. We will need to maintain credibility in the process but I think that will be easy to achieve with the calibre of legal minds working on this and the broad base network of community people involved which includes health, academic, consumer-survivor, formerly homeless people, children's aid, and advocacy groups like Toronto Disaster Relief Committee and Housing Action Now.
3. We will need to find creative ways to achieve media interest. In the past at inquest we have organized daily meals outside the courthouse for all in attendance, sponsored daily by a different organization. We sought out political, labour and faith group support for press conferences at those events. We appealed to various organizations to allocate staff to attend the court hearings, provide support to homeless people in attendance and handle grief reactions and crisis. We sent out a nightly faxed Inquest Update to our supporters. I suppose today technology means we could have a Facebook site, blogs, Youtube videos and generate a huge amount of interest.
4. Most importantly - we will need to find extraordinary measures to support the plaintiffs. Economic and social support and safety, media training, developing partner relationships with agencies who will guarantee staff support for the individual.

The hardest part now is to wait for the moment when the charter challenge can be filed!! Let's work hard to make that happen.