



# *Youth Homelessness In Canada*

*Does challenging measures that  
criminalize homelessness work?*

**Stephen Gaetz**

Canadian Observatory on Homelessness

**Melanie Redman**

National Learning Community on Youth Homelessness



Paris, June 18 | 2015

# Part 1

## Defining the Criminalization of Homelessness

# ***Criminalization of Homelessness***

- 1) Enactment of new laws and statutes that are intended to curtail or restrict the activities of people who are homeless.**
- 2) Disproportionate and discriminatory enforcement of existing laws and ordinances.**
- 3) Manipulation of the physical environment to restrict its usage by people who are homeless.**

# ***Criminalization of Homelessness***

- 4) Increased surveillance and policing of public and semi-public spaces by police and private security.**
- 5) Increased incarceration of people who are homeless.**
- 6) Discharging prisoners into homelessness.**

# Part 2

**The making of  
a problem ...**

# 1

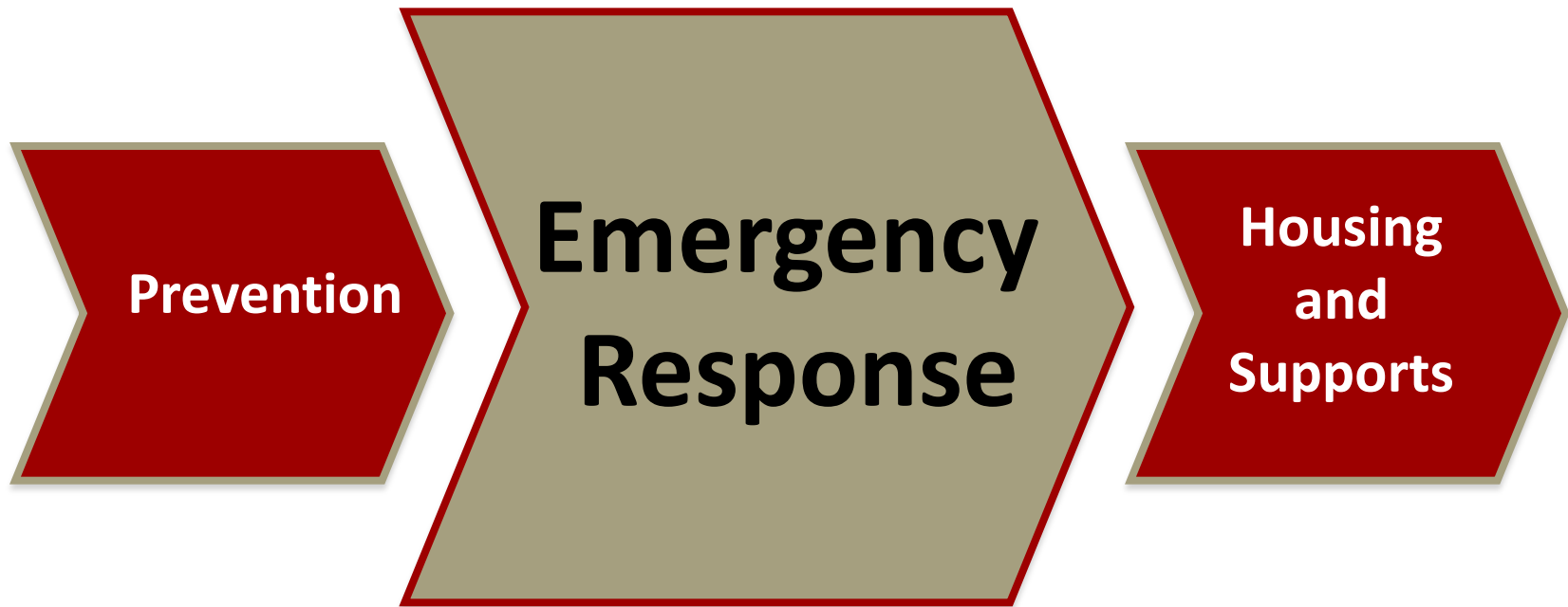
# STIGMA

- Youth
- Poverty
- Homelessness



# 2

## The **Canadian** Response to Homelessness



... makes homelessness a visible problem

# The EMERGENCY RESPONSE:

- *Homeless emergency shelters*
- *Drop-ins and soup kitchens*
- *Specialized programs (health, employment)*





# The EMERGENCY RESPONSE:

## *Criminalization of homelessness*

*The OUTCOME of “Get Tough on Crime”: a revolving door between the courts, prison and homelessness.*



# 3

## **A New Moral Panic:**

**Street Youth become  
a 'Problem' in the late '90s**

- Growing homelessness
- Concerns about youth
- Street youth money making
- “Squeegeeing” a new phenomenon

# Moral Panics ...

## 'Nothing but thugs'

By JAMES WALLACE  
Queen's Park Bureau

Premier Mike Harris has ordered his Crime Commission to find a way to wipe out Toronto's squeegee kids.

The commission is probing changes to provincial laws that would make it easier for police to arrest squeegee kids and drivers who tip them.

Provincial crime commissioner Jim Brown said he's asked to consult with police, the public and Ontario Mayor Mel Lastman to find a provincial solution to T.O.'s growing squeegee kid problem. Something's got to be done," Brown said. "I'd like to see Toronto cleaned up."

### 'Intimidating people'

Provincial justice minister Jim Bradley wants the province to amend the provincial Highway Traffic Act to make it an offence for squeegee kids to ply their trade on the street and for drivers to support them.

"Many of these guys are nothing but thugs," Bradley said yesterday. "All they're doing is intimidating people."

"We've got to discourage them but I can't get there unless I get legislation from the province."

Brown said the commission will also look at the Highway Traffic Act and try to determine whether it's possible to beef up Ontario's Provincial Offences Act (POA).

That would give police another "tool" to deal with squeegee kids, hookers and aggressive pan-

handlers, he said.

Brown said the NDP "pulled the teeth" from the law and, as a result, police don't have the power to arrest people who refuse to pay fines.

"These kids are just ripping up the tickets the police give them," he said.

The province collects about \$112 million annually in fines levied under the POA.

However, as of March 1998, outstanding fines totalled \$382 million. "We're three years behind in

collecting that money," Brown said.

If the law is changed, police would get the power to arrest anyone who ignores fines. That would allow Toronto to follow in the footsteps of other cities, such as New York, and crack down on its squeegee kids.

"There's more of them coming here all the time," Brown said. "We're going to become the squeegee capital of the world if we don't act."

"We believe we can fix that."



MIKE HARRIS  
Wants to clean up streets



## Cops sweep 19 squeegees off streets

By IAN TIMBERLAKE  
and JONATHAN KINGSTONE

Toronto Star

They carried needles, vomited, urinated in public and forced pedestrians onto the road.

But squeegee kids who had plagued the corners of Spadina Ave. and Queen St. W.

# Toronto PLUS

## 'I'll get rid of them

By BRAD HONYWILL  
City Hall Bureau

Squeegee kids will be driven out of town as soon as the province gives the city the legal vehicle, Mayor Mel Lastman says.

"The moment the provincial government gives us the legislation to get rid of them, we're going to get rid of them," Lastman said yesterday. "We are going to get them out of the City of Toronto because they are a disaster."

Lastman said the "squeegee troublemakers" are threatening people as they go about their business on the streets of Toronto.

"They're people who, if you don't give them money, they'll swear at you, they'll intimidate you, they'll damage your car,

## Squeegee kids 'troublemakers': Me

they'll throw dirty water on your car and they'll do all kinds of things and we don't want them in Toronto."

What's more, they're making the parks they live in unusable by the rest of the population by leaving dirty needles and other garbage, and using the parks as toilets.

"Who the hell are they to take over our parks?" Lastman said angrily.

During the spring election campaign, the Conservatives promised to make it illegal to squeegee or beg aggressively.

In May, Premier Mike Harris said a new

Tory government would alter the Highway Traffic Act to bar anyone from stepping off the road to offer a service or ask for money.

### Working on problem

Yesterday, Richard Hustwick, spokesman for the attorney general, said the government is working on the problem but he didn't know when legislation might be introduced.

Attempts to get a comment from Harris' office were unsuccessful.

Toronto hopes to use a carrot-and-stick approach on the squeegee-kid issue. In addition to requesting legislation, it has put \$645,000 into a diversion program to encourage squeegee kids to get off the streets and into jobs.



MEL LASTMAN  
"Disaster"

Toronto Sun, July 22, 1998

# Social Profiling

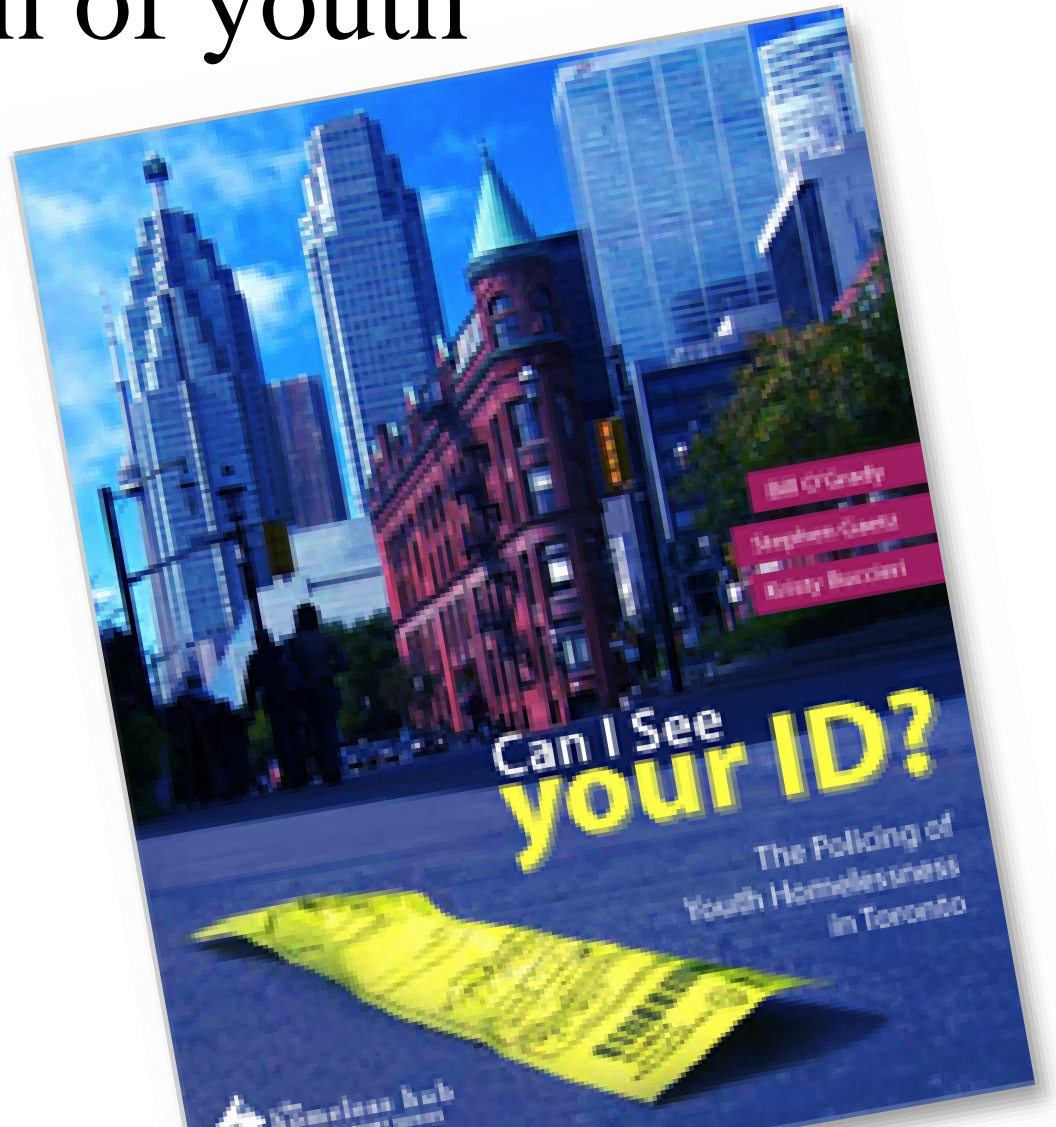
## Housing Status as an Extra-Legal Factor

The *social profiling of homeless persons* refers to a range of actions undertaken for safety, security or public protection, or in response to public fear, that relies on stereotypes about the danger and criminality of people who are homeless and their uses of public space (for money making, sleeping or resting), rather than on a reasonable suspicion, to be singled out for greater scrutiny or differential treatment.

# Part 3

The *OUTCOME* of  
criminalizing youth  
homelessness

***RESEARCH*** on the  
criminalization of youth  
homelessness



# *RESEARCH* methodology

- Community Engaged Scholarship with *Justice for Children and Youth* (Street Youth Legal Services (SYLS))
- Structured Interviews and Self-Report Surveys with 240 Street youth
- Access Police Statistics on ticketing
- Qualitative Observations



# Key Findings:

***Street youth receive a great deal of attention from police.***

- 78% report some kind of encounter
- Majority of these encounters negative
- 60% report a stop and search in past year

***Police issue a large number of tickets to homeless youth.***

- 33% report receiving at least one ticket
- 16.5% received more than one
- Most tickets for drinking in public or loitering

# Positive or neutral encounters with police

**25%** As a victim of crime  
(at least once)

**13.6%** When police stopped to help  
(at least once)

# *Ontario Safe Streets Act*

**Since SSA implemented, incidences of panhandling and squeegeeing have declined dramatically.**

### **Our Research (youth):**

**1999 – 29% of street youth report panhandling and squeegeeing as main source of income**

**2009 – 3% report panhandling and squeegeeing as main source of income**

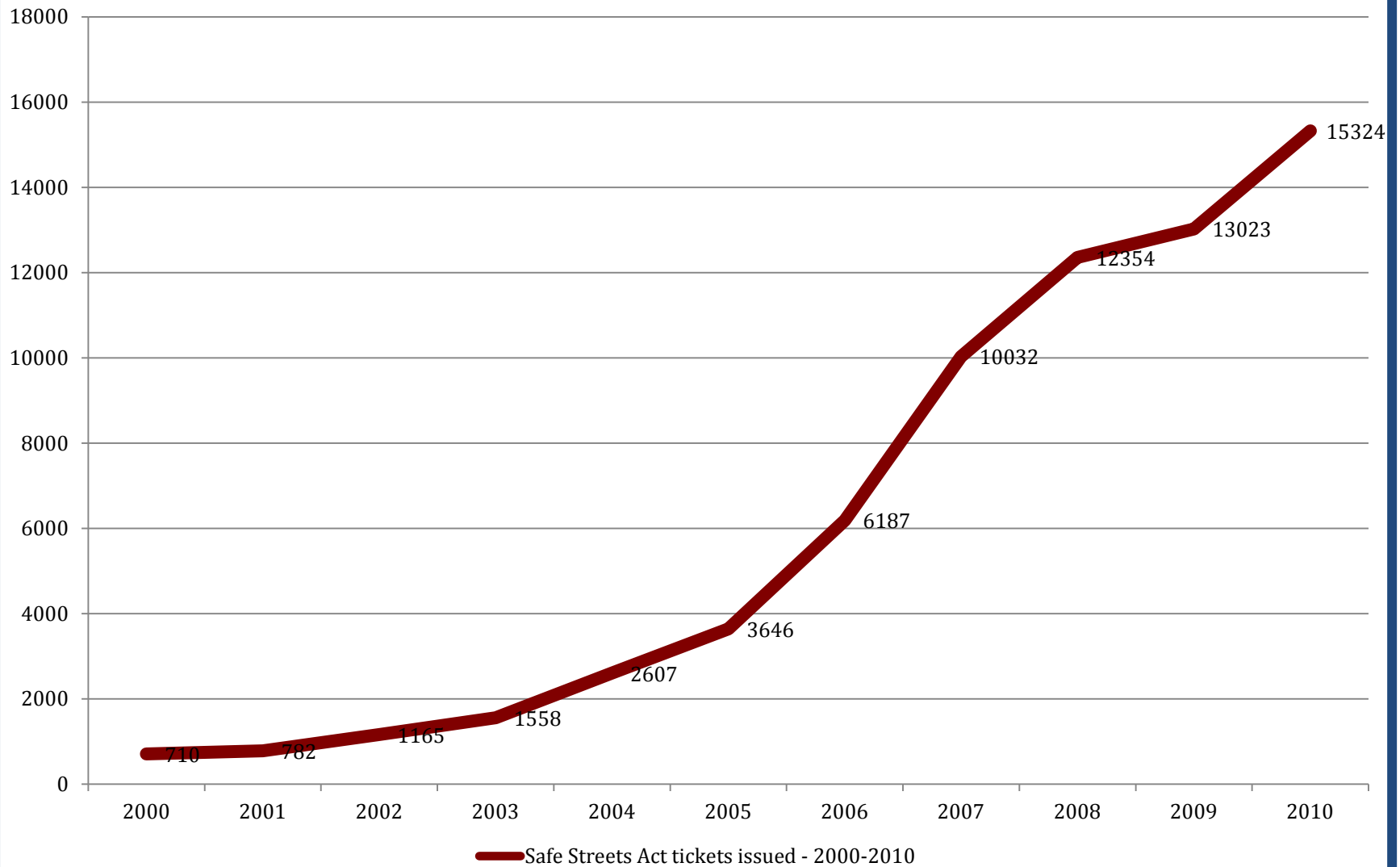
### **City of Toronto research (youth and adults):**

**2005 – 17.4% use panhandling as a source of income**

**2009 – 9.7% use panhandling as a source of income**

# Yet SSA citations increase dramatically

SSA Counts - 2000-2010



# **COST** of the **Safe Streets Act**



# **COST** of the Safe Streets Act

**Toronto: 2000-2010**

**Number of tickets issued: 67,388**

**Minimum value: \$4,043,280**

**Cost of issuing: \$936,019**

# Outcomes of encounters with police



- **Lots of Tickets**
- **Debt**
- **Greater likelihood of incarceration**
- **Alienation from police**
- **Trauma**



Case  
Study

# Attitudes about police

Evaluating the Performance of Police  
Comparing street youth (SY) to housed youth in the general public (GSS)

Do you think the **police in Toronto/your community** do a **good job**, an **average job** or a **poor job**? (percentages)

	Good job		Average job		Poor job		Don't know	
	Street Youth	Housed Youth	Street Youth	Housed Youth	Street Youth	Housed Youth	Street Youth	Housed Youth
<b>Enforcing the law</b>	19.8%	54.2%	41.6%	36.7%	30.3%	6.5%	9.1%	2.6%
<b>Promptly responding to Calls</b>	16.7%	47.7%	30.4%	27%	39.2%	8.2%	13.7%	16.9%
<b>Being approachable and easy to talk to</b>	11.4%	56.3%	25.3%	26.5%	52.4%	8.4%	10.5%	8.5%
<b>Ensuring the safety of Citizens in your area</b>	17%	61.2%	37.1%	30.8%	34.1%	4.6%	11.8%	3.2%
<b>Treating people fairly?</b>	7.8%	51.5%	22.6%	32.4%	60.9%	11.2%	8.7%	4.9%

Housed youth: GSS=15-24 year olds from 2004 General Social Survey

# Encounters with police are experienced as harassment.

“The problem with the criminalization of homelessness is that it’s not resolving the roots of homelessness but causing more problems for young people who are homeless. There are so many other social services that could be provided; so many other legal problems to resolve like family and housing issues. I get so bogged down in the tickets and in the heavy policing, that we sometimes don’t get to work through the deeper legal problems of their homelessness. The harm that youth are feeling when they get involved with police, it is devastating for them.”

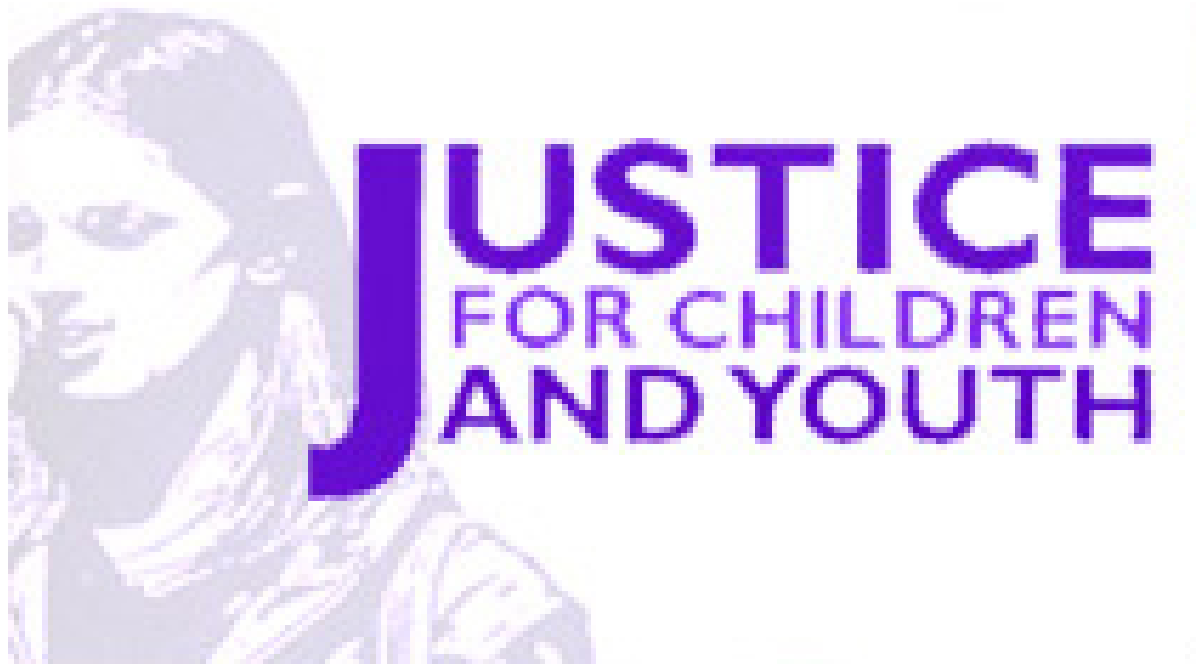
(Johanna Macdonald, Lawyer,  
Street Youth Legal Services, JFCY, Toronto)

# Part 4

## **RESPONDING to criminalizing youth homelessness**

1

# Individual Advocacy





# Street Youth Legal Services is a program of JFCY

## Advocacy

- Outreach based
- Education workshops for young people and agency staff re: legal issues and rights
- Individual consultations
- Representation and advocacy

## Community Development

- Resource development
- Research
- Law reform
- Coalition work

# Limitations of Individual Advocacy

- Not all young people have access
- Expensive (lawyers, court time)
- Doesn't mitigate other consequences (trauma, social exclusion)
- Its reactive. Doesn't address causes



**Advocating for the  
repeal of the**

**Safe Streets Act**





# Mobilize Research



# Supreme Court challenge



# Coalition Building

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homeless hub

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## Coalition for the Repeal of Ontario's Safe Streets Act



### COALITION FOR THE REPEAL OF ONTARIO'S SAFE STREETS ACT (CROSSA)

The Ontario Safe Streets Act is ineffective, expensive and inhumane. Join the Coalition to Repeal the Safe Streets Act!

[#RepealSSA](#)



[WHAT IS THE SAFE STREETS ACT?](#)

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POLL: Ontarians Reject "Safe Streets Act", finding it an unsuitable way of dealing with homelessness



the  
homeless hub

# Media Strategy

Opinion / Editorials

## Ontario's Safe Streets Act should be dumped: Editorial

Ontario's Safe Streets Act banning aggressive panhandlers and squeegee kids was never a good idea. It's time to repeal it.



ROBERT BENZIE / TORONTO STAR [Order this photo](#)

Former Ontario attorney general Michael Bryant, middle, flanked by activists Mary Birdsell and Stephen Gaetz, is urging the Ontario government to repeal the Safe Streets Act, which police use to harass homeless people by giving them useless tickets.

# Access Decision Makers



# Limitations

- Lack of private space means homeless people will continue to be in position of breaking laws in public spaces
- The continued visibility of homelessness keeps public pressure on the use of law enforcement
- Eliminating specific laws does not necessarily stop police from using other measures

3

# Making police allies



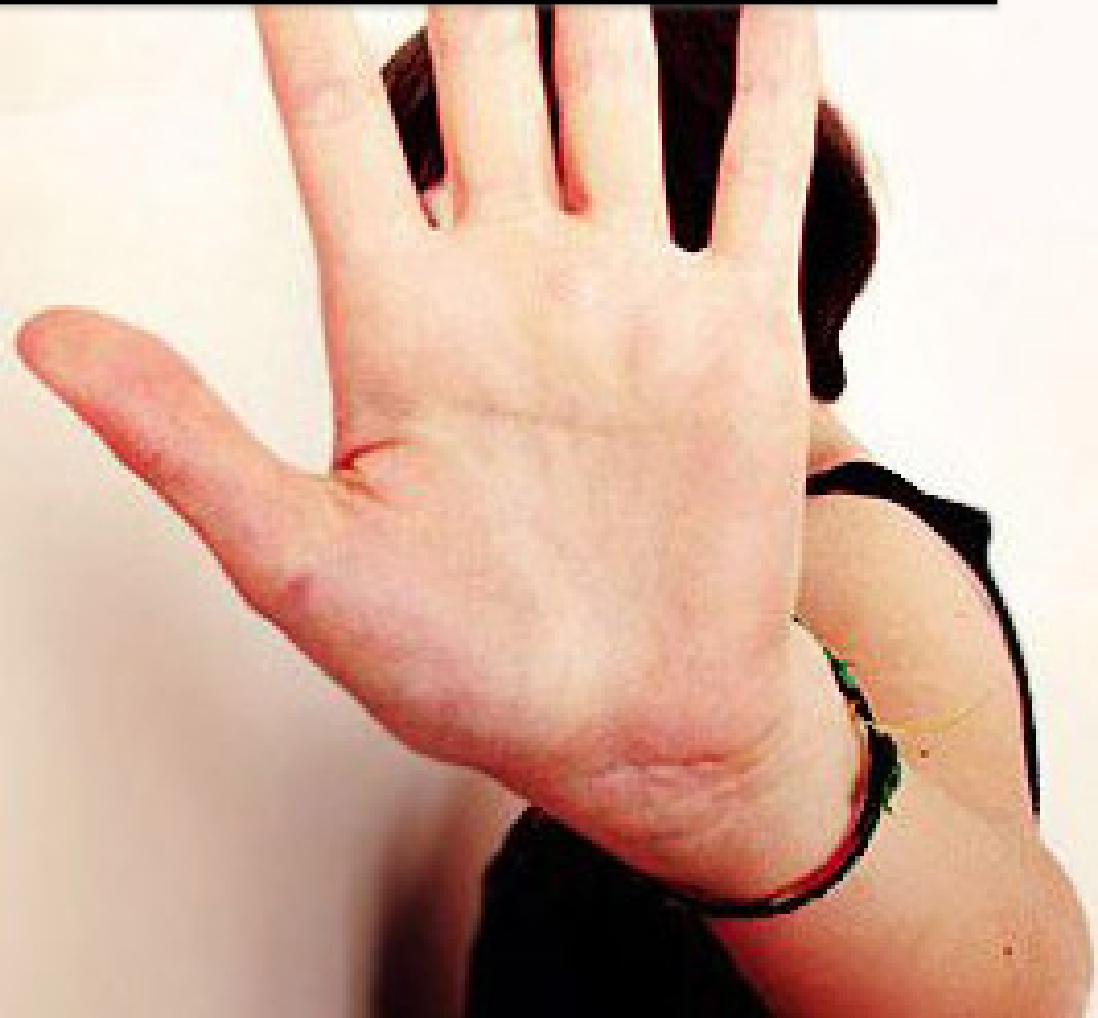
# Limitations

- Lack of private space means homeless people will continue to be in position of breaking laws in public spaces
- The continued visibility of homelessness keeps public pressure on the use of law enforcement
- Cannot guarantee police fairness or participation



4

# Ending youth homelessness



# The challenge

**In allowing youth homelessness to continue:**

- We force young people to inhabit public spaces
- Extreme poverty leads many young people to break the law
- The visibility of homelessness is a 'problem' for some individuals and organizations

**The OUTCOME:**

Further stigmatization of homeless youth

Continued pressure to use law enforcement as a 'solution'

# What if ...

**We instead focus on  
preventing, reducing  
and ending youth  
homelessness**



# A WAY HOME



**Working Together to End Youth Homelessness in Canada**

# Key National Partners



# OUR GOAL:

Cultivating a national coalition of stakeholders across sectors to mobilize for systems alignment/integration & policy change

- **Youth Homelessness on agenda of decision makers**
- **Youth Homelessness on public agenda**
- **Working to align interested funders with our national vision to *Prevent, Reduce & End youth homelessness***

# Key Constellations of Activity



# Planning Support

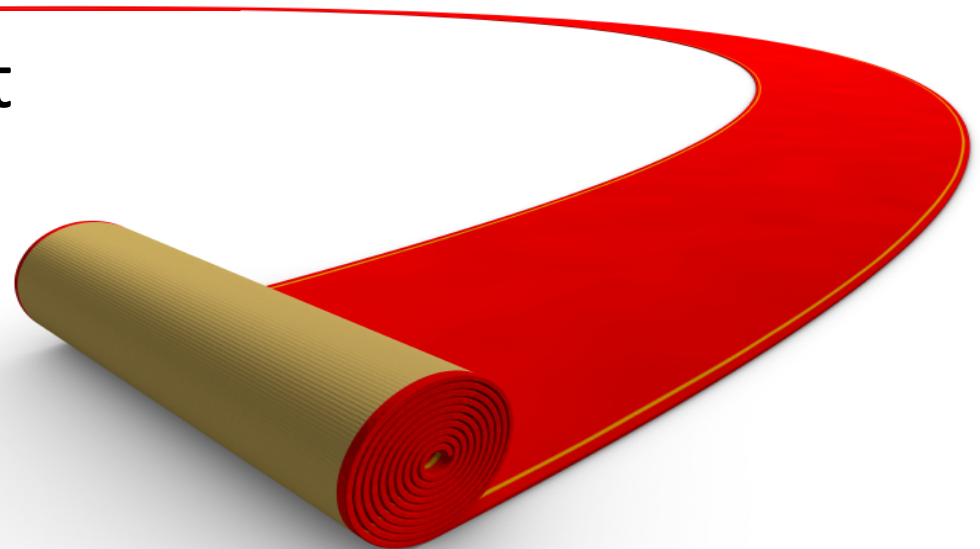


**A WAY HOME**



# Implementation Support

- Sustainability planning
- Communications strategy
- Change management
- Funder alignment
- Evaluation



# *HELP!?!* Technical Support





# Questions or comments ?