

June 11, 2021

Open letter to Mayor and Council of the City of Prince George
Office of the Mayor
1100 Patricia Blvd,
Prince George, B.C. V2L 3V9

Re: Injunction against encampments and new Safe Streets Bylaw

Subject: Urban Indigenous Leaders call for a Humanitarian Approach in dealing with our Vulnerable Citizens whom are homeless

The City of Prince George has had a long-standing collaborative partnership with the Indigenous and Urban Aboriginal Non-Profit Agencies within the City of Prince George. The City of Prince George developed a “Social Development Strategy – 2018” that included broad goals that included community partnerships, collaboration, and creating a supportive community. Within this social development framework, included their reconciliation framework and act on the commitment #10 of the Canadian Coalition of Municipalities Against Racism and Discrimination Declaration which calls for the development of an action plan to combat racism and discrimination in a way that promotes respect, understanding and appreciation of cultural diversity and the inclusion of Aboriginal and racialized communities.

Safe Streets Bylaw

In forging ahead with a recently drafted injunction and the new Safe Street Bylaw, the City of Prince George is disregarding and violating the rights and need for environmental protection of its most marginalized citizens. Criminalizing Homelessness and mental health clearly undermines the City’s claim to humanitarian efforts.

Given the historical role of law enforcement (provincial and municipal) in historical wrongs against humanity, we request you table your proposed actions pending ongoing dialogue with key stakeholders originating from within the city. We are in agreement that action is needed now and are committed to bringing resolution.

On October 21, the B.C. Supreme Court ruled in favour of a group of homeless people challenging municipal bylaws that displace them from public spaces. In his decision Chief Justice Christopher Hinkson found that city bylaws prohibiting homeless people from sleeping in public places violate Section 7 of the Charter, which protects individuals’ safety and security of person. He also denied the City’s request seeking a permanent ban on homeless camping. “Bylaws passed by the City which prohibit sleeping or being in a park overnight without permits or erecting a temporary shelter without permits violate the guarantee the right to life, liberty and security,” Chief Justice Hinkson wrote in his decision.

In striking down the bylaws, the BC Supreme Court ruling recognizes the right to public space and represents a crucial first step in establishing a right to housing in Canada. During the trial, the Court heard from several homeless residents who detailed how municipal bylaws have been enforced to displace people sheltering in public spaces despite the fact that many have no other options for shelter.

Testimonies described.....how homeless have been subjected to countless other displacement tactics that put their lives at risk.

*“When you’ve set up a place to sleep for the night, someone comes along and threatens you or forces you to leave,” says Harvey Clause, a member of DWS who testified during the trial. “It’s no way to live. It’s tiring, to be **forced to move every day or every night when you’re cold and wet** and have no place to go. I hope the Court’s decision is a chance to get at the root causes of homelessness.”*

The BCSC ruling allows people to erect shelters and sleep in the City’s public spaces and parks between the hours of 7:00 p.m. and 9:00 a.m. The decision means that homeless people can no longer be evicted from public spaces and parks during those hours.

“The constant movement of the homeless exacerbated their already vulnerable positions, as it inhibited the ability of the service providers who endeavoured to help the City’s homeless to actually locate them and provide help,” Chief Justice Hinkson in his ruling.

In the city of Prince George upward of 75% of the Homeless and At risk of Homeless and the addicted people on the street are of Indigenous descent. We urge you to cease your forward path to allow an opportunity for the Indigenous leaders in our community to provide insight into the current action. In BC history has been made when the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) was passed unanimously in the B.C. legislature. This ensures the human rights of Indigenous peoples are respected. The outcome is to strategically place provincial and in this case municipal, action plans in place in consultation and cooperation with Indigenous peoples. No dialogue or consultation took place before the injunction and new bylaws were made public. That calls to question the issue of transparency by the City of Prince George.

The collective truth at this time is that the impacts of colonial laws, practices and policies over generations led by punitive thinking must move beyond to creating supportive environments. We are confident that a collaborative approach in Prince George would see that occur.

We are seeking an action plan that has been developed and will be implemented in consultation and cooperation with us, Indigenous peoples. The action plan must enable and support mutual goals for Homeless citizen and city benefit. The implementation of the action plan must make tangible, measured improvements to the social, physical, cultural and economic well-being of the Homeless citizens in Prince George and above all the work must be reviewed annually.

We Are Still in a Pandemic

We need to sit down and talk about the solutions and the strategic approach as a way forward. Individuals experiencing homelessness are further challenged in adhering to public health directives such as physical distancing, isolation and quarantine become of shelter conditions and other challenges with housing. COVID-19 pandemic has highlighted the importance of housing as a social determinant of health and raises the question in how we need to look at addressing the homelessness situation in our City. Especially now, we need to demonstrate compassion to our most vulnerable.

Next Steps

We urge a more collaborative effort forward to support those most in need who are risking arrest just to survive. Our city is in the midst of a multilateral emergency with COVID-19, Homelessness and the

Opioid crisis and punitive measures will not address the situation and in fact is contrary to a civilized approach.

The responsibility to address and solve the situation is not yours alone and could benefit from meaningful dialogue and more accurate data provided by the agencies who provide the support to the street residents. Collectively we could design interim and long-term measures.

This letter is specifically tailored to be sent as an urgent request that the recent actions be deterred to provide the opportunity for a more appropriate response. The current action simulates **harassing behavior** that will cause physical, mental, and emotional harm to our Homeless people.

We are requesting the Mayor and Council move to

- 1) Stop the Injunctions and consider the impacts of the new by-laws
- 2) Move to support a transparent Community Self-Determination approach (we are the knowledge keepers, know what our community needs; and have solutions to present)
- 3) Defend Homeless Communities (no increased punitive action)
- 4) Analyze the Affordable Housing predicament
- 5) Demonstrate accountability from a community partnership approach



Regional Chief Terry Teegee
BC Assembly of First Nations



Barb Ward Burkitt, Exec Director
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