

Pillar 1: Decentre Policing and Enforcement

RETHINKING MUNICIPAL POLICY RESPONSES TO ENCAMPMENTS:
BUILDING A HUMAN RIGHTS APPROACH IN ONTARIO



Key human rights documents on encampment responses emphasize the need to decentre policing and law enforcement, and to avoid laws and practices that penalize people experiencing homelessness, such as anti-camping or move-along bylaws. When municipalities prioritize policing and bylaw enforcement, responses to encampments often shift away from service provision and instead frame homelessness as a criminal issue rather than a consequence of inadequate social supports, healthcare, income assistance, and affordable housing. Enforcement-focused approaches can create fear and instability for unhoused individuals, discourage engagement with outreach services, and contribute to the civil criminalization of homelessness through fines, surveillance, and ongoing enforcement actions that exacerbate trauma, deepen poverty, and prolong cycles of homelessness.

Exploratory Questions

We used these questions to assess the extent to which municipalities had decentered policing and enforcement within their encampment responses. They show our guiding lens, as applied across the different jurisdictions we observed in Ontario.

- *Are encampments on public property made illegal through bylaws or other policy tools?*
- *Do bylaws or protocols provide guidance to minimize the involvement of police officers and/or bylaw officers?*
- *Are non-enforcement approaches to the safety and wellbeing of encampment residents centred in the municipal response?*

Report Findings

The findings indicate that while some municipalities are beginning to move away from enforcement, most still depend heavily on it. Progress is noted where supportive, non-enforcement approaches are emerging, but gaps remain where enforcement continues to dominate municipal responses.

Most Ontario municipalities continue to have neo-vagrancy bylaws in place that criminalize survival activities of people experiencing homelessness. Many protocols rely on enforcement-based responses which can undermine trust and relationship building with people staying in encampments.

- **32 out of 38 municipalities had bylaws prohibited sleeping or sheltering** in public spaces, regardless of whether emergency shelter-beds are available.
- **10 out of 13 municipalities with encampment protocols** had bylaws banning camping in parks, putting up shelters or tents, and in some cases, being present in parks overnight.

REALIZING THE RIGHT TO HOUSING:
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