

Saving Lives, Alleviating Suffering & Building a Healthy, Strong, & Safe Community for All

London's Health & Homelessness Response: Community Encampment Plan

A roadmap to help the most marginalized Londoners move safely inside, become stabilized, supported and connected to the right housing, and to help them stay housed.

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Reference Table

Five key reference documents informed the Community Encampment Plan.

- I. A National Protocol for Homeless Encampments in Canada, Leilani Farha and Kaitlin Schwan, April 2020.
- II. The Office of the Federal Housing Advocate, 2024, Upholding Dignity and Human Rights: The Federal Housing Advocate's Review of Homeless Encampments – Final Report, Ottawa: The Office of the Federal Housing Advocate.
- III. A Public Spaces Encampment Response Plan for City of London, ORGCODE Consulting Inc., March 2024.
- IV. Ending Homelessness for People Living in Encampments in Canada, ORGCODE Consulting Inc., March 2022.
- V. Homeless Encampments: Municipal Guidance, The Shift, National Working Group on Homeless Encampments, November 2023.

Section 1.0

The Whole of Community System Response

London is facing a dire health and homelessness crisis. There has been a dramatic increase in the volume and complexity of health and housing needs.

A Call for Change

Throughout 2022, Londoners from all sectors and backgrounds said loud and clear that something needed to change to save lives, to better deliver healthcare and housing, and to address the whole of community impacts of this crisis.

In all, more than 200 leaders from all backgrounds and areas of expertise, representing 70 local organizations, came together over three summits in November and December 2022 and January 2023 with a pledge to do things differently. The summits were convened collaboratively by the City of London, CMHA Thames Valley Addiction and Mental Health Services, London Health Sciences Centre, London Police Service, Middlesex London Health Unit, Middlesex-London Paramedic Service, and St. Joseph's Health Care London.

A System Response

This call for change led to the development of London's Whole of Community System Response. This is a critical and transformational plan for London developed to respond urgently to the health and homelessness crisis.

The Whole of Community System Response will support the entire community – those who are most marginalized, those working in the system, and those trying to provide support, including businesses and community members who also experience the impacts of this crisis.

Foundational Anchors: Hubs and Housing

The Whole of Community System Response is anchored in two foundational elements – hubs and housing – to support the highest acuity Londoners to move safely inside, help them get stabilized, wrap around them with supports, connect them to the right housing, and help them stay housed.

The creation of 24/7 Hubs assists individuals to come indoors and receive person-centered wraparound care. Hubs aim to transition individuals into Highly Supportive Housing, built on the acknowledgement that housing is healthcare and a fundamental human right. Information about the Whole of Community System Response can be accessed on the [City of London's GetInvolved.London.ca](https://www.cityoflondon.gov.uk/get-involved) site.

Hubs

Hubs are a network of multiple, purpose-designed locations offering comprehensive services to help the most marginalized unhoused Londoners move safely indoors, stabilize, access supports, and become sustainably housed.

Every interaction at a Hub is an active and intentional effort to enable an individual's next steps toward Highly Supportive Housing. Each Hub serves 25-35 people and is population specific.

Hubs are intended to have a feeling of community, with drop-in supports open 24/7 where anyone can walk in the front door, access immediate basic needs and stabilization support, and be connected to services and the next steps in housing. The full [Hubs Implementation Plan](#) and an [FAQ](#) about Hubs can be accessed via the City of London's [GetInvolved.London.ca](https://www.cityoflondon.gov.uk/get-involved) site.

Highly Supportive Housing

The [Highly Supportive Housing Plan](#) supports and aligns with the City of London Strategic Plan 2023 – 2027. The Highly Supportive Housing Plan also aligns closely with the Hubs Implementation Plan, integrating the same definitions and a similar structure to support consistency across the Whole of Community System Response.

The construction and conversion of new and existing units to affordable and Highly Supportive Housing can take significant time. Leveraging the many different programs can bring more units to market sooner. The Highly Supportive Housing Plan is aligned with, but a separate strategy from the roadmap to 3,000 Affordable Units for the City of London.

These plans can work in tandem where affordable units are constructed under this roadmap, but also include units for Highly Supportive Housing. With more affordable units on the market, it may be possible to prevent individuals from entering homelessness and living unsheltered, which can reduce the need for supportive units. In addition, the Highly Supportive Housing Plan is also aligned with the City's 2019 –

2024 Housing Stability Action Plan that is legislatively required through the Housing Services Act and will also be updated in 2024.

With a focus on the development of 600 Highly Supportive Housing units in the next three years, the Highly Supportive Housing Plan is designed to be flexible and open to various Highly Supportive Housing projects. Therefore, it is not a detailed operational plan, but a series of minimum practices and recommendations that can be adopted by Highly Supportive Housing projects. The full [Highly Supportive Housing Plan](#) can be accessed via the City of London's website.

Spectrum of Housing in London



A housing spectrum represents the range of housing types required to establish and sustain safe, healthy, and inclusive communities. Safe, healthy, and inclusive communities have a wide variety of adequate housing choices available that reflect the unique needs of the community. Addressing London's housing shortage requires careful consideration of the entire housing spectrum.

Through Council's 2023 – 2027 Strategic Plan for the City of London, a clear direction was given to City staff to find ways to build more housing across the housing spectrum, which could include transitional, supportive, affordable, or market housing. To facilitate this work and make connections between building owners, developers, or operators, the City of London established a procurement process where partners in the development of these housing types are being identified.

The Fund for Change

The Health & Homelessness Fund for Change is administered by London Community Foundation, powered by the generosity of London's business and community leaders and enabled by a transformative gift by a London family who wishes to remain anonymous but who has pledged \$25 million to seed the fund, with an additional \$5 million in matching dollars to encourage others to give. A volunteer fundraising committee is working with the anonymous donor and London Community Foundation to raise the matching funds, which will grow the Fund to \$35 million. The Fund for Change will be a critical part of making the first three to five Hubs a reality through funding for capacity and other emergency needs. More information about the Fund for Change is available at movementforchange.ca.

City of London Homeless Prevention

Homelessness in London is a complex issue that impacts all Londoners. The City of London has a leadership role in developing a sustainable and integrated housing stability system and has developed a number of initiatives and action items – both immediate and long term – to address our community's homeless challenges.

The [Housing Stability for All Plan](#) sets a vision and defines a new direction for the collective work of the community to address housing stability, focused on four strategic areas (Housing Stability, Transform the Service System, Create More Housing Stock, Respond to the Homelessness Crisis), over the next five years. Each strategic area of focus has a goal, result, strategies, actions, and measures that guide the work of the community now and in the future.

Section 2.0

About the Community Encampment Plan

How the Community Encampment Plan Was Developed

The Community Encampment Plan has been developed with input from London's Whole of Community System Response. From the inception of the first Summit in the fall of 2022, multiple members of our community have shared their frustration, ideas, and support to develop solutions to address this crisis. Managing encampments and supporting people living outdoors was identified as a key priority.

The Encampment Implementation Table first addressed some of the immediate community level concerns over the past year, and then turned its focus towards developing a systems-wide plan that would guide how encampments are managed and how people are supported moving forward. A group of 30+ sector leaders who have subject matter expertise in this area, including first responders, housing operators, outreach, social services, and health professionals, and environmental and by-law enforcement have worked together to outline key areas of focus, building on best practices and approaches, as well as develop practical solutions that reflect our current realities. See Appendix A for a list of organizations involved in the Encampment Implementation Table.

The development of this plan has also been informed by input from residents, businesses, and developers through multiple interviews, meetings, and consultations. Further, individuals with lived and living experience provided input through engagement opportunities at Service Depots.

Approach to Encampments

London is moving towards a Human Rights Based Approach to supporting people who are experiencing homelessness. This approach is grounded in the Canadian Charter of Rights and Freedoms, support by the United Nations declaration. The approach must align with Canada's human rights obligations as affirmed in international human rights instruments, the Charter of Rights and domestic law.

The National Housing Strategy and the 2019 National Housing Strategy Act provide an important, rights-based foundation. The federal government's ten-year National Housing Strategy marks an important return to funding affordable housing programs after

decades of absence. Promising practices related to encampments have been put into place by some municipal governments.

The human right to housing, and interconnected rights such as the right to life, are clearly established in international human rights law, including in treaties that Canada has signed and ratified as well as in human rights declarations and other international norms and standards. With the National Housing Strategy Act enacted in 2019, the human right to adequate housing is now also explicitly enshrined in domestic law.

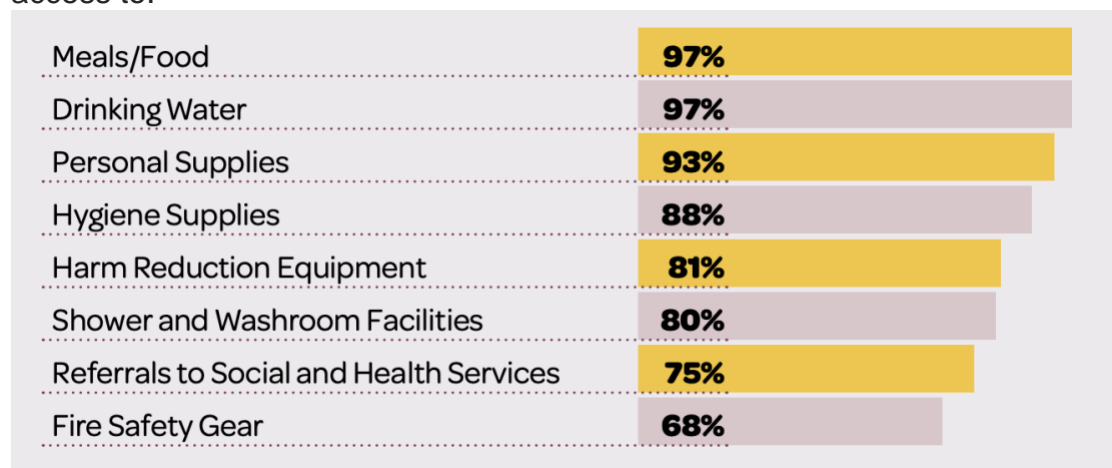
Service Depots

On July 4, 2023, Service Depots began operation in Ann Street Park, Cavendish Park, South Street Park, and Watson Street Park, bringing basic services like food, drinking water, washrooms, and garbage cleanups directly to people living in encampments. Service Depots were developed by the Encampment Implementation Table to decrease the desperation and deprivation outreach teams were seeing in community by increasing human rights within encampments. Service Depots are encampments, the difference is the level of transactional service provided compared to other encampment locations. As a result, the evaluation of Service Depots has provided valuable insight and learning for the Community Encampment Plan.

Service Depots are daily services that are set-up as an emergency response providing basic needs to people living in tents and encampments. They are a temporary crisis solution and are time limited services designed to serve those who are already living unsheltered in the area. More information about Service Depots can be accessed on the [City of London's website](#).

Between July 2023 and April 2024, staff at Service Depots conducted 18,820 total engagements including the provision of fire safety gear (e.g., clothing, blankets, and other items provided for warmth), harm reduction equipment, hygiene supplies, and personal supplies. A total of 19,183 meals kits were delivered, and 65,595 water bottles were provided. There have also been 2,273 services provided at Service Depots including addiction support services, fire prevention education and monitoring, garbage and site clean-up, harm reduction support, housing support, hygiene and sanitation facility access, system navigation, transportation assistance, and referrals to services.

As a result of the Service Depots, participants reported they were more likely to have access to:



Further, 88% of participants reported that if Service Depots did not exist, it would negatively affect them, and without Service Depots they would be hungry, thirsty, without basic supplies, washrooms, and showers, more likely to engage in criminal behaviour to meet their basic needs, experience more life challenges, and lonelier.

Residents also shared what has gone well with Service Depot implementation such as better waste management, basic needs being met, and people being treated with dignity and respect. The feedback residents shared about how Service Depots could be improved, such as installing public washrooms and garbage cans, providing wraparound care, implementing solutions to address safety, and expanding service time have all been considered and integrated within this plan.

Alignment With Other Plans and Programs

2023-2027 City of London Strategic Plan

The Community Encampment Plan supports and aligns with the [2023-2027 City of London Strategic Plan](#) which identifies housing and homelessness as a key area of focus. Housing and homelessness work is also identified throughout the Strategic Plan, as it impacts all areas of life for Londoners.

Some key outcomes that are supported through the investments in the Strategic Plan include:

- The City of London demonstrates leadership and builds partnerships to increase quality, affordable, and supportive housing options.

- London has a robust community system of health, homelessness, housing stability services, policies, procedures, and by-laws in place to support individuals and families at risk of or experiencing homelessness or in precarious housing consistent with Council's recognition of the health and homelessness emergency.
- The City of London enhances the confidence of Indigenous Peoples by furthering truth and reconciliation efforts.
- The City of London is a leader in becoming an equitable and inclusive community.
- London is an affordable and supportive community for individuals and families.
- The City of London demonstrates leadership by taking meaningful actions to address and eliminate all forms of violence against women and girls, gender-based violence, and sexual violence.

Housing Stability for All: The Housing Stability Action Plan for the City of London (2019-2024)

London's Homeless Prevention and Housing Plan, [Housing Stability for All: The Housing Stability Action Plan for the City of London](#) is the current Council approved guiding document for homeless prevention and housing in the City of London and was developed in consultation with Londoners in early 2019. The Community Encampment Plan aligns with the efforts derived from this action plan.

Coordinated Informed Response

Coordinated Informed Response is a municipally funded initiative that involves multiple service areas and organizations working together to respond to and support encampments, individuals sleeping rough, and the impacts of such on the individual and surrounding community. The Coordinated Informed Response team strives to find a balance between compassion and discretion and necessary enforcement of municipal by-laws.

As part of an enterprise-wide approach, the Coordinated Informed Response partners include City departments including Emergency Management and Security Services, Housing Stability Services, Municipal Compliance, Parks and Forestry, London Fire Department, Transportation and Mobility, Service London, along with external agencies including London Cares, Atlohsa Family Healing Services, and London Police Service.

Coordinated Informed Response, as part of the Core Area Informed Response, and in support of the Core Area Action Plan, also aligns with the Community Encampment Plan's directives. Coordinated Informed Response strategizes to provide a caring and compassionate response while enhancing services available. Both work collaboratively to solve homelessness through a Housing First approach. Further, Coordinated Informed Response maintains the safety and cleanliness of private and public spaces which supports, protects, and promotes the wellbeing and safety of all Londoners. This response and the Community Encampment Plan also invest in collaborative work practices and infrastructure.

Municipal Law Enforcement Services

Municipal Law Enforcement Services seconds a group of Municipal Law Enforcement Officers to Housing Stability Services to work directly with unsheltered individuals and general community through the Coordinated Informed Response program. Municipal Law Enforcement Officers, driven by empathy and a commitment to community well-being, play a crucial role in supporting homeless individuals. Their compassion extends beyond enforcing regulations; it encompasses understanding the complex challenges faced by those without stable housing where they collaborate with outreach, social workers, nonprofits, and community organizations to create comprehensive solutions and long-term improvements in homeless services.

The Intention of this Plan

The Community Encampment Plan offers an approach to manage and support those living in encampments in London, including criteria for multi-agency service collaboration. The focus is a basic needs and human rights-based approach to encampment support, including transformational outreach with housing pathways.

The Community Encampment Plan pertains to encampments in public spaces such as, but not limited to, park land and parking lots owned by the City of London. The plan, guidance, and recommendations are not applicable to encampments on private property. In those instances, it is up to the private property owner to have people vacate, either voluntarily or through a trespass to property order involving the London Police Service.

Encampments are an unfortunate reality in our community. The purpose of this plan is to decrease human suffering while walking with individuals experiencing homelessness on their journey home.

Section 3.0

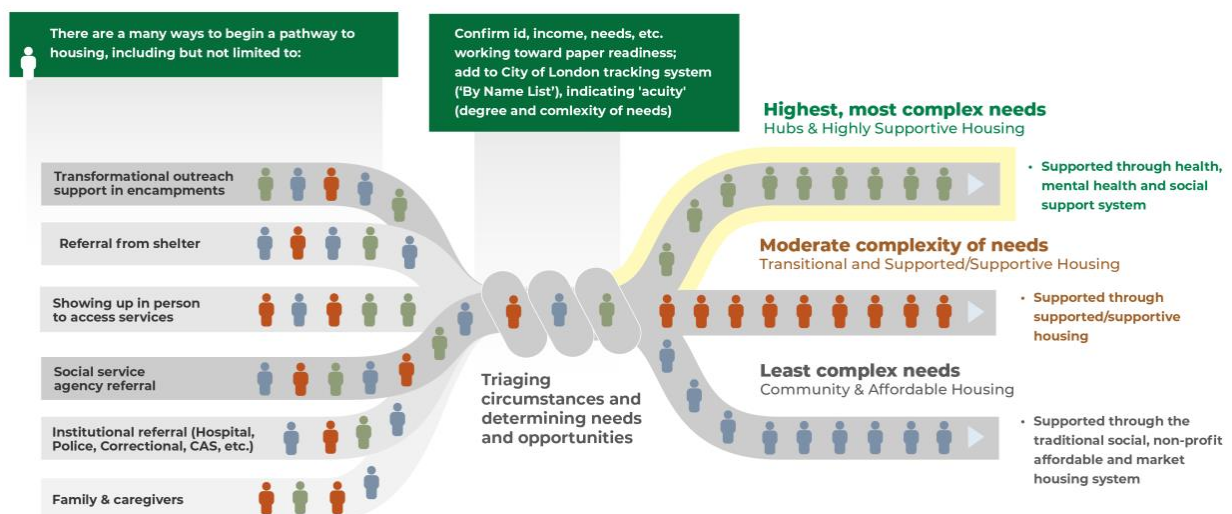
Background & Context

About Encampments

The term encampments refers to emergency accommodation established by people who are unhoused, usually on public property or privately-owned land, and often without permission. Encampments are a consequence of Canada's failure to meet its human rights obligation to ensure that all individuals have access to adequate housing – housing that is secure, affordable, habitable, accessible, culturally appropriate, and in a suitable location with access to services.

While encampments have always been a feature of homelessness in Canada (London), in the last five years, and particularly since the COVID-19 pandemic, encampments have become more numerous, more densely populated, and more visible across the country. The growth of encampments has been driven by a range of inter-related human rights failures, including the impacts of colonial laws and policies on Indigenous Peoples, systemic discrimination in the housing market, a severe lack of available and affordable housing that has become a deepening national crisis, and barriers to accessing emergency shelters.

The following image outlines the many possible ways to begin a pathway to housing, including through transformation outreach support in encampments.



The term 'acuity' defines how marginalized a given person is. High acuity refers to those whose social and personal conditions are severe. This can include physical health, mental health, substance use health and/or deprivation of basic needs like food, water, housing, or systemic barriers to accessing services.

Who Lives in Encampments

Population Profile

There is no systematic data collection on who lives in encampments in Canada. The Observatory on Homelessness at York University has suggested that at least 35,000 individuals are unhoused at any given time across the country. One survey of Canadian municipalities estimated that between 20 to 25% of unhoused individuals in Canada now live in encampments. This is consistent with reports from frontline service providers who talk about thousands of people currently living in encampments across Canada.

Encampments represent an effort by people who are unhoused to claim their human rights and meet their most basic needs. Encampments are often the only option currently available to many, or the only available option that meets their needs. Living in an encampment may also offer the advantage of living in community with others facing similar struggles.

The health and homelessness system targets and supports individuals experiencing concurrent mental disorders (*schizophrenia, bipolar, substance use disorder, etc.*) with complex comorbidities including chronic health challenges (*diabetes, HIV, HEP C, etc.*) combined with long term homelessness (*precariously housed/sheltered*) and poverty, often experiencing multiple unmet basic needs (*Social Determinants of Health; social isolation, food insecurity, etc.*). Although each individual experience of deprivation is unique, this description reflects a broad array of challenges. The case study in Appendix B highlights how people with complex needs often find themselves disconnected from the care system and isolated in the broader community.

Why We Need a Community Encampment Plan

Extent of the Need and the Response

According to data recorded in the Homeless Individuals & Families Information System (HIFIS), a shared database used by a number of community partners within the housing stability support system to manage information about individuals and families who are experiencing homelessness in London, there were 597 people experiencing unsheltered homelessness in London as of the fall of 2022. This number is known to be higher as reflected by agencies and organizations working with unsheltered individuals in the community.

Additionally, two insights from the data should help inform future response to encampments:

1. 26% of people experiencing unsheltered homelessness identify as being Indigenous. Culturally appropriate responses are critical, informed by the Truth and Reconciliation Commission of Canada: Calls to Action and the Federal Pathway to Address Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People.
2. 42% of people experiencing unsheltered homelessness meet the Canadian definition of chronic homelessness. Whereas it is often thought that people experiencing unsheltered homelessness are people with the longest tenures of homelessness, this is not the case for more than half of all people who are unsheltered in the community. Based on available information at time of writing, it seems that there are more people experiencing homelessness than shelter beds available.

Available data from 2021-2023 indicates 84 people experiencing unsheltered homelessness have realized housing, on average, per year. At that rate, with current capacity and assuming no additional people become unsheltered (which is exceptionally unlikely), it would take five years to house everyone from current encampments.

Further, on average, every year for the past three years, 24 people experiencing unsheltered homelessness have died. Street outreach providers, given the volume of people that are experiencing unsheltered homelessness, are currently focused on keeping people alive and responding to the most immediate needs. As a result, street outreach providers, as noted through observation and conversation with providers, often lack the time to work on the transformational work, which is the type of work necessary to navigate through services and overcome barriers to help a person realize housing.

Local Realities Impacting Encampments

At the same time of the increase in encampments in London, three things occurred concurrently: the homelessness response system lost many talented, professional, and dedicated staff; the private rental market shifted to rental rates out of reach for most people with very low-income; and inflation and costs of living skyrocketed without income assistance rates keeping pace. Such convergence of factors contributed to the increased inflow of households into the homelessness response system.

Although many community members believe that the lack of readily available and accessible mental health and addiction services are primary drivers of unsheltered homelessness, this opinion requires additional analysis. While undoubtedly the complexity of encampments is exacerbated by a lack of access to appropriate mental health and addiction services, these matters seem to make the experience of unsheltered homelessness worse but are not always independent drivers. The overwhelming majority of people with a substance use disorder in London are housed, and the overwhelming majority of people with a serious and persistent mental illness such as schizophrenia or other psychoses in London are housed.

The current reality of unsheltered homelessness in London reiterates that homelessness is not only a housing issue, but it is always a housing issue. Any approach to respond to the encampment situation in London needs to center on housing solutions with interim, safe, and appropriate measures until people can exit homelessness for a permanent place to live with appropriate supports. The community cannot arrest its way out of encampments. The community cannot only rouse people from where they are living through by-law measures and expect encampments to go away. But also, the community cannot just keep doing what it has been doing by way of the existing social service response and reasonably expect conditions to improve for people experiencing unsheltered homelessness and/or for the broader community of housed people, business operators, and visitors whose compassion seems to be waning and frustration seems to be increasing.

Encampment Related Court Decisions

On January 27th, 2023, Justice M. J. Valente of the Ontario Superior Court rejected the Regional Municipality of Waterloo's application for an injunction to evict individuals who were encamped on Region-owned property due to those individuals being in breach of a local by-law prohibiting such actions. While the Justice praised the valuable work the Region has done to address homelessness, the Justice denied the injunction because the by-law violated the homeless residents' Charter right to life, liberty, and security. For more information on this court decision, please see Appendix C.

Homelessness is Not Illegal

Being homeless in Canada is not illegal. Going back to 1994, the courts have determined elements of vagrancy laws were unconstitutional because they interfered with life, liberty, and security of the person. Some of the behaviours exhibited by people experiencing homelessness or activities required for day-to-day survival may be subject to other laws or by-laws, but simply being without a permanent place to live does not render a person without rights, nor does it nullify the Canadian Charter.

Services Are Voluntary

As London embarks upon the development and implementation of Hubs and Highly Supportive Housing throughout the city, one must remember that all services to people experiencing homelessness are voluntary. While it can be argued that when/if there is sufficient shelter capacity that enforcement on encampments could occur, any enforcement on encampments does not guarantee that existing shelters, Hubs, or other services will be used. There is no mechanism to force a person experiencing homelessness to use a service. People cannot be detained within shelter. Police cannot round people up and take them to a Hub or shelter and require people to stay. People do not surrender their rights afforded by the Charter because they experience homelessness.

Homelessness Requires a Housing Solution

Encampments will not go away until there is adequate income, shelter, and housing with appropriate supports, when required. Until that time, encampments can be managed by supporting individuals to obtain housing, access to emergency shelter, and exercising enforcement as necessary, but not eliminated. Responding to an encampment in public spaces requires balancing the needs of all residents of London — housed and unhoused. All residents deserve to feel safe, experience a sense of belonging, and connect to a sense of community. All residents deserve a life free of violence and intimidation. All residents deserve to experience wellness. Vulnerable members of the community, including people experiencing homelessness, are deserving of care, compassion, and assistance. The work of responding to encampments must be grounded in the emerging Health and Homelessness Whole of Community System Response approach.

Rights Based Approach to Supporting Encampments

Most encampments lack necessities such as clean water, bathrooms, a place to shower, or secure storage for belongings. Tents and tarpaulins that are not meant for winter use, inadequate clothing and blankets, no electricity, heating, and cooling, lack of first aid supplies and fire extinguishers, no provision for garbage removal, and no place for safe needle disposal create significant risks to the safety and well-being of residents.

The Office of the Federal Housing Advocate has received reports of how conditions in encampments add to mental health challenges and may worsen chronic physical conditions such as back injuries. There are also demonstrated risks of injury and even death from exposure in winter and heat exhaustion in summer.

In many communities that allow overnight camping in public spaces, people experiencing homelessness must pack up their belongings early every morning until they can set up their shelter again in the evening. People who are already exhausted, and who may be in ill-health, are forced to carry all their possessions with them, or risk their loss. Encampment residents describe how carrying large packs or bags means that they are more likely to be refused entry to spaces where they might rest or access washrooms.

Housing is a social determinant of health, and it comes as no surprise that encampment residents have a wide range of health and wellness needs, some of which are linked to their challenges in finding and maintaining long-term secure housing. These needs include treatment for chronic illness and counselling for mental health and addictions issues.

Encampment residents who cannot securely store their belongings are severely limited in how far they can travel to access services. The situation is compounded by an overall shortage of community-based supports, the challenge of navigating a complex service system, and the fact that many encampments have been pushed into isolated locations.

The following outlines the rights-based approach to supporting encampments:

1. Access to safe and clean drinking water

Water and sanitation are critical to the health of all people, this extends to those residing in homeless encampments.

2. Access to hygiene and sanitation facilities

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity.

3. Resources and support to ensure fire safety

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. London Fire Department will assist residents in developing a prevention approach to fire safety by supporting outreach teams with fire safety information and resources.

4. Waste management systems

The lack of waste management systems in encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste. Human and animal biological waste also pose a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the ground and transmit diseases. The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles.

5. Social supports and services

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive.

6. Resources to support harm reduction

Those living in encampments must be provided with the resources to implement effective harm reduction measures. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies.

7. Resources that support food and food safety

Consuming contaminated food or water can cause a variety of foodborne illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting. One of the best ways to prevent the spread of illness is to provide resources that enable the encampment to implement food safety measurements.

* The Health and Safety Working Group will monitor, review, and provide direction to support the Operations Team to address individuals in encampments experiencing safety concerns.

Section 4.0

Implementation Structure of the Community Encampment Plan

Reporting and Communication

The following outlines the implementation structure of the Community Encampment Plan.



The Encampment Implementation Table oversees the Community Encampment Plan. The Encampment Implementation Table also consults with individuals with lived and living experience to inform strategy and planning, conducts community needs and risk assessments, and facilitates resource identification and planning. The Encampment Implementation Table informs and provides recommendations to the Strategy and Accountability Table. The Strategy and Accountability Table then brings forward reports, information, or recommendations to Civic Administration and City Council. The Health and Safety Working Group and the Operations Working Group are sub-groups of the Encampment Implementation Table. More information about each of the groups is included in the sections below.

Encampment Implementation Table

The Encampment Implementation Table will function as an advisory to Social & Health Development – City of London. The Encampment Implementation Table will monitor, review, and make recommendations to the City of London related to the concerns and potential responses in London. The following outlines the Encampment Implementation Table Terms of Reference.

1. Mandate

As part of the Whole of Community System Response, the Encampment Implementation Table will develop and co-design a strategy to manage and support those living in encampments in London. The Encampment Implementation Table will develop the criteria for multi-agency service collaboration. The focus will be a basic needs and human rights based approach to encampment support including transformational outreach with pathways to housing, transactional outreach including service depots, and encampment protocols. The Encampment Implementation Table will also guide agencies to align practices to enhance collaboration and communication.

2. Background

The Whole of Community System Response follows a collective decision-making model for the implementation of key deliverables and includes multiple Implementation Tables aimed at implementing each deliverable. The Encampment Implementation Table is one of these tables. The work of the Implementation Tables is centered around those with lived and living experience and will reflect the input and guidance of frontline staff. The tasks of the Implementation Tables will differ, but will each be concentrated on their contribution to the overall coordinated Whole of Community System Response. The individuals and organizations committed to this work, while varied in focus and philosophies, are united by a shared purpose: to provide hope, health care, and housing to those who are most marginalized and experiencing homelessness in the community.

3. Deliverables

The deliverables identified in this section are based on initial understandings of the scope at the outset of the Community Encampment Plan. They may be refined as the Encampment Implementation Table conducts its work. The deliverables include:

- a. Monitor, review, and make recommendations on the Encampment Protocols including transactional outreach services, safety guidelines, Rapid Closure Protocol, resources for the provision of basic needs, monitoring, reviewing, and making recommendations seasonally on the location and resourcing of Service Depots, and monitoring, reviewing, and making recommendations on Transformational Pathways to Housing.
- b. Monitor, seek feedback, review, and make recommendations related to the Health & Safety Framework: Coordinated, Thorough, & Action-Oriented. All recommendations are to be developed with Social & Health Development – City of London.
- c. Develop an outcome measurement framework in coordination with the Health and Safety Working Group.

Additional deliverables may be added as the work of the Encampment Implementation Table unfolds. Deliverables will go to the Strategy and Accountability Table for affirmation (see #9, Decision-Making).

4. Encampment Implementation Table Process

The Encampment Implementation Table's roles include:

- Monitoring, assessing, making recommendations, and reporting to the Strategy and Accountability Table.
- Consulting with people with lived and living experience to inform strategy and planning.
- Conducting community need/risk assessments (identification, planning, response) and reporting to the Strategy and Accountability Table.
- Facilitating resource identification planning, developing recommendations, and reporting to the Strategy and Accountability Table to bring forward to City staff and City Council.
- Completing protocol reviews using a consensus model to monitor, plan, and make recommendations and reporting to the Strategy and Accountability Table to bring forward to City staff and City Council.

5. Approach

The Encampment Implementation Table will follow the collectively endorsed model, principles, and approach outlined in the Whole of Community System Response to Health and Homelessness and the Commitment to Collaboration set out by the Strategy and Accountability Table.

6. Roles and Responsibilities

Encampment Implementation Table Co-Chairs will be responsible for: communicating with Encampment Implementation Table members, working with the Whole of Community System Response backbone team to organize meetings, facilitating Encampment Implementation Table meetings, coordinating work to meet deliverables, reporting to the Strategy and Accountability Table, and providing leadership in the overall delivery of the Encampment Implementation Table's mandate.

Encampment Implementation Table members will be responsible for: actively participating in meetings, contributing expertise and providing feedback in the development of actions plans, communicating with their organizations and communities as needed, and other activities required to deliver on the Encampment Implementation Table's mandate.

7. Membership

Membership in the Encampment Implementation Table is open to all individuals and organizations that are committed to the Community Encampment Plan. Expertise and participation from individuals with living and lived experience, frontline workers, administrators, and others is essential in the co-design of deliverables.

8. Chair Selection and Term

Once the membership has been established, the Co-Chairs will be selected using the decision-making process described in this document. The Co-Chairs will serve for up to two years, at which time new Co-Chairs will be selected following the same process.

9. Decision-Making

The Encampment Implementation Table will use a consensus-driven decision-making model, in which all members work together to develop solutions that meet the needs of the community. Members are encouraged to share their opinions, ideas, and concerns in an open and respectful manner. Members are encouraged to consider modifying initial ideas to arrive at consensus, with support from the Co-Chairs and backbone team. All decisions will be documented and made available to Encampment Implementation Table members.

Endorsed Encampment Implementation Table decisions will be presented to the Strategy and Accountability Table for affirmation. This approach provides an opportunity for everyone involved in the Whole of Community System Response to understand the direction, provide feedback, and consider how it will be incorporated in their individual, organizational, and collective efforts. Where required, deliverables affirmed by the Strategy and Accountability Table will form the basis of business cases for consideration for funding to support implementation.

10. Dispute Resolution

Encampment Implementation Table members are committed to working collaboratively and respectfully toward shared goals. We assume good intentions and a problem-solving approach from all members. In the event of a disagreement or dispute, the following process will be used:

Step 1: The members of the Encampment Implementation Table involved in the dispute will be encouraged to engage in open and respectful dialogue and to work together to find a mutually acceptable solution, with support from the Co-Chairs.

Step 2: If the members are unable to resolve the dispute through dialogue and mediation, the issue will be brought to the Strategy and Accountability Table for further discussion and resolution.

Throughout this process, all members will be expected to maintain a commitment to the larger aims and ideals of the Whole of Community System Response.

11. Updates to the Terms of Reference

These Terms of Reference may be updated from time to time at the request of the Co-Chairs or Encampment Implementation Table members. Updates will follow established decision-making processes and should strive to be consistent with other Implementation Tables wherever possible.

Health and Safety Working Group

With the quest to coordinate the various municipal entities and review the health and safety of encampment residents, a Health and Safety Working Group will be created to develop standards and protocols for individuals living in encampments while monitoring risks to improve health and safety. The Health and Safety Working Group will recommend levels of transformational outreach and transactional outreach, including service depots and resources needed. The Health and Safety Working Group will not be involved or responsible for every forced closure of an encampment however can act as an advisory committee to support decision-making. Membership of the Health and Safety Working Group includes:

Coordinated Informed Response Rep

- Responsible for capturing information about the location and general nature of the encampment from the street outreach team that attended.
- Responsible for convening the Health and Safety Working Group and scheduling a time to review any specific encampment. Where there is more than one encampment to be reviewed, the Coordinated Informed Response representative may need to prioritize which encampments are reviewed ahead of others.

By-law Rep

- Responsible for determining all infractions of by-laws, in accordance with the City of London's by-law compliance policy. If the encampment can modify or remediate to comply with the relevant by-laws, that will be noted as part of the review. If it is not possible to comply with the relevant by-laws, that will also be noted in the review.

Fire Rep

- Responsible for examining such things as open fire pits, heating devices in tents, and risks of carbon monoxide or fires starting in the encampment or any particular structure in the encampment because of fuel sources, candle use, open flames, and/or dangerous electrical hook-ups.

- May also advise on spacing/separation between structures to potentially reduce fire spread in the event of a fire based on their expertise. Should also advise on a fire crew's potential to reach the location easily in a fire. If the encampment can comply with fire safety concerns, that is noted as part of the review. If it is not possible to comply, that is also noted in the review.

Middlesex-London Paramedic Services Rep

- Responsible for reviewing paramedics' ability to reach the encampment and its occupants easily and without obstruction in a medical emergency. If it is possible for the encampment to be safely reached by Middlesex-London Paramedic Services, that is noted as part of the review. If it is not possible to reach safely, that is also noted as part of the review.

Police Rep

- Responsible for providing core policing functions such as crime prevention, law enforcement, maintaining the public peace, emergency response, assistance to victims of crime, and other prescribed policing function.

Health and Safety Rep

- Responsible for the application of a public health lens for the encampment. This may include such things as separation distances between tents to reduce risks of communicable disease transmission, food handling, food storage, and food safety matters, access to sanitation (toilets, handwashing stations, or hand sanitizer), trash removal, and evidence of rodent infestations. The health and safety representative may also be aware of occupants of the encampment who are already known to have a communicable disease and whether the encampment would meet the threshold of an outbreak. If any issues noted by the health and safety representative can be remedied easily and the encampment remains, it can be done so by the encampment occupants. If the health and safety representative finds serious public health risks/concerns that cannot be remedied, that will be noted in the review.

Where there is agreement by other entities such as the Police Services Board and Middlesex-London Health Unit to participate, at the request of Council, the approach to encampment response is strengthened. On an as needed basis, and depending upon the location of the site, the following may also be consulted, if directed by Council, on how to participate in the encampment response:

Environment and Infrastructure: Parks and Forestry

- Responsible for assessing the impact of the encampment, from a health and safety perspective, on the parkland or open space, including whether the encampment infringes upon the intended use (e.g., making it unsafe to play baseball because the dugout has been turned into an encampment space).

Planning Rep

- Responsible for identifying whether the location of the land is an environmentally sensitive area (e.g., floodplain, brownfield, etc.).

Transportation and Mobility Rep

- Responsible for assessing the impacts to transportation caused by encampments.

Operations Working Group

The Operations Working Group is responsible for coordinating and delivering services. Members of the Operations Working Group will be managers and frontline team members. The Operations Working Group will identify protocol shortfalls and report to the Encampment Implementation Table. The Operations Working Group also identifies community challenges and resource needs and conducts participant and encampment risk identification, reporting any challenges or resources required to the City of London, Coordinated Informed Response, Health and Safety Working Group, and community agencies such as social services and health services for care planning.

Section 5.0

Functions of the Community Encampment Plan

The vision of the Community Encampment Plan includes a set of core functions and a series of practices that come from those functions. The core functions and corresponding practices are described throughout this section.

Transactional Outreach

Transactional engagements primarily involve street outreach organizations engaging briefly with people living in encampments to check in on people's wellness and providing access to essential items including basic human rights. The most structured transactional engagements are at Service Depot sites in proximity to the downtown where access to food and water is provided daily. In other areas of the community, street outreach teams go to known locations where people have established tents, as well as respond to suspected encampments in new locations throughout the community and provide information on services and the Service Depot locations.

Transactional outreach is provided across the city of London by various outreach workers and organizations. Outreach Workers meet individuals where they are at to provide basic human rights. The human rights included in transactional outreach include water, food, personal supplies, system navigation, and harm reduction support.

Transactional outreach must be carried out on public, City owned land unless discussed with a landowner. Outreach teams conduct transactional outreach proactively or after being called by an individual experiencing homelessness, a service provider, or community member. Transactional outreach may be carried out by agency professionals and/or volunteers.

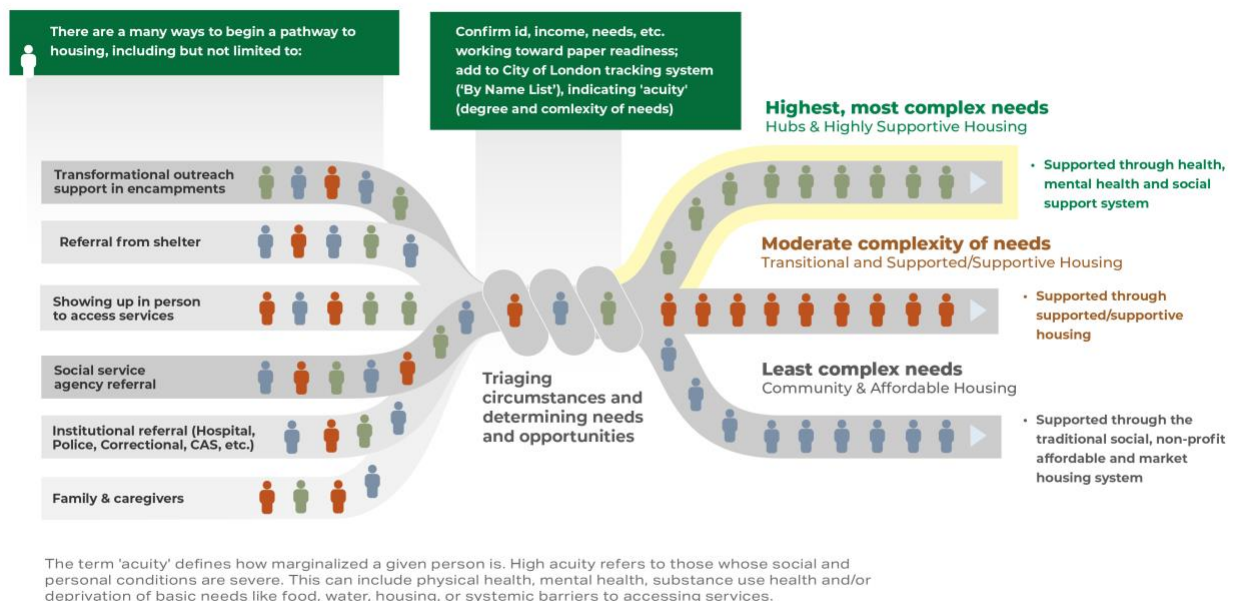
Service Depots are daily services that are set up in specific areas near or adjacent to encampment(s) as a response to provide basic needs to individuals. Service Depots are a crisis solution to help people already living unsheltered and are intended to provide basic human rights to alleviate deprivation and a lack of access to basic needs. Services and resources provided at Service Depots include water, food – meal kit, personal supplies, hygiene supplies, harm reduction equipment, fire safety information and survival gear, and navigation supports. Service Depots have waste collection

available as well as an outhouse to support the general community, environment, and those living in encampments. Service Depots are an important part of transactional outreach creating a dependable function to distribute basic need resources.

Annually, the Encampment Implementation Table will monitor, review, and make recommendations to City of London staff on the location(s) and level of resourcing needed, including the number of outreach teams as well as materials and supplies to adequately meet the needs of people living in encampments.

Transformational Outreach

For individuals with the highest, most complex needs, transformational outreach support in encampments provides a pathway to housing.



In the current reality in London, both types of outreach are needed: transactional and transformational. The transactional outreach will continue to be excellent at accompanying by-law, responding to non-emergency calls for law enforcement, and ensuring people in parks by Service Depots and elsewhere have access to basic needs.

Transformational outreach at scale is the missing part. Working with no more than 12 individuals at a time, this outreach worker can spend the majority of their day problem-solving barriers to housing, securing identification, navigating income supports, mediating past conflicts with family/friends in the hopes of reunification, connecting people into Coordinated Access effectively, and advocating across other systems like health and justice.

Transformational outreach allows outreach workers to provide case management to individuals with complex needs. This type of outreach work exists to help the highest acuity individuals to access services and navigate the larger system within London.

Transformational outreach services are voluntary and are rooted in self-determination and choice. Outreach workers will promote choice while also using assertive engagement to encourage individuals to work towards goals and ending their experience of homelessness. Transformational outreach workers work in partnership with community agencies to support individuals with their goals and service needs. Transformational outreach is successful because it meets individuals where they are at, building trust and rapport to better link individuals to a multitude of services. These services could include, but are not limited to:

- Support accessing Hub services
- Housing security (primarily Highly Supportive Housing)
- Accessing physical and mental health services
- Accessing substance use services (harm reduction, treatment, etc.)
- Accessing developmental services
- Decreasing justice system involvement
- Liberation from gender-based violence
- Cultural reconnection
- Engagement with social supports
- Reconnecting with natural supports (family, friends, etc.)
- Diversion and prevention
- Income security
- Community belonging
- Shelter support

Transformational outreach requires discretionary funding to support outreach teams in connecting individuals within encampments to health, social supports, and natural supports, including emergency placements. Discretionary funding can be utilized to reconnect an individual in an encampment to natural supports and assist in conflict resolution. Discretionary funding is held by the City of London through Coordinated Access.

Health & Safety Framework: Coordinated, Thorough, & Action-Oriented


Preventing injury, illness, and loss of life for people living in encampments and people that live or work near encampments is critically important. While even a single tent can present risks to be addressed, anytime there is a concentration of tents in a single space, the risk factors are even greater. More needs to be done in a coordinated fashion across various entities to define risks, inspect for hazards, and offer plans to address and to mitigate concerns.

To assist people living in encampments, the City of London has established clear parameters of what is acceptable and what is not acceptable as it relates to locations of encampments, the number of structures in encampments, and various behaviours of people in encampments. The following information succinctly captures the operating considerations to promote safety for people living in encampments and neighbours.

ENCAMPMENT SAFETY


Human Trafficking:

- Human trafficking or any illegal associated activity is not tolerated. Any evidence of human trafficking observed within the encampment, will be reported.




Pets:

- Pets must be on a leash when outside a tent/structure.
- A muzzle is required if the pet is known to be violent.




Underage individuals:

- No minors (under 16) are to be permitted to reside in the encampment. If minors are observed residing in the camp, they are to be reported to CAS.




Violence/threats:

- Intimidation, physical violence, or threats of physical violence towards neighboring tents, community residents, or staff providing services will not be tolerated.




Fires:

- No open burn fires, compressed gas cylinders, gasoline containers or explosives are permitted in camps.




Camp Capacity:

- Structures must be free standing and not attached to anything. No fortification will be permitted.




Weapons:

- Brandishing weapons or firearms towards other neighboring tents, community residents, or staff providing services will not be tolerated.




Cleanliness:


- No used, uncapped needles in or around the site. Sharps containers must be used for disposal.
- No large amounts of garbage, food remains or evidence of hoarding.



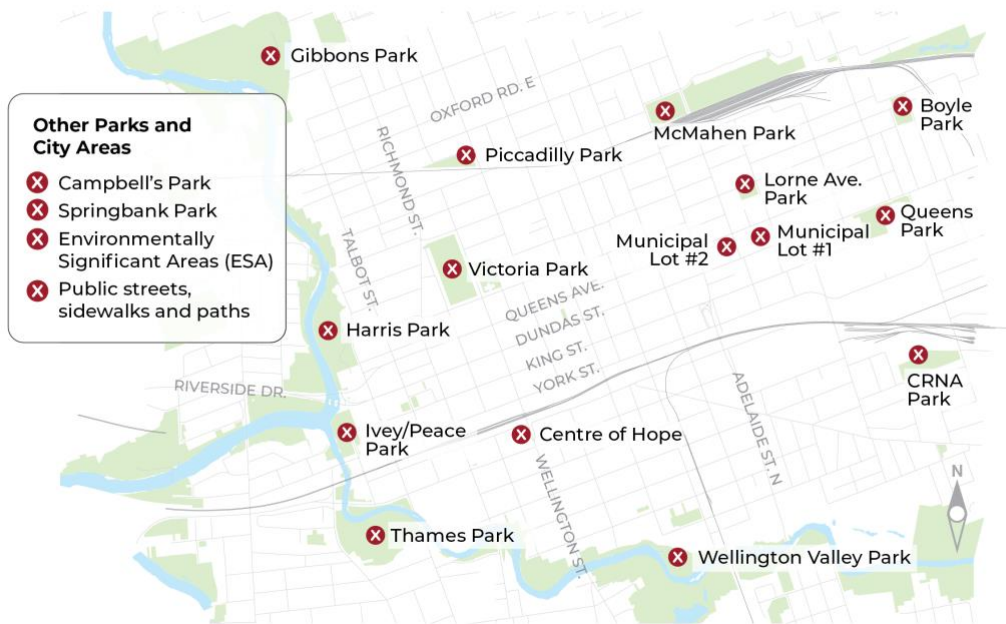
Location of Camp:

- Tents cannot be located near a playground, pathway, open area of play, or on a flood plain, river embankments, roadways, private property, side walks or bus shelters.





The following identifies locations where encampments are proactively enforced. These are mixed use spaces that are regularly utilized for multiple purposes.



Health and Safety Reviews

For each Health and Safety Review of an encampment, it is recommended that the Health and Safety Group representatives attend at the time and in a coordinated fashion whenever possible. The professionals conducting the review should use their professional opinion to assess the severity of risks and whether, in their opinion, the risks can be addressed because they are minor, or whether the encampment needs to close because of the potential risks of injury, illness, or death. Examples of the sorts of risks, activities, and encampment features that may be reviewed include, but are not limited to:

- Separation distances between tents meeting the minimum requirements of UN Refugee Camps;
- Drug manufacturing on-site;
- Significant drug dealing out of the encampment;
- Human trafficking or exploitive sex work at the encampment;
- Acts of violence causing serious bodily harm between or to encampment occupants;
- Biohazard(s) on site;
- Electricity use;
- Use of heaters;
- Volume of trash and type of trash;
- Toilet access;
- Fresh water access;

- Open fires or unsafe fires;
- Declining health and potential spread of infectious diseases amongst encampment occupants;
- Rendering City property unsafe;
- Impeding use of private property (e.g., blocking a gate from yard to a park);
- Using the encampment for storing stolen equipment, such as a bicycle shop;
- Unsafely disrupting pedestrian traffic;
- Unsafely disrupting bicycle traffic;
- Unsafely disrupting motor vehicle traffic;
- Impeding use of City equipment;
- Significant degradation of the natural environment (e.g., chopping down trees).

Rapid Forced Closure Protocol

Rapid forced closures are normally conducted by the Coordinated Informed Response by-law team. A rapid forced closure is generally considered for use in two scenarios, though there are other scenarios where rapid closure may apply:

- An encampment is in a “proactively enforced area” and the occupant(s) refuses to voluntarily vacate.
- An encampment is deemed high risk after the Health and Safety Review is completed.

“Rapid” in these instances means the encampment should close within no more than 24 hours, and usually within hours in most instances of engagement rather than immediately. The exception is serious health and safety concerns that, in the assessment of attending workers, could place people at imminent risk of serious injury or death if the response is not timely.

In these instances, it is suggested that By-law consider the following:

- Notify management of the Coordinated Informed Response that immediate forced closure needs to occur. Management must concur to proceed.
- Notify the occupant(s) in writing and verbally about the by-law that they are violating and why the encampment needs to close (e.g., in an “enforcement zone” or the nature of the health and safety issues that cannot be easily remedied).
- Reiterate that they wish the occupant(s) would voluntarily vacate the site.
- Involve London Police Service if the occupant(s) refuses to vacate.

- Allow one or more street outreach worker to gather personal items and items of value in plain sight from the interior of the encampment.
- Indicate to the relevant City departments that clean-up can commence.
- Provide a written report of what transpired and actions taken within two business days.

In these instances, it is suggested that Coordinated Informed Response:

- Provide managerial approval to By-law to proceed with the immediate forced closure.
- Notify Street Outreach that a forced closure is about to occur so they can attend near the site to offer supports and transportation assistance as necessary.
- Notify the relevant City departments (e.g., Environment and Infrastructure - Parks and Forestry, Transportation and Mobility as well as Climate Change, Environment and Waste Management) that a clean-up may be required.
- Debrief with By-law, Street Outreach and relevant Coordinated Informed Response staff within two business days of receiving the By-law report on how the process can be improved or what could have been tried differently to decrease immediate forced closures in the future, and document lessons learned.

In these instances, it is suggested that Street Outreach that receives funding through the City:

- Attend the site if operationally available.
- Remain a safe distance away from By-law and/or London Police Service enforcement activities.
- Offer social supports to the individual(s) impacted by the closure.
- After the individual(s) has vacated the encampment, if they did not take personal effects and belongings, collect items of value in plain sight. Outreach workers will not open bags, luggage, etc. However, if there are electronics, photographs, medications, money, or items known to be of personal value to the individual(s), they shall be photographed or video recorded, inventoried, and placed in a box where it can be stored for up to 14 calendar days for the person to reclaim the belongings.

“Proactively Enforced Areas” are identified and endorsed by Council to support the availability of space for temporary shelter for persons without shelter or who are

experiencing homelessness. Further to the operational encampment safety considerations above, and to help balance the public and private interests of public spaces while allowing for temporary shelter, the following will act as a guide to support the management of encampments. Generally, encampments are not to be located:

- On or within 150 metres of an elementary school or child day care centre;
- On or within 100 metres of a playground, pool, waterpark, or any spray pad;
- Within 100 metres of any private residential property line with a habitable dwelling as per the Building Code;
- On or within 5 metres of any transit stop;
- Within 10 metres on either side of railway tracks;
- On or within 100 metres of any sports fields, inclusive of but not limited to, skateboard parks, fitness amenities, golf courses, ball diamonds, soccer pitches, tennis courts, or any other sports or multi-use courts, as well as stadiums, dugouts, stages, and bleachers;
- On any fenced-in, off-leash dog area;
- On any cemetery, including its roads, lanes, and paths for travel within the cemetery;
- On any community garden and including any garden shed or greenhouse;
- On any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures;
- On or within any designated fire route or the entrance to or exit from a designated fire route, or located so as to block any fire hydrant, standpipe, sprinkler, and hose connections on a building;
- On or within any entrance, exit, or a doorway to a building or structure, and including, without limiting the generality of the foregoing, an area adjacent to such entrances or exits required in the event of fire or emergency;
- On or within any accessibility entrance or ramp or located in a way that blocks access to such entrances or ramps;
- On or within any area identified as a health and safety risk due to the susceptibility of flooding, erosion, slope instability, or other environmental hazards that presents a risk to health and safety.

All encampment protocols and proximities will be utilized at the discretion of the Community Informed Response team based on individual environment and circumstances. The Health and Safety Working Group will review and provide feedback on the appropriateness of discretion utilized and make recommendations to the Coordinated Informed Response.

Section 6.0

Moving Forward

Access to housing and healthcare is a fundamental human right. By placing the highest priority on providing direct connections to the right housing and supports for every individual, and building a sense of belonging for all, we become people centred and housing centric – meeting people where they are, without judgement, and offering culturally safe, low barrier, inclusive care that is violence and trauma informed. The Community Encampment Plan is a critical part of this work.

Moving forward, the Encampment Implementation Table will assess circumstances and drivers in community, making annual recommendations to City staff through Council to either modify the approach and recommend service levels and resources required. Additionally, they will ensure effective and efficient delivery of the services to the community.

This is an active response; working in conjunction with partners and in alignment with other plans and initiatives, the impact the Community Encampment Plan will be evaluated through the Whole of Community System Response evaluation framework.

Appendix A: List of Organizations

Below is a list of organizations that participated at the Encampment Implementation Table:

- 519 Pursuit
- Ark Aid Street Mission
- Atlohsa Family Healing Services
- Canadian Mental Health Association (CMHA) Thames Valley Addiction and Mental Health Services
- Centre for Research on Health Equity and Social Inclusion (CRHESI)
- City of London Coordinated Informed Response
- City of London Environment and Infrastructure Department
- City of London Parks and Forestry Department
- City of London Planning and Economic Development Department
- City of London Roads Department
- Downtown London BIA
- London Cares Homeless Response Services
- London Fire Department
- London Health Sciences Centre (LHSC)
- London InterCommunity Health Centre (LIHC)
- London Police Service (LPS)
- Middlesex-London Paramedic Services (MLPS)
- Middlesex-London Health Unit (MLHU)
- Middlesex-London Ontario Health Team (MLOHT)
- Mission Services of London
- Ontario Aboriginal HIV/AIDS Strategy (OAHAS)
- Regional HIV/AIDS Connection (RHAC)
- Safe Space London
- Salvation Army
- St. Joseph's Health Care London
- Upper Thames River Conservation Authority

Appendix B: Case Study

J does not access shelter programs. These represent spaces where he has been victimized in the past and his preference is to stay outside or in a structure, if he can find one that is open. J has slept outside through the winters in a self-made shelter, resulting in him having multiple amputations.

Due to proactive and extensive wraparound support, upon hospital discharge, J was luckily able to fill a vacancy in transitional housing. J's capacity made it hard for him to follow-up on his aftercare for surgery. J's behaviours associated to his PTSD resulted in discharge from transitional housing. He has been back on the street and must ambulate with a wheelchair, often attending hospital after being robbed of his wheelchair or as a result of concerned passersby calling due to an altered level of consciousness from substances or elevated physical health concerns.

J's opioids use has increased after the amputations, and since returning to street he has had multiple overdoses. The wounds from the surgery have never healed due to difficulty accessing treatment on the streets. This is complicated by lack of trust in shelter services and availability of basic hygiene services to people sleeping rough. This has resulted in multiple visits to the hospital for severe infections.

J often discharges himself due to institutional trauma and difficulty receiving sufficient withdrawal management that has diminished his feeling of autonomy in this setting. There is often a readmission for the same issues within a few weeks due to difficulty facilitating follow-up care outside of the hospital. This has resulted in intensive care unit stays and many weeks spent receiving inpatient support for life-threatening infection complications.

When seeking space for J to be discharged to or to discharge himself to, there is insufficient supportive space for him to attend. He refuses some traditional shelters, and he is placed on a waitlist to receive supportive shelter options where outpatient care may be possible, knowing he may choose to leave the hospital. J has identified a need for a supportive living space and is determined to be "too high acuity" from a medical and behavioural perspective.

Each Londoner who experiences homelessness has a unique set of circumstances, along with stories of challenges and fortitude.

Appendix C: Recent Court Decisions Related to Encampments

On January 27th, 2023, Justice M. J. Valente of the Ontario Superior Court rejected the Regional Municipality of Waterloo's application for an injunction to evict individuals who were encamped on Region-owned property due to those individuals being in breach of a local by-law prohibiting such actions.

The Justice focused on the residents' rights to life, liberty and personal security of the person because of the lack of shelter space. In a nutshell, it was insufficient for the Region to dismantle an encampment if there is a shelter bed available on paper on any given day. The shelter bed had to be operational, available for the specific population group seeking shelter, and accommodating for the individual seeking shelter. The Justice determined shelter spaces must not split couples, must provide supports, must not "impose rules that cannot be followed due to addiction," and must accommodate mental or physical disability.

As noted by the Justice in the case,

"Furthermore, I accept that it is simply not a matter of counting the number of spaces. To be of any real value to the homeless population, the space must meet their diverse needs, or in other words, the spaces must be truly accessible. If the available spaces are impractical for homeless individuals, either because the shelters do not accommodate couples, are unable to provide required services, impose rules that cannot be followed due to addictions, or cannot accommodate mental or physical disability, they are not low barrier and accessible to the individuals they are meant to serve. Although not binding on me, I adopt and follow the decisions of the British Columbia Supreme Court in Shantz, Prince George (City) v. Stewart, 2021 BCSC 208S, 57 B.C.L.R. (Cth) 118 [Stewart], and Bamberger, all of which hold that in order for the shelter spaces to be truly available, they must in fact be low barrier or accessible to accommodate the homeless population."

The implications of this verdict for the City of London, as well as other Ontario and potentially other Canadian jurisdictions, are significant. Removal of encampments from public spaces, regardless of whether there is a by-law that restricts that type of activity in the space, points to the need of ensuring there is adequate shelter space for the people living in the encampment. As noted by the Ontario Municipal Social Services

Association (OMSSA), municipalities must consider the need to “develop shelter spaces that are truly low-barrier and allow access to those who use substances, are coupled, are gender-diverse, or who are challenged by living in congregate settings. While adapting the shelter system to this reality is important, the long-term solution to these issues may be in developing accessible and culturally appropriate supportive housing. In both instances, OMSSA members will need greater support from their Federal and Provincial counterparts.”

Furthermore, consideration of the type of public space that is occupied, and the availability of shelter space go hand in hand, as seen in this, and other court cases. Because the Waterloo Region case dealt with an encampment on otherwise unused municipal property and not a public park, Justice Valente notes that his decision does not consider the balancing of rights between encampment residents and those in the public who might also use the space. In addition, an examination of the likes of *Black et al. v. City of Toronto*, 2020 ONSC 6398 and *Poff v. City of Hamilton*, 2021 ONSC 7224, allows municipalities to clear encampments. The *Church of Saint Stephen* decision states:

“Two lines of cases have emerged that address encampments such as this one. The cases that enjoin municipalities from clearing encampments and the cases that allow municipalities to clear them seem to turn on the municipality’s effort to find shelter spaces for the specific residents of the encampments in question. Where those residents are offered shelter spaces, interlocutory injunctions have been denied. Where municipalities do not offer spaces to residents, injunctions have been granted. Here, the City has offered hotel spaces to the residents of the Saint Stephen’s encampment...”