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WOMEN'S LEGAL
EDUCATION & ACTION FUND
FONDS D'ACTION ET D'ÉDUCATION
JURIDIQUE POUR LES FEMMES

Public Statement against Encampment Evictions from the Women's Legal Education and Action Fund (LEAF)

December 9, 2020

Mayor John Tory

Mary-Anne Bedard, General Manager of Shelter, Support and Housing Administration

Janie Romoff, General Manager of Parks, Forestry and Recreation Department

Dear Mayor Tory, Ms. Bedard, and Ms. Romoff:

The Women's Legal Education and Action Fund (LEAF) supports the Encampment Support Network's call for a **moratorium on encampment evictions, and for the City of Toronto to provide encampment residents with basic survival gear and access to sanitation.**

LEAF works to advance the substantive equality rights of women and girls through litigation, law reform, and public education. **Access to appropriate, affordable and safe housing is a feminist issue.**

Women, girls, and gender-diverse people experience homelessness and housing instability, both visibly (e.g. through rough sleeping) and invisibly (e.g. remaining in an abusive relationship, couch-surfing to avoid shelters). This includes homelessness in encampments: approximately 30% of encampment residents who have interacted with Toronto's Streets to Homes team have been women.ⁱ

Housing instability cannot be separated from gender-based violence and the feminization and racialization of poverty. For Indigenous women, girls, and 2SLGBTQQIA people, homelessness is also intertwined with ongoing colonial violence, intergenerational trauma, racism, and criminalization. Achieving substantive equality for women, girls, and gender-diverse people is not possible without tackling these structural inequalities and ensuring accessible, affordable, and safe housing for all.ⁱⁱ

COVID-19 has worsened the pre-existing housing crisis in Toronto.

Before the pandemic, Toronto faced a housing crisis, with a severe lack of affordable, safe, and appropriate housing options.ⁱⁱⁱ

COVID-19 has exacerbated this crisis. Women – particularly those with children and racialized, Indigenous and/or low-income women – have faced disproportionate income losses during

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COVID-19,^{iv} increasing their risk of homelessness. Gender-based violence has increased in frequency and in severity, increasing demand for services and shelter space for women fleeing violence.^v

The emergence and ongoing existence of encampments is a brutal but logical outcome of the mix of the housing crisis and the pandemic.

Addressing this crisis requires a multi-pronged response that provides meaningful choice to meet the varying needs of people who are unhoused. Emergency interventions, including hotel rooms, have helped some people. However, they do not necessarily work for all women and gender-diverse people. They may be far from people's communities and support networks,^{vi} or may fail to adequately assist women with complex needs, including women with addictions, requiring mental health supports, and/or facing gender-based violence.^{vii}

A lack of available safe shelter space, even with the City of Toronto's winter plan, means that there will simply not be enough space for those who need it.^{viii} Women, girls, and gender-diverse people may also face violence within the shelter system, or view congregate living as presenting too high a risk for COVID-19.

As a result, individuals will sleep outside regardless of whether or not encampments are cleared. If encampments are cleared, they will sleep outside without the communities and supports they have built over the course of the pandemic.

We call on the City of Toronto to impose a moratorium on encampment evictions, and provide encampment residents with basic survival gear and access to sanitation.

Adequate housing is a fundamental human right. Affordable, accessible housing is the goal that we should all be striving for. As part of this goal, we must support women, girls, and gender-diverse persons in their right to choose where they live. They best understand their own needs, and should be able to choose the safest and most appropriate housing option available to them. For some, this may be a shelter, hotel or respite site; for others, this may be in an encampment with (or in proximity to) their community. For those who remain in an encampment while waiting for appropriate housing solutions, the City of Toronto must take steps to ensure that the encampment meets their basic needs, including sanitary needs.

For Indigenous women, girls, and 2SLGBTQQIA people living in encampments, forced relocation represents ongoing colonial violence. Imposing a moratorium on encampment evictions respects their right to live on their land.



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We welcome your intervention in this increasingly difficult time to support people living in encampments, as temperatures drop and COVID-19 cases continue to rise.

Sincerely,

Megan Stephens
Executive Director & General Counsel
Women's Legal Education and Action Fund (LEAF)

ⁱ Victoria Gibson, “We’re the vulnerable ones: Why women living in Toronto’s public parks during COVID-19 choose outdoor tents over indoor shelters”, *The Toronto Star* (7 December 2020), [online](#).

ⁱⁱ Kaitlin Schwan et al., *The State of Women’s Housing Needs and Homelessness in Canada: A Literature Review*, Arlene Hache et al. eds (Toronto: Canadian Observatory on Homelessness Press, 2020), [online](#).

ⁱⁱⁱ Julia Mastroianni, “There’s no such thing as affordable housing in Toronto”, *NOW Magazine* (5 November 2020), [online](#).

^{iv} Carmina Ravanera and Sarah Kaplan, “Racialized and low-income women have been hurt by the pandemic. Investments in childcare and an expanded EI would help counteract inequity.”, *Policy Options* (23 September 2020), [online](#).

^v *Shelter Voices 2020* (Ottawa: Women’s Shelters Canada, 2020), [online](#).

^{vi} Carlyn Zwarenstein, “The Cost of a Stay at a Shelter Hotel”, *The Local* (23 November 2020), [online](#).

^{vii} “COVID-19 is worsening homelessness and insecure housing for women”, (4 August 2020), [online](#): blog (*Behind the Numbers*).

^{viii} Sara Jabakhanji, “City has far fewer homeless shelter beds than it claims it has, street pastor says”, *CBC News* (19 November 2020), [online](#). The City has unfortunately also been found to have failed to carry out its obligations in relation to shelter capacity and safety during the COVID-19 pandemic: see [Sanctuary et al. v. Toronto \(City\) et al., 2020 ONSC 6207](#).