

HOMELESSNESS AND PUBLIC TRANSIT GUIDANCE

COVID-19 Policing & Homelessness Initiative

Fair Change Community Services

Fall 2020

Riding public transit is an act of citizenship.

Too often people experiencing homelessness face obstacles in using public transit.

Public transit is a crucial survival space for people experiencing homelessness. Moving around the city is a basic need for those without stable shelter. To keep medical appointments for physical and mental health issues. To see a social worker, family, friends or others for support. To get a hot meal or shower or escape extreme weather.

Ideally, public transit should be a safe space where they can be seen by others, safe from harassment. And an escape from isolation and loneliness.

Public transit authorities have a legal obligation to treat people equitably. Many go further to recognize the basic dignity of those who use their services. The TTC in Toronto has committed to

“providing a work environment and service delivery that respects the dignity, self-worth and human rights of every individual, and is free from any form of discrimination or harassment.”¹

People experiencing homelessness will face a life-threatening environment in the coming winter months of the pandemic.

There has never been a time when such a commitment is more important.



¹https://www.ttc.ca/TTC_Business/Materials_and_procurement/About_Us/Contractor_Constantant_Reference_Materials/Respect_and_Dignity_Policy.jsp

Guidance for public transit authorities—

Our research shows that the suspension of fares during the first phases of COVID-19 made a positive difference to homeless people across Canada. With this in mind, transit officers should now exercise wide discretion and tolerance in enforcing fare payments against people who experience homelessness. There is no *justifiable* public (or economic) interest in prosecuting people who are unable to pay fares.

- ✦ Banning people from public transit under trespass law can be highly detrimental for homeless people. Such bans should only be issued as a very last resort.
- ✦ Transit by-law offences such as loitering, which involve arbitrary judgment in their application, should only be enforced under the most exceptional circumstances.
- ✦ Frontline transit staff should have ready access to social welfare services to assist vulnerable people who ask for help.
- ✦ As peace officers, Special Constables have a particular responsibility to protect the safety and security of all transit users. They must be made aware of the needs of the most vulnerable riders.

People experiencing homelessness should know—

- ✦ The Human Rights Code gives everybody equal rights and opportunities without discrimination in jobs, housing and services.
- ✦ You cannot be denied service on public transportation because of your appearance.
- ✦ You can take your personal possessions onto public transit if you can carry them and they do not obstruct others.
- ✦ Officers may ask for your proof of payment to ride transit, but you do not need to disclose your medical history, or explain the reason for your journey.
- ✦ Public transit has an obligation to accommodate people who have mobility issues because of a disability.

The Fair Change Community Services works to reduce fines to street involved people given tickets.

Received a ticket in Toronto? Contact them at: fairchangeccs@gmail.com or through their website fairchangeccs.wordpress.com

Complaints about transit service can also be made to your provincial ombudsman.

In Ontario you can contact them
Toll-Free: 1-800-263-1830 TTY: 1-866-411-4211;
Email: info@ombudsman.on.ca
Website: ww.ombudsman.on.ca

The COVID-19 Policing and Homelessness Initiative is a research project based at the

University of Toronto Scarborough.

policinghomelessness.ca or contact
j.hermer@utoronto.ca