

**PRESS RELEASE
FOR IMMEDIATE RELEASE**

Recently, Councillor Jason Farr wrote a letter to a citizen, stating: “To sum up. I am supportive of dismantling the tents and if staff do not act soon, I will have Council order it.” The City of Hamilton has provided notice that it intends to dismantle two homeless encampments on July 31, 2020. There have been discussions since, where the City has stated it will not be a full scale dismantling, but would not commit that it would not involuntarily remove individuals.

This comes as a surprising move from a Hamilton City Councillor and the City given that a group of doctors and community activists have been in communication with City staff to address these issues in a manner that protects marginalized and vulnerable citizens. Paul Johnson, the Director of Emergency Operations Centre at the City, has explicitly acknowledged “the amount of supportive housing we need in this community simply isn’t there” and acknowledged that supports are not available in hotels where some individuals may be housed, stating these “supports are what make those situations viable”.

Given that there is not enough supportive housing to house those who are in need, and the City recognizes this, the City of Hamilton’s position must be that some citizens are not welcome in Hamilton. Jill Wiwcharuk, a staff physician at Hamilton Health Sciences and St. Joseph’s Healthcare Hamilton, has highlighted the harm caused to individuals when homeless encampments are dismantled without adequate supports in place, stating: “Being in an encampment also allows for people to develop or continue routines within a particular geographical area to ensure that their needs are met. While the ultimate goal is to eliminate encampments by providing sufficient supportive housing, until that need is met, encampments ensure individuals have access to services and specialized service care providers. Dismantling encampments without appropriate supports puts individuals at serious risk.”

This pandemic is unprecedented. We can’t expect that responses that might have seemed reasonable in the past are appropriate during a pandemic. People do not cease to exist when they are told to move along. They still need a place to be and by virtue of sleeping rough they have shown that they do not fit into the current shelter system as it is. The Centre for Disease Control (CDC) has issued guidelines stating that “Unless individual housing units are available, do not clear encampments during community spread of COVID-19. Clearing encampments can cause people to disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread.”

HAMSMaRT and Keeping Six, along with several residents from encampments, are represented by the Hamilton Community Legal Clinic and Wade Poziomka, a human rights lawyer with Ross & McBride LLP, are filing an urgent motion for an injunction to prevent the dismantling of the encampments on Friday and the ultimate harm that will follow. We anticipate that a Judge of the Superior Court of Justice will consider this issue on an urgent basis tomorrow.

“Councillors need to and ensure that their decisions are in the best interests of all Hamiltonians, even the marginalized and vulnerable who may be unlikely to vote” said Poziomka. “Laws and

bylaws can sometimes lead to unfair results and cause harm. That is precisely why staff have discretion in enforcing these bylaws. To simply point to a bylaw and say it must be enforced, despite the harm, shows frightening lack of understanding of municipal governance”.

Councillor Farr and those like him on Council are simply going to expend more tax payers’ dollars on litigation, despite the fact that the two groups have remained willing to work with the City of Hamilton to arrive at a solution that does not involve expensive legal processes, and achieves the objectives of all concerned. “Funds are in short supply these days, it is unfortunate the City of Hamilton is forcing us into expensive and protracted litigation – we are always ready to resume discussions and avoid this route” said Poziomka.

Media Contact: Dr. Jill Wiwcharuk
 289-237-1479