



Dear Councillors,

August 31, 2020

We are writing in follow up to your August 21, 2020 decision to challenge the injunction preventing the city from involuntarily displacing homeless residents from encampments. While we initiated the litigation process as a last resort in an effort to compel the city to adhere to best practice from a [public health](#) and [human rights](#) perspective, we remain committed and hopeful for a resolution to the matter out of court. We firmly believe that a process of mediation will achieve better results for both parties and is our best option for striking “the right balance of the health and safety requirements of our most vulnerable along with those of our entire community”.

We understand that there is information circulating that suggests that no one has been turned away from shelter for capacity reasons. Of course, numbers (particularly one set of them) never tell the full story. We and others have tried during and before COVID, to explain that capacity is a more complex issue than simply numbers. People avoid shelters for myriad reasons, few of them related to an inflated sense of entitlement. Further, people are service restricted or asked to leave, again for myriad and complex reasons. Many of these issues could be resolved if shelter agencies sat down and came up with consistent guidelines to address these barriers. Finally, it has long been established that there is a desperate lack of capacity, strictly from a numbers perspective, in the women’s services sector. Carol Anne’s Place, as an overflow shelter, has throughout the pandemic turned women away. Willow’s Place has seen more than 100 new unique women experiencing homelessness since April. In a recent public relations campaign, Mission Services reports that there are more than 300 unhoused single women in Hamilton and only 40 emergency shelter beds. Homeless couples also have very few options for shelter beds. Given the number of people sleeping rough on our streets, it is simply unreasonable to assert that none of it is attributable to shelter capacity.

We have at several turns talked with city staff and delegated to the Emergency and Community Services Committee about sanctioned sites. A model from [Victoria BC](#), which permits tents in certain areas of city parks with a number of reasonable rules by which encampments residents agree to abide, shows great promise. Sanctioned sites can mean many different things, with varying degrees of support provided from the city ranging from simple assurance that residents will not be moved along if agreed upon rules are followed to the provision of full hygiene facilities and electricity. Keeping Six has done a short survey of current encampment residents who largely responded that they would support moving to sanctioned sites. We would gladly engage in a discussion to explore this model for Hamilton and would actively work with the city and other stakeholders to help implement it. We would also like to point out that the number of people in encampments will naturally decrease as winter approaches, as it does every year.

Throughout this pandemic HAMS MaRT and Keeping Six have not only challenged the City’s approach to encampments, we have worked alongside staff and other agencies to support encampment residents in both maintaining health and safety and in transitioning to shelter or housing where possible. There is a narrative being constructed that we are trying to keep people in tents. Emphatically: this is not our agenda. A review of our many [official](#) and unofficial correspondence with the city, beginning April 29 with our rebuked request to sit down with Councillor Farr to



discuss the matter, clearly shows that we are *simply asking for time*. Having the necessary time to engage with residents leads to a modicum of stability that will ensure success in the next step of their housing journey. We hear repeatedly from front line workers of the benefits they have seen for their clients over the past three months. We would encourage you to connect directly with them, to hear these stories.

We hope that there is an opportunity to reconsider your decision to not engage in settlement discussions and go directly to court. We believe this would result in a reasonable resolution for all parties, including Hamiltonians who do not want their tax dollars spent on unnecessary litigation. More importantly however, we could reach a reasonable resolution for vulnerable residents within the encampments - the people who need our cooperation and assistance the most. Again, we are not trying to create “tent cities”, nor are we in favour of keeping people in tents. We are committed however to achieving our mutual objective in a manner that prevents trauma and harm. Litigation will not benefit anyone.

We remain committed to solutions and compromise in the interest of our friends, members, patients and community. While talks will take time, we ask for your immediate response in terms of whether you are willing to engage as partners, or litigate against one another as parties opposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jill Wiwcharuk'.

Jill Wiwcharuk, for HAMSMaRT

A handwritten signature in black ink, appearing to read 'Lisa Nussey'.

Lisa Nussey, for Keeping Six

CC: Paul Johnson
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