

# The People's Protocol on Encampments

**The People's Roundtable**, consisting of people in our broader communities who are currently and/or previously unhoused, people who are and/or have lived in encampments – including members of Keeping Six Hamilton Harm Reduction Action League (K6) – and the Hamilton Social Medicine Response Team (HAMSMaRT) have come together to develop a people's protocol around encampments. **We denounce the process and proposed protocol the City of Hamilton has put forward in response to encampments. We denounce the financialization of housing and the resulting realities of everyday people being deprived of safe and dignified housing.**

Public encampments are the result of decades of harmful and bad-faith policy choices from all levels of government. Successive governments have evaded their responsibilities to provide basic needs to the people, have privatized housing and social supports to corporations and institutions, and are now blaming individuals for failing to thrive within these disastrous living conditions. Housing is not affordable in Hamilton through the private market-based sector. Director of Hamilton Housing Services Michelle Baird, the Federal Housing Advocate, and Hamilton City Council all recognize housing as a fundamental human right. This means that everyone, including people living in encampments, has a right to safe, secure, and dignified housing. By not directing their efforts towards providing this housing immediately, the City of Hamilton has denied unhoused people the very human right both municipal, provincial and federal governments claim to uphold. And by proposing an encampment policy built on policing, the City has further criminalized those who are deprived of housing.

As the City engages in public consultations that ultimately question the fundamental right to shelter, the people living in the encampments and those who support us demand the right to build an encampment protocol that addresses the needs, safety, security, and care of encampment residents. By opening our right to shelter up for public debate and scorn, the City has devalued and dehumanized people's right to live and exist as part of the broader Hamilton community, while increasing the risk of harm for those of us who are unhoused. The most recent protocol proposed by the City has no provisions for meeting any of the most basic needs of the people living in encampments and only serves to further stigmatize and marginalize people who are deprived of housing. The input provided by encampment residents to assist with building the City's protocol was not included in the proposal. We reject the City's latest proposed protocol outright.

The current system needs to change. The lack of support for basic needs has resulted in unsafe conditions for those living in encampments. This has resulted in encampment residents being forced into circumstances that require us to take risks and forego safety to get our basic needs met. The current situation, where there is not enough affordable housing, and where people living in encampments do not have access to basic needs such as bathrooms, showers, garbage disposal, or drinking water, has furthered a divide and tensions between those who are waiting for housing and those who are housed within the same neighbourhoods and communities. The ongoing harassment and attacks on encampments by some housed Hamiltonians is unacceptable, and have understandably ramped up safety concerns and vigilance in encampments. The City's so-called public debates about encampments have only amplified the violence people living in encampments are facing. Reliance on policing, surveillance, and criminalization has further marginalized us and made us less safe, by forcing us to choose locations to stay with fewer community members around.

All of this serves to only weaken our community and divide us. We need to provide better support for all members of the Hamilton community, especially those of us living in encampments who are most vulnerable to violence. We survive under the constant threat of displacement and with a continuous

cycle of new neighbours as a result of displacement. Our energy is being used to repeatedly find a new space to survive and wait for housing. Such threats and frequent displacements rob us of our ability to create community, and of our capacity to take pride in and care for the places where we are living. Enforcement and displacement harm our communities, our relationships, and our ability to care for our surroundings and each other while we are awaiting housing.

A commitment to a human rights-based approach, which City Council has named as a priority, necessitates a commitment to defunding both Hamilton Police Services and Municipal Law Enforcement Services or by-law services. This should result in much of the funds previously earmarked for enforcement being put into housing first and foremost. The police budget has already received a \$12 million increase this year, making up almost 20 percent of the overall city budget. This is a failure to allocate the necessary funding towards basic needs and living with dignity while we are waiting for housing, rather than policing and enforcement. No other sector in Hamilton has seen annual budget increases as big as this despite the urgent and rapidly growing need for housing and other social services. By allocating funding and resources towards policing and enforcement against people deprived of housing, the City of Hamilton is failing in its duty to provide people deprived of housing of their basic needs and criminalizing us in the process.

As encampment residents, we have a clear understanding of our own needs. It is important that any plans or policies regarding the encampments take in our input and needs as the expertise that they are, and centre us in any decision-making. With this in mind, we have developed, with some help from people who support us, a temporary encampment protocol (“the People’s Protocol”). Its purpose is to minimize harm within the encampments while the City and policy-makers reorient their priorities back to housing as the primary solution. We are calling on the City of Hamilton to implement this encampment protocol as a temporary measure to reduce the harms towards people in encampments and redirect their focus and resources into securing housing immediately for the people who are deprived of housing.

## DEFINITIONS

**Housing** - permanent, dignified units and living spaces for people which provide rights of tenure as defined by the *Residential Tenancies Act, 2006, SO 2006, c 17* or the *Co-operative Corporations Act, R.S.O. 1990, c. C.35* as applicable.

**Encampment Resident** - An encampment resident is any individual living outside with or without a temporary shelter or tent. Used interchangeably with “resident(s),” or “individual(s).”

**Peer Support Workers** - People who are or have been deprived of housing who work with allied organizations.

**Encampment Captains** - A resident of a site composed of three or more individuals who has been chosen by other encampment residents to act both as an organizer and caregiver to the encampment site as well as being a liaison to the City of Hamilton and the broader Hamilton community as needed.

**Allied Organizations** - Organizations that are trusted by encampment residents, and may differ between encampments. Each encampment resident would be able to identify which organization(s) they choose to connect with. Allied organizations would be categorized as such as they relate to an encampment resident - for instance, one organization can be an allied organization for one encampment resident but not for another encampment resident based on the encampment resident’s trust and choice.

## **BASIC NEEDS**

**We reject the presence of police or by-law officers in encampments, and we reject the criminalization of people deprived of housing. No evictions and no enforcement-based interventions.**

We are calling on the City of Hamilton to work collaboratively with encampment residents, encampment captains, and allied organizations to ensure that basic needs are provided immediately to encampment residents while they await the “Housing First” solutions they have been promised by the City.

### **Basic needs are outlined as follows:**

- Safety and freedom from threats and/or harassment;
- Internal management of conflict between residents without interference from Hamilton Police Services, Municipal Law Enforcement Services and/or other forms of state enforcement;
- Privacy within spaces, including in residents’ personal accommodations as well as in showers and in washrooms;
- Storage lockers/spaces provided by the City of Hamilton for encampment residents to place belongings in a secure location without fear of theft, destruction or surveillance by anyone, including police, Municipal Law Enforcement Services, and other law enforcement bodies;
- Clean drinking water provided by the City of Hamilton which encampment residents can access 24/7 both via fully operational water fountains throughout the City as well as through local soup kitchens/free meal spaces, food banks, and at any shelter regardless of whether or not they fit the demographic of the particular shelter service;
- Free food available throughout the day and evening for each encampment resident, including on holidays and weekends, with proper care and provisions for dietary needs/restrictions as needed both at the encampment sites and within the community. This includes, but is not limited to, all community members and organizations attending encampments bringing food, and encampment residents being able to access food at local soup kitchens/free meal spaces, food banks, as well as at any shelter regardless of whether or not they fit the demographic of the particular shelter service;
- Open, public and accessible washrooms that are available 24/7 including through the night, and on weekends, and holidays;
- Safe and accessible showers including the ability to access the free shower services in the recreation centres and shelters;
- Free and accessible laundry services;
- Access to clothing from clothing banks across the City of Hamilton on an as-needed basis;
- 24/7 provision of existing spaces to supply shade, cooling and warming centres, and other accessible spaces to protect from the natural elements and weather conditions on a continuous basis (including overnight, weekends and public holidays.)
- Increased access to electricity in existing public spaces to support with charging personal electronic equipment, and medical equipment, and to support with other needs as determined by encampment residents;
- Accessible transportation services to assist with attending appointments to address needs including, but not limited to, monthly bus pass supports, taxi rides to hospitals/urgent care as needed, bus tickets, and free passes for SoBi or Bird Scooters;

- Daily access to traditional medicines for Indigenous residents, including on weekends;
- Increased medical and peer support for people who use drugs (PWUD), including but not limited to: financial support for increased peer training through allied organizations; increased safer use, safe injection sites, and access to drug testing supplies across Hamilton; harm reduction drop off and pick up of safer supplies at encampment sites; encampment sites that are equipped to support PWUD, including encampment sites which are also detox spaces, and increased access to addiction counselors and supports when requested; and any other additional supports during and following drug poisonings at encampments;
- Any specific needs as identified by each encampment, centring the experiences of people with disabilities in relation to the ways that encampments are organized and resourced;
- Fire extinguishers are made available by the city to each encampment and replenished when necessary.

## **PERSONAL BELONGINGS**

- Current and/or former encampment residents continue to have primary ownership, rights, and autonomy over their own belongings at all times. At no time will belongings be placed in the garbage and/or destroyed by another person including, but not limited to, City staff, Hamilton Police Services, Municipal Law Enforcement, security personnel, peer support workers, allied organizations, business owners, or any other community members.
- If any belongings are placed/reside outside of the Encampment Site Parameters (see below), encampment captains, with the support of peer support workers and allied organizations as needed, will work to return the belongings to an individual as soon as possible and/or support the individual to store their belongings in their provided storage locker/facility (see Basic Needs above re: storage lockers) until the resident can return to reclaim them.
- If the City of Hamilton receives a complaint about unattended belongings outside of the Encampment Site Parameters, City staff will alert the encampment captain at the nearest encampment, and take direction from the captain about how the belongings will be returned and/or stored
- If an individual's belongings remain unattended, peer support workers and allied organizations will make every effort to connect with the encampment resident to follow up with (a) their safety, health and well-being (if they have not already done so), and (b) collaboratively work with the resident to create a plan that ensures the belongings are either returned to the individual, moved to a site of the resident's choosing for safekeeping and/or have the belongings remain at the current site until the resident can return to reclaim them if the resident is unable to immediately return to their site (for example: due to being in the hospital).
- In the event that encampment residents, peer support workers and allied organizations are unable to connect with an individual whose belongings have remained unattended, then they will attempt to use all means to connect with the individual, their community supports, and their allied organizations. If there has still been no contact with the individual and all of the above efforts to reach them have been exhausted, then the belongings will be safely transported to a storage locker/facility by encampment captains to be held until the individual can reclaim them. Where encampment sites do not have encampment captains, peer support workers will take on this responsibility. The encampment captains and peer support workers would then collaboratively work with the individual upon their next contact with them to ensure that their belongings are transported back to them.
- Any additional work needed to care for and/or beautify the space will be completed by peer support workers under the parameters of the Encampment Site Management (below).

## HEALTH AND SAFETY

Health and safety measures are intended to protect and care for encampment residents' well-being, security, and welfare. The best way to achieve this for people who are deprived of housing is to provide housing immediately. In the absence of this and while encampment residents are waiting for housing, the following health and safety measures will be set in place:

- The City of Hamilton will work with allied organizations to immediately establish the provisions of basic needs (as outlined above) to encampment residents for their immediate health and safety needs;
- The City of Hamilton will not interfere with or impede "wet" encampment sites (encampment sites where people use drugs), and there will be no threat of criminalization by law enforcement bodies. Encampment residents will establish the location(s) of these "wet" encampment sites based on their own needs adhering to the boundaries of the Encampment Site Parameters (see below);
- The City of Hamilton will also not interfere with BBQs and designated spaces for campfires for food and weather provisions. The City's Fire Department is to work with encampment residents, encampment captains, and peer support workers to identify and establish these designated spaces;
- The City of Hamilton will not interfere with individuals smoking within their encampment residences (i.e. in their tents);
- The City of Hamilton will not evict, displace, or criminalize encampment residents, recognizing this interference as a Health and Safety issue.

## ENCAMPMENT SITE MANAGEMENT

We as encampment residents want to live in spaces that are clean, safe, and welcoming. We are committed to self-organizing around how to make this happen within each encampment site while we wait for housing, and will require some monetary support from the City so that encampment captains and peer support workers can ensure that the upkeep and management of encampments are sustained.

Encampment site management will be as follows:

- Each encampment resident is responsible for maintaining the cleanliness of their own space and the space of the encampment sites. Peer support workers and encampment captains are to provide support and work collaboratively with encampment residents as needed.
- The City of Hamilton will assist with the facilitation of cleanliness of each encampment site by providing additional secure garbage and recycling receptacles for encampment residents along with an increased frequency of garbage pickup dependent on the size and needs of the encampment. This could include, but not be limited to, designated waste drop-off locations for encampment residents, weekly scheduled garbage/recycling pick up, and provisions for garbage tags for additional bags. Encampment residents will also be able to call the City of Hamilton to arrange for pick-up/removal of any bulk items as needed.
- The City of Hamilton will make provisions for payments to allied organizations in order to provide honoraria and/or appropriate monetary compensation to encampment residents and peer support workers to assist with facilitation of encampment and community residents' needs including, but not limited to, ongoing cleanliness of encampment sites and parks.
- The City of Hamilton and allied organizations would assist with appropriate monetary

compensation for peer support workers and encampment captains for their work and their training needs.

- Strategies for working with conflict will be determined at each encampment as they self organize. This means non interference from by-law officers, police, or other enforcement bodies.

## **COMMUNITY OUTREACH/ENGAGEMENT**

- We want to receive deeper and more consistent support from outreach workers of allied organizations of our choice while we wait for housing. The purpose of outreach workers is to work collaboratively with encampment residents to help ensure their basic needs are being met, and supporting the fulfillment of physical, mental, and emotional/spiritual well-being.
- Paramedics and the fire department, if called to encampments, should work collaboratively with encampment captains where applicable, and peer support workers to follow up with any concerns or address any issues.
- A donation registry will be maintained in order to maximize the supports provided to all encampment residents.
- Each encampment resident will decide how and from whom they want to receive supports such as wellness checks and other social and mental health services. Random wellness checks from city appointed social workers, which are often tied to police services, are not welcomed in encampments.
- The City will help facilitate access to City-run spaces, such as community gardens, recreation and community centres, for encampment residents to take part in relevant community events and activities.
- Should any allied outreach worker have any concerns about their health and/or safety during any meeting(s) with encampment residents, they are to immediately connect with the encampment captains and peer support workers who will work with the encampment residents, outreach worker, and allied organizations to collaboratively resolve any concern(s) and/or issue(s).
- Should the City of Hamilton staff receive any complaints or concerns about an encampment resident or encampment site that require follow up, they will reach out to encampment captains, who can engage peer support workers in order to make first contact with the resident(s) to collaboratively resolve any concern(s) and/or issue(s), potentially with the support of allied organizations.

## **ENCAMPMENT SITE PARAMETERS**

- All encampments must be more than 50 metres from a playground, school, childcare centre, pool, waterpark, spray pad, and/or recreation centre. As well, encampments will not be on a pathway, a sidewalk, or blocking any designated fire route, fire hydrant, entrances/exits, and/or access to accessible entrances or ramps.
- Encampment sites should be as accessible as possible and should include but not be limited to sites that are within parks, rail trails, next to fences, and/or private sites that have given permission for the use of space.
- The limit to the number of tents within the encampment site and the distance between each tent will both be at the discretion of the encampment residents.
- Encampment residents will determine their own space allotments within each site. Any concerns with space allotments will be resolved collaboratively amongst residents of each site.

- Where an encampment does not meet these site parameters, the City of Hamilton will reach out to encampment captains, who can work with peer support workers in collaboration with allied organizations, in order to make first contact with the resident(s). The captains, peer support workers and allied organizations will work collaboratively with the resident(s) to come to a resolution that meets encampment site parameters.

## **OUR DEMANDS OF THE CITY**

We are calling on the City of Hamilton to immediately implement this encampment protocol as a temporary measure to reduce the harms towards people in encampments.

We demand that the City of Hamilton be involved with encampment sites and with residents living outside in the following ways:

- (a) no evictions, no police, no by-law officers, or any other criminalizing arm of the state presence;
- (b) providing funding where needed to fulfill all of the parameters of the People's Protocol (as detailed both above and below);
- (c) Ensuring access to all basic needs as outlined above;
- (d) facilitating access to City-run spaces as needed (recreation and community centres, bathrooms, community gardens, storage lockers);
- (e) providing incentives and support for relevant businesses and services to open their doors to allow people to use the space and/or access services for the space (eg. laundry services, shower services, food available at all the shelters regardless of demographic, locker space/access, etc.).

We are also demanding that the City of Hamilton redirect its focus and resources into securing housing immediately for people who are deprived of housing. These should include, but not be limited to, the following:

- Prioritizing all City Housing units and all social housing units towards current encampment and other unhoused residents with no reference to or prejudice from the VI-SPDAT or other screening tools;
- Expropriating units that are in disrepair or that are condemned in order to be able to make these into safe and dignified housing units (as defined above);
- Remediating industrial land and expropriating old schools or other unused property for housing and storage;
- Providing deeper supports for people, especially aging populations, to ensure that their housing is sustained and that they are not displaced/unhoused;
- Demanding stronger rent control provisions and lower rents from both the provincial and federal governments;
- We also want to see an end to people being bumped to the bottom of a housing list if they say no to a unit that does not suit their needs, whether due to accessibility of the space, changes to family size, disrepair of the unit, or other reasons, in line with Housing First principles.
- Following adoption of this protocol, the City of Hamilton is to conduct ongoing meetings with the People's Roundtable, including HAMSMaRT, Keeping Six, participants of the roundtable and people with lived and living experience of being deprived of housing, to review the above progress of the People's Protocol, obtain feedback re: concerns, and to discuss next steps to secure housing for all;
- Provide a monthly report to City Council and the Public that includes updates re: status of the above and any other housing projects as well as how many of these units have been filled by people who are deprived of housing generally and by encampment residents more specifically.

– END –