



- 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. During COVID-19, their primary role should be to protect and assist vulnerable people.

People experiencing homelessness should know:

The Human Rights Code gives everybody equal rights and opportunities without discrimination in areas such as 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 provided you can carry them and that they do not obstruct others.

While officers may ask for your proof of payment for you to ride transit, you do not need to disclose any 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.

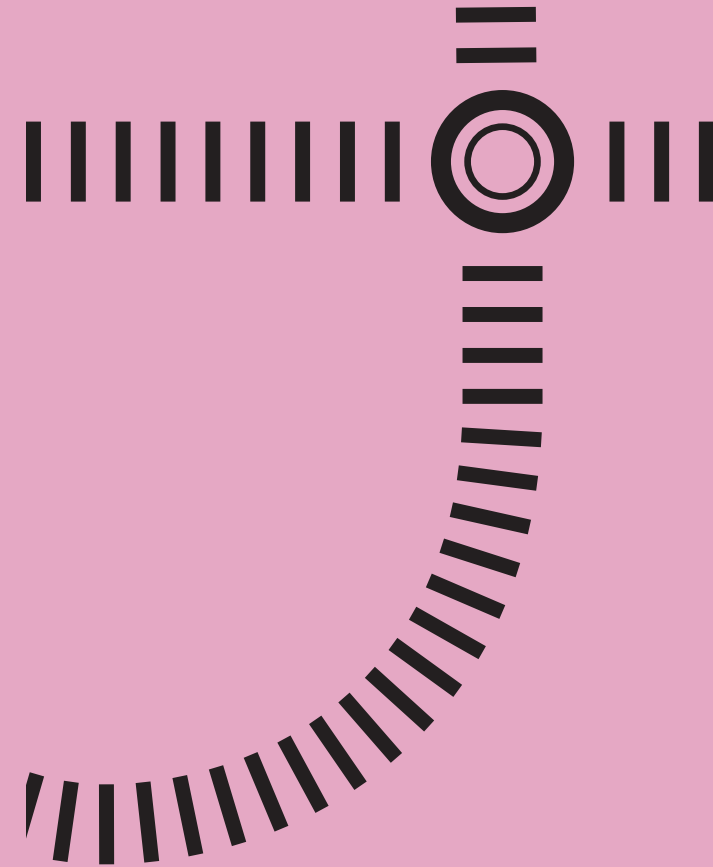
Received a ticket in Toronto? Contact them at: fairchangeecs@gmail.com or through their website fairchangeecs.wordpress.com

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: www.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



HOMELESSNESS AND PUBLIC TRANSIT GUIDANCE

*COVID-19 Policing & Homelessness Initiative and Fair Change Community Services
Fall 2020*





Riding public transit is an act of citizenship.

Too often though, 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 of those who do not have 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; to escape inclement weather.

For the most victimized who have suffered great trauma, public transit can be a safe space where they can be seen by others, or simply as a way to curtail severe isolation and loneliness.



Public transit authorities have a legal obligation to treat people equitably. But many go further to recognise the basic dignity of those who use their services. For example the TTC in Toronto: is 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

During the pandemic, people experiencing homelessness will face a life threatening environment in the coming winter months. There has never been a time when this commitment is more important.

¹[https://www.ttc.ca/TTC_Business/Materials_and_procurement/About_Us/Contractor_Consultant_Reference_Materials/Respect_and_Dignity_Policy.jsp#:~:text=The%20Toronto%20Transit%20Commission%20\(TTC,form%20of%20discrimination%20or%20harassment.](https://www.ttc.ca/TTC_Business/Materials_and_procurement/About_Us/Contractor_Consultant_Reference_Materials/Respect_and_Dignity_Policy.jsp#:~:text=The%20Toronto%20Transit%20Commission%20(TTC,form%20of%20discrimination%20or%20harassment.)

Guidance for public transit authorities

Our research suggests 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, despite this type of prosecution being a reality for many homeless people.



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