



Ombudsman
Toronto

July 14, 2022

Ombudsman Toronto

Interim Report

Investigation into the City's
Process for Clearing
Encampments in 2021

Land Acknowledgment

Ombudsman Toronto acknowledges that we are on the traditional territory of many nations, including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples, and that this land is now home to many diverse First Nations, Inuit, and Métis peoples. We also acknowledge that Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit, and the Williams Treaties signed with multiple Mississaugas and Chippewa bands.

We are here because this land has been colonized, and we recognize the ongoing harm done to Indigenous communities by this colonial system, including the effects of broken treaty covenants. At Ombudsman Toronto, we know we have a responsibility to uphold and ensure fairness in the city's local government. We understand that this must be done with a respectful and culturally responsive approach, and we commit to ongoing learning, engagement, and relationship-building in order to do so.



Ombudsman

Kwame Addo

Deputy Ombudsman

Ciarán Buggle

Ombudsman's Note: This investigation involved an immense number of complaints and required extraordinary efforts by staff in all parts of our office. From the Investigations Team who did the systemic work and reviewed all evidence (led by the Lead Investigators, Firas Ayoub and Laura Spaner), to the dedicated team of Complaints Analysts who received and handled complaints, to the Investigations Counsel, as well as research, communications, and operations staff, it was a joint effort. The entire office made this report possible.



Ombudsman
Toronto

Listening. Investigating. Improving City Services.

OMBUDSMAN TORONTO INTERIM INVESTIGATION REPORT

**INVESTIGATION INTO THE CITY'S PROCESSES FOR
CLEARING ENCAMPMENTS IN 2021**

JULY 14, 2022



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Ombudsman's Message



OMBUDSMAN'S MESSAGE

In the spring of 2021, the City of Toronto cleared people who had been living in encampments in Lamport Stadium Park, Trinity Bellwoods Park, and Alexandra Park. Shortly afterwards, my office began an investigation into the clearing of encampments. We did so because there was significant public concern and many complaints to our office about the manner in which these encampments were cleared. I also had concerns about the potential unfairness and inequity of the City's approach, as the City's actions had a direct and immediate impact on the lives of the people living in those encampments.

Our investigation focused on the City's process for clearing encampments and is framed around three main topics: 1) how the City planned the clearings, 2) how the City engaged stakeholders about the clearings, and 3) how the City communicated with the public about the clearings.

Our role is to investigate the City's implementation and administration of City policies and services, and to make sure they are doing so fairly. We do not have the power to order the City take any particular action, and we can't prevent staff from implementing City by-laws, including the by-law that makes camping in parks illegal.

My team reviewed approximately 11,000 documents from the City and conducted over 100 hours of interviews. They also responded to over 50 complaints and submissions from members of the public on this matter and spoke to 43 people who have lived in encampments and experienced being unhoused firsthand. Reviewing the evidence, making our findings, and issuing recommendations that cover the breadth of the materials we have gathered takes time.

While my office has been working diligently and tirelessly to complete the report, our work is still not finished. However, given how important this issue is and the fact that the City is continuing to clear encampments, I have decided to bring an interim report to City Council's meeting in July 2022.

This will allow my office to disclose our initial findings and recommendations that address some of the urgent concerns about fairness that we have identified. Once implemented, we believe these recommendations will increase the fairness, transparency, and accountability of the City's processes for clearing encampments from City parks.

This interim report does not cover all three topics that framed our investigation. Rather, it focuses on how the City coordinated its response to encampments. The full Investigation Report will be tabled at the earliest possible City Council meeting of the new Council term. It will address how the City planned, engaged with stakeholders,



and communicated with the public about clearing encampments and will make further recommendations addressing the fairness concerns we identify. I want to assure Council, members of the public, and City staff that my team understands the importance and urgency of this issue.

The issues of encampments and encampment clearings are complex. They are tied to poverty, health, harm reduction, human rights, reconciliation, and equity. They are also intrinsically linked to the larger-scale issue of housing—who has access to safe, adequate, permanent housing, and who does not? Looking into these issues requires a consideration of the different needs and rights of people living in the city and the broader question about who and what our public spaces are for.

The experiences of people who are living in encampments are unique to each person. Though they may share the same space, not everyone is there for the same reasons and not everyone wants the same things. Their experiences are not homogenous. Personal experience, trauma, health status, gender identity, race, disability, age, and other personal characteristics all play a part in shaping a person's experience of and reaction to encampments and encampment clearings.

This matter is also administratively complex. The sheer number of City divisions and staff involved in the response to encampments has made identifying the relevant processes, procedures, and policies guiding the City's actions a labyrinthine task.

Finally, the COVID-19 pandemic of the last few years has created new challenges. Many people said that, on top of existing concerns they had about shelters generally, they felt safer living in outdoor encampments, as they often found it impossible to maintain safe physical distancing in indoor shelters. At the same time, parks became even more valued spaces for the general public, who sought places to engage in safe outdoor recreation.

In order for us to complete our investigation, it was extremely important for us to speak with people who have lived in encampments. We are grateful to them for sharing their experiences with us. We recognize this may not have been an easy task.

We are also grateful to the experts and community workers we spoke to and for sharing their knowledge with my team.

Additionally, I would like to acknowledge the work of City staff, who have been tasked with handling a very complex issue during a particularly challenging time.



I believe the recommendations in this interim report will improve the fairness and accountability of the City's actions and have a positive impact on those living in encampments today. There is more work to do, though. We will release our final report with further recommendations at the earliest opportunity, understanding that this is an important issue for all Torontonians, but especially for those living in encampments.

I want to thank City Council, members of the public, and City staff for the trust they have put in my office and in their commitment to ensuring fairness for everyone.

Ombudsman Toronto
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**Executive
Summary**



EXECUTIVE SUMMARY

The City of Toronto's Encampments Clearings of 2021

In the spring and summer of 2021, the City of Toronto cleared people who had been living in encampments in Lamport Stadium, Trinity Bellwoods Park, and Alexandra Park.

This angered many members of the public, community groups, advocates, and outreach organizations who were concerned about the impact the City's clearings were having on encampment residents. As City staff and members of the Toronto Police Service cleared out protestors and encamped residents, people and media posted pictures online, including images of encamped residents next to their destroyed tents and scattered belongings. There were also pictures of the clashes between encampment supporters and authorities.

Significant public interest and concern developed about the way the City was responding to encampments. The impact of these events echoes to this day, and public concern about the City's response to encampments remains strong.

Ombudsman Toronto's Investigation and Interim Report

The Investigation

In September 2021, we launched an investigation into the City's clearing of encampments. We did so in response to the significant public concern raised about the City's clearing of encampments at Lamport Stadium, Trinity Bellwoods Park, and Alexandra Park, and because the City's actions had a direct and immediate impact on vulnerable Torontonians.

Our investigation focused on the City's process for clearing encampments in City parks in 2021, and considered the following three main issues:

1. How the City planned the clearings,
2. How the City engaged stakeholders about the clearings, and
3. How the City communicated with the public about the clearings.

City Council has passed by-laws making it illegal to camp on City property, including parks. We do not have the power to order the City take any particular action, and we can't prevent staff from implementing City by-laws, including the by-law that makes



camping in parks illegal. In short, we can't order the City to clear or not clear encampments. Our role is to investigate the City's implementation and administration of City policies and services, and to make sure they are doing so fairly.

What We Did

We conducted 50 interviews over the course of approximately 100 hours, including 37 interviews with staff from 10 City divisions and 13 interviews with community stakeholders. We reviewed approximately 11,000 documents and received 54 complaints and submissions from members of the public.

Our investigators spoke with 43 people who have lived in encampments and have been unhoused. Our investigators also visited encampments in City parks and went to drop-in centres across the city to speak with people who have experience living in encampments.

What We Heard

We spoke with encampment residents, who told us they believe the City has a responsibility to treat them in a humane and compassionate way, particularly when it comes to clearings, and that being forced to leave an encampment can mean the loss of their home, their community, and their all-important support system.

Further, we heard broad concerns that the City's treatment of people living in encampments had eroded the public's trust in their municipal government, and we saw evidence that the City's actions have hurt its work with community organizations on other important City initiatives. Community groups told us that the clearings have increased the vulnerability, isolation, and trauma of people who have lived in encampments.

We also heard from members of the public who supported the City's decision to clear encampments and expressed concern about their ability to use public parks.

Our Interim Report

While Ombudsman Toronto has been working diligently and tirelessly to complete the report, our work is still not finished. However, given the importance of the issue and the fact that the City is continuing to clear encampments, we have decided to bring an interim report to City Council's meeting in July 2022 outlining issues of unfairness that we recommend the City address as an immediate priority.

Our interim report examines certain aspects of the City's response to the encampments. Specifically, we have focused on the City's Interdepartmental Service Protocol for Homeless People Camping in Public Spaces and its Encampment Office.



We will release our Final Investigation Report at the earliest possible opportunity in the next term of City Council.

Findings: The City's Interdepartmental Encampment Protocol

The City's Interdepartmental Service Protocol for Homeless People Camping in Public Spaces (the "IDP"), adopted in 2005, is one of the City's primary documents outlining its approach to responding to encampments. During the course of our investigation, we found that the IDP is outdated and not consistently followed by City staff. Although the City knew that the IDP needed to be updated, it does not have a detailed plan or timeline to guide this work. We believe this is unreasonable.

Similarly, while the City recognizes the importance of hearing from members of the community and people with lived experience in encampments, we found that the City also does not have a detailed plan or timeline outlining this work, including how and when it will hold public consultations.

Findings: The Role and Mandate of the Encampment Office

In the late summer of 2020, the City created an "Encampment Office" to help coordinate its response to encampments.

The City, though, has not clearly defined the mandate of the Encampment Office, nor has it given the public a formal, detailed description about the role of the Office in the City's response to encampments.

We also heard from staff that the Encampment Office is under-resourced, impairing the Office's ability to take a larger, systemic view in its response to encampments.

Our Recommendations

Clearing encampments is not only extremely disruptive, but in some cases traumatizing to the people living in them. The City owes a particularly high duty of fairness to those residents, who are among the most vulnerable in Toronto.

The City's response to encampments, including its enforcement action, must be done in a consistent and coordinated way, following a process that is well-established, transparent, and understood by all—City staff and encampment residents alike—and this work must be carried out by a team with a clear mandate.



We have made eight recommendations to the City that we believe will increase the fairness, transparency, and accountability of the City's response to encampments in City parks, including:

- Developing a detailed plan outlining how and when it will update its protocol, and committing adequate resources to ensure the update's timely completion.
- Holding public consultations with the community, including people with lived experience in encampments, and ensuring their feedback informs the protocol's update.
- Clearly outlining the Encampment Office's role and mandate, sharing this information publicly, and ensuring it has enough resources to effectively carry out its duties.

We believe the City should begin working immediately on these recommendations, as we continue to work on a Final Investigation Report.

The City's Response and Follow-Up

In response to our report, the City administration says that it supports and accepts our recommendations and will undertake to implement all of them. The City will update our office on the status of its implementation of our recommendations by the end of 2022 and then quarterly thereafter. Ombudsman Toronto will follow up until we are satisfied that the City has implemented our recommendations.

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Introduction



INTRODUCTION

The City's Encampment Clearings of 2021

1. In the spring and summer of 2021, the City cleared encamped individuals out of large encampments from Lamport Stadium Park, Trinity Bellwoods Park, and Alexandra Park.
2. Media published articles with headlines like, "Homeless supporters, authorities clash as Toronto clears another homeless encampment," "26 arrested at Toronto's Lamport Stadium Park as city, police clear encampment," and "Advocates demand Toronto 'immediately cease and desist the violent displacement of encampment residents.'"¹ Community groups, advocates, and outreach organizations expressed anger about the impact that the City's clearings were having on encampment residents.² People posted pictures online from encampments as City staff and members of the Toronto Police Service cleared out protestors and encamped residents, including pictures of encamped residents next to their destroyed tents and scattered belongings. Clashes erupted between encampment supporters and authorities.
3. The result was significant public interest in, and concern about, the way the City was responding to encampments. Those events echo today and public concern about the City's response to encampments remains strong.

Encampments in Toronto: A Longstanding Presence

4. Encampments in Toronto are not new. It's also not new for the City to take enforcement action to clear encampments.³ Since 2005, the City has had a

¹ See [Toronto Star, Homeless supporters, authorities clash as Toronto clears another homeless encampment, July 21, 2021](#), [CBC News, 26 arrested at Toronto's Lamport Stadium park as city, police clear encampment, July 21, 2021](#), and [Toronto.com, Advocates demand Toronto 'immediately cease and desist the violent displacement of encampment residents'](#), June 16, 2021

² See [Toronto Star, City effort to clear park encampments puts homeless people at risk, outreach workers warn, June 13, 2021](#)

³ In 2020 and 2021, the City cleared smaller encampments at, among others, George Hislop Park and Barbara Hall Park. See: [CBC News, City moves homeless people out of 2 downtown parks after residents say they feel unsafe, July 7, 2020](#), as well as [Toronto Star, Toronto clears three downtown encampments and ejects some occupants to unknown locations, May 12, 2021](#).



protocol to assist staff in responding to encampments, including guidance on “enforcement activities.”

5. The City’s response to encampments has always included offering support to people living in encampments and encouraging them to accept offers of inside space, which the City believes is a safer and healthier option than living outdoors.
6. According to the City, its response to encampments takes into consideration the health and well-being of those who are living in them. This includes offering programs to support the mental and physical health of people living in encampments, as well as programs to help them secure employment and permanent housing. During the COVID-19 pandemic, the City offered greater services and supports to people living in encampments.”⁴
7. The issue of encampments in parks was also discussed at City Council, with Council voting in June 2021 to, among other things, “adopt a goal of zero encampments” and “direct staff to continue working with those living in encampments to offer safe indoor space.”⁵
8. But the public reaction to what they saw as violent and disturbing actions on the part of the City at the clearing of encampments at Lamport Stadium Park, Trinity Bellwoods Park, and Alexandra Park was palpable. People complained to us about what they saw as heavy-handed tactics by the City against vulnerable people living in encampments.

Ombudsman Toronto Launches an Investigation

9. On September 28, 2021, we launched an investigation into the City’s clearing of encampments. We did this because of the significant public concern raised after the City’s encampment clearings at Lamport Stadium Park, Trinity Bellwoods Park, and Alexandra Park, and because the City’s actions had a direct and immediate impact on vulnerable Torontonians living in them.
10. The focus of the investigation was on the City’s process for clearing encampments in City parks in 2021. Our investigation considered three main

⁴ An example was the Pathway Inside Program. Launched in March 2021, the program focussed on four large encampment sites, including Alexandra Park, Trinity Bellwoods and Lamport Stadium by offering people living in these encampments “enhanced services and supports” to support them moving indoors. For more information see [City of Toronto supporting people living in encampments with safe, supportive indoor space – City of Toronto](#)

⁵ City Council, June 8-9, 2021, [COVID-19 Response Update: Protecting People Experiencing Homelessness and Ensuring the Safety of the Shelter System](#)



issues: (1) how the City planned the clearings, (2) how the City engaged stakeholders about the clearings, and (3) how the City communicated with the public about the clearings.

11. Like all Ombudsman investigations, the purpose of this investigation is not to point fingers or lay blame, but to determine if there is evidence to support recommendations to the City that could improve the fairness, transparency, and accountability of the City's process for clearing encampments.

Scope of Investigation

12. City Council has passed by-laws making it illegal to camp on City property, including parks.⁶ We do not have the power to order the City take any particular action, and we can't prevent staff from implementing City by-laws, including the by-law that makes camping in parks illegal. In short, we can't order the City to clear or not clear encampments. Our role is to investigate the City's implementation and administration of City policies and services, and to make sure they are doing so fairly.
13. We also do not have the ability to investigate the Toronto Police Service. While it plays a role in the City's encampments clearings, its actions are outside our authority to review.

What We've Done

14. The fact-finding portion of our investigation is complete.
15. We conducted 50 interviews over the course of approximately 100 hours, including 37 interviews with City staff from 10 divisions and 13 interviews with community stakeholders. We also received 54 complaints and submissions from members of the public. Our investigators spoke with 43 people who have lived in encampments and have experienced being unhoused. Our investigators also

⁶ Chapter 608-13 ("Parks") says "Unless authorized by permit, no person shall dwell, camp or lodge in a park;" Chapter 743-9.Q ("Streets and Sidewalks, Use of") says "No person shall, without the approval of the General Manager, camp, dwell or lodge on a street, subject to application of the City's Interdepartmental Protocol for Homeless People Camping in Public Spaces;" and Chapter 636-23.A ("Public Squares") says "No person shall, within the limits of a square as defined in § 636-22A, camp or erect or place a tent or temporary abode of any kind."



visited encampments in City parks and visited drop-in centres across the city to speak with people who have experienced living in encampments.

16. The amount of material we requested and received from the City was substantial and had to be sent to us in batches. It was not until April 2022, six months after we made our first request for documentation, that the City sent us the last of the information we requested. In total, the investigative team reviewed approximately 11,000 documents from the City, including over 4,600 staff emails.

The Complexity of Investigating Encampment Clearings

17. The issue of encampments is challenging. It relates to housing, poverty, mental and physical health, reconciliation, harm reduction, human rights, and equity. One City staff person that we spoke with told us that if anyone ever wants to see a prime example of “system failures,” then they should spend time in an encampment.
18. Due to many complex factors, people living in encampments are some of the most vulnerable people in our city.
19. Evidence suggests that unhoused people living outdoors are disproportionately members of equity-deserving groups, including Indigenous people and racialized people, particularly people who identify as Black. People who are unhoused and living outdoors are more likely to report experiencing mental health and substance use challenges.⁷

What We Heard from the Community and People with Lived Experience

20. People who have lived in encampments told us that they believe the City has a responsibility to treat them in a humane and compassionate way, particularly when it comes to clearings. Being forced to leave an encampment can mean the loss of a home, community, and support system. When we asked one individual to describe the impact of being cleared from an encampment, they told us:

As an unhoused person in Toronto, the impact of the clearings on my relationships with City service responders is the impact on my life. The absolute annihilation of trust destroys my ability to access affordable, or indeed, any housing through the City, to

⁷ Street Needs Assessment Results Report, 2021:
<https://www.toronto.ca/legdocs/mmis/2021/ec/bgrd/backgroundfile-171729.pdf>



move through public spaces without fear, even to exit my shelter-hotel room without apprehension.

21. During our investigation, we heard broad concerns that the public's trust in the City regarding its treatment of and response to people living in encampments has been eroded.
22. Community groups told us that the clearings have increased the vulnerability, isolation, and trauma of people who have lived in encampments. We heard that, for someone who had been "evicted" from an encampment, this was the equivalent of being evicted from their home, of losing their community. Additionally, we heard that, for those who had experienced being cleared from an encampment, their ability to accept offers of assistance and support from the City had been significantly harmed.
23. We also heard from members of the public who supported the City's decision to clear encampments and expressed concern about their ability to use public parks. Some commented on what they believed to be health and safety concerns for not only the public, but for those living in encampments. One person who contacted us spoke about how "distressing" it was to watch people living in encampments trying to "survive through the winter."

What We Heard from City Staff

24. Many staff that we spoke with said that the "encampment file" was one of the most complex files that they have ever worked on at the City.
25. We heard from some City staff about "negative interactions" that they had as part of their work responding to encampments. These included having offensive messages about them being posted online or spray painted onto city park monuments and having to endure personal attacks from some who disagreed with the City's decision to clear encampments.
26. We acknowledge the challenges that City staff responding to encampments have faced. We also acknowledge the views of those who do not wish to see encampments in City parks.
27. However, the City still has a responsibility to treat all residents fairly, and with dignity and compassion. That responsibility is particularly strong when it comes to vulnerable Torontonians.



28. A staff report from January 13, 2004, said the following about the City's duty to assist vulnerable residents:⁸

The test of a compassionate and inclusive city is its success in meeting the needs of its most vulnerable residents. Among the most vulnerable of Toronto's residents are those who live on its streets and in other public spaces. In many ways Toronto's success as a city can be measured by its ability to meet the fundamental right of its residents to live in safety and security.

29. This comment is just as relevant and important today.

Overview and Objectives of this Interim Report

30. The following sections set out our initial findings and recommendations to help the City come up with a clearer, transparent, and consistent way to respond to encampments. We have focused on one of the primary documents that should guide the City's work: the Interdepartmental Service Protocol for Homeless People Camping in Public Spaces. We also discuss the need for the City to take a hard look at the structure and resource requirements of its Encampment Office, which was created to help coordinate the City's response to encampments, but which lacks a clear and defined mandate.
31. Our goal is to have the City immediately begin working on these recommendations, as we continue to work on a Final Investigation Report. We will release our Final Investigation Report at the first possible opportunity in the next City Council term.

⁸ City of Toronto Staff Report, January 2004:
<https://www.toronto.ca/legdocs/2005/agendas/committees/pof/pof050119/it001.pdf>

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The City's Interdepartmental Encampment Protocol



THE CITY'S INTERDEPARTMENTAL ENCAMPMENT PROTOCOL

Updating the Protocol

32. The City has an interdivisional approach to responding to encampments. The City's goal is to ensure that any action that it takes, including enforcement action, is coordinated.
33. The Interdepartmental Service Protocol for Homeless People Camping in Public Spaces (the "IDP") is a City Council-endorsed protocol adopted in 2005. According to the information contained in the IDP, it is "intended to guide City staff in providing outreach services to homeless individuals camping outside in public spaces to assist them access permanent solutions, prior to the enforcement of City by-laws which may cause their displacement and the removal of their belongings."⁹
34. While some staff that we spoke with said that they relied on the IDP to guide their response to encampments, others told us that they did not use it at all. All the staff that we spoke with said that the IDP needs to be updated to reflect the current social and human rights issues associated with responding to encampments.
35. An April 2021 internal City staff presentation about encampments referred to the fact that the IDP was outdated. It noted that the City's framework for responding to encampments was relying on "operational procedures that have been in place since 2005" and that, in some cases, staff had "altered" the procedures, resulting "in new approaches to working with encamped individuals." In addition, it was noted that the City's operational framework to respond to encampments needed to include a "rights-based approach to housing" to support its work responding to encampments.
36. Investigators heard from City staff that it was problematic that the IDP does not explicitly include a housing and human rights lens when considering the City's response towards encampments, both of which are critical pieces of the City's commitments in its HousingTO 2020-2030 Action Plan.¹⁰

⁹ [City of Toronto Staff Report, Strategies to Address Panhandling Within Specified Areas of the City, Appendix A, May 14](#)

¹⁰ [HousingTO 2020-2030 Action Plan – City of Toronto](#)



37. On June 8, 2021, Toronto City Council directed staff to work with individuals in encampments to develop individual and culturally appropriate housing plans on an accelerated basis regardless of whether the individual accepts a placement in an indoor space.¹¹ The IDP has not been updated to reflect this Council directive.
38. We reviewed City documents that identified other aspects of the IDP that needed to be updated, including:
- Clarifying the roles and responsibilities of each City division involved in responding to encampments.
 - Having consistent and clear notification procedures to encampment residents when the City has decided that it will clear encampments.
 - Having a plan to respond to protest sites at encampments.
39. Although we heard that City staff have been tasked with updating the IDP, and even that an IDP Working Group has been created, it was not clear to us how the work of updating the IDP was being done. The same April 2021 staff presentation did say that the City’s operational procedures for responding to encampments needed to be updated, “formally documented,” and “where possible, made public,” but we did not see anything resembling a formal, detailed work plan outlining how, and when, the IDP will be updated.

Hearing from the Community and People with Lived Experiences

40. We saw evidence describing how the City’s response to encampments was impacting its work with community organizations on other City initiatives.
41. In a May 2021 email exchange between City staff, staff reported that a “critical stakeholder” the City had been engaging with to help address issues related to Black community members that are unhoused or are shelter users decided that it would no longer engage with the City due to concern over the City’s clearing of encampments. Senior City staff forwarded this email to a Deputy City Manager. In their message to the Deputy City Manager, the staff member noted that this was the “unintended consequences of a really complex file” and that “it makes solution-making harder on our side.”
42. We reviewed City documents that discussed holding consultations with “a broad range of stakeholders” from the community about updating its “policy

¹¹ See Footnote 5.



framework” for responding to encampments. However, we did not see any plans describing how or when these consultations were going to take place.

43. We also reviewed City emails and documents that spoke about creating an advisory “table” or “group” made up of people with lived experiences in encampments. One of the documents that we reviewed was a draft plan for the creation of an Encampment Lived Experience Advisory Group “to seek advice from those with lived experience of residing in encampments” as part of updating the IDP. It does not appear that the City has moved forward with this plan.

Analysis & Findings

44. The IDP is supposed to be the City’s primary tool for ensuring that it takes a coordinated, interdivisional approach to responding to encampments, from providing services to people living in encampments to enforcing by-laws.
45. The evidence we gathered during this investigation showed that the City knows that the IDP needs to be updated—one document that we reviewed noted that City staff have had to “alter” its existing operational procedures in order to respond to the current issues arising from encampments. This raises a concern that aspects of the City’s response to encampments could be inconsistent and lacking transparency.
46. It is also concerning that, although the City has identified a need to update the protocol and appears to have tasked staff with that responsibility, there is no detailed plan to guide this important work. This, in our opinion, is unreasonable.
47. As a result, we are recommending that the City create a detailed plan to guide its work on updating the IDP, including project milestones and timelines. The City should develop this plan as an immediate priority. The City should also make sure that adequate staff resources are set aside to support the timely completion of the plan.

Recommendation 1

The City should immediately develop a detailed plan outlining how it will update the Interdepartmental Service Protocol for Homeless People Camping in Public Spaces (IDP). This plan should include project milestones and timelines for when it will complete the update to the IDP.



Recommendation 2

The City should commit adequate staff resources to ensure the timely completion of the update to the IDP.

48. Evidence that we reviewed suggests that the City has identified the need to consult with the community, including people with lived experiences, as part of updating the IDP. However, there does not appear to be any formal plan showing how and when this will be done.
49. We believe that the City's plan to update the IDP should include holding public consultations to receive feedback from the community. The voices of all Torontonians who are impacted by encampments, especially those who have lived in one, should be considered as part of the City's work updating the IDP. The City should ensure that the feedback received informs its update to the IDP.

Recommendation 3

As part of its plan to update the IDP, the City should hold public consultations to receive feedback from the community. Groups that the City should consult with include people with lived experiences in encampments, community organizations that provide services to people who are unhoused, and internal and external stakeholders working in the fields of housing and human rights. The City should ensure that the feedback received informs its update to the IDP.

50. Updating the IDP will represent the City's first significant work on its encampment policy framework in almost 20 years. Because of the significant public interest in this topic, in addition to holding public consultations, the City should make public detailed summaries of the feedback that it receives. We believe that this will promote transparency and increase public confidence in the City's ongoing efforts to address encampments.

Recommendation 4

To promote transparency and public confidence, the City should make public detailed summaries of the feedback received from the consultations on the update to the IDP.

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The Role and Mandate of the Encampment Office



THE ROLE AND MANDATE OF THE ENCAMPMENT OFFICE

The City Creates an Encampment Office

51. In the late summer of 2020, the City created an “Encampment Office.” At the time that it was created, the office consisted of one staff member from the City's Shelter, Support and Housing Administration division (SSHA), who reported directly to a Deputy City Manager.
52. Based on our interviews with City staff and the documents we reviewed, it appears that the Encampment Office was created with the intention that it would coordinate the City’s response to encampments. A presentation prepared by City staff explained that the Encampment Office would respond to encampments by taking a human rights approach and by using:
 - ...the skill sets, tools, relationships, and authorities of multiple City divisions and community partners to respond to the complex health and safety risks in and around encampments, facilitate access to safer inside spaces, clearing encampments of waste and debris and ensuring City of Toronto shared use spaces are accessible to all.
53. Some City staff that we spoke with said that the Encampment Office has been significantly under-resourced since “day one.” Staff commented that the workload for a small team was “overwhelming” and that it appeared that the office was just moving from “crisis to crisis” and incapable of taking a larger, systemic view of responding to encampments because of the lack resources. Another commented that the challenges and complexities of responding to encampments requires leadership, time, and resources. They said that responding to encampments “is not a file that can be managed from the corner of someone’s desk.”
54. The City has taken steps to increase the resources of the office, which is now made up of a manager, a shift leader, a supervisor, a program development officer, a policy development officer, and a support assistant. During his interview with investigators, the manager said that the office still needs more resources, including more staff to better coordinate across City divisions and more resources to address the mental health issues of people living in encampments.
55. Unlike other City services and programs that play a role in responding to encampments, such as SSHA’s Streets to Homes program and the Parks,



Forestry and Recreation division's Parks Ambassador program,¹² we did not see a formal, detailed description of the role and mandate of the Encampment Office, either in the City's public communications about its response to encampments or internally within the City.

Moving the Encampment Office to the Office of Emergency Management

56. In May 2021, the City's senior leadership team decided to transfer the coordination of the City's response to encampments to the Office of Emergency Management (the OEM). This meant that the Encampment Office became a part of the OEM's organizational structure.¹³
57. Currently, the Encampment Office sits within the OEM. Except for the manager, it is our understanding that the staff in the Encampment Office are on loan from SSHA. Senior City staff told us that the decision to transfer the Encampment Office to the OEM was driven by a need to have a central "oversight body" to coordinate the rapid clearance of large encampments at City parks, including Lamport Stadium Park, Trinity Bellwoods Park, and Alexandra Park. Staff told us that it was felt that moving the Encampment Office to the OEM would provide the office with more "structure."
58. During her interview with investigators, the Director of the OEM explained that the OEM's mandate is to engage City divisions to coordinate a response, regardless of the issue, through Ontario's "Incident Management System."¹⁴ With regards to encampments, she stressed that only the "coordination piece" was transferred to the OEM, namely, coordinating the clearance of the large encampments at the parks mentioned above. She told us that the OEM is not an expert on shelter and housing, and that the Encampment Office serves as a "key coordination piece" for SSHA on addressing the shelter and housing needs of people living in encampments.

¹² Information about Parks Ambassadors and their role in responding to encampments is available at [Encampment Safety & Clearing Protocols – City of Toronto](#) in the *Cleaning, Clearing and Enforcement* section. Information about Streets to Homes and its outreach and support program for people who are experiencing homelessness outdoors is available at the same web link in the section *Who to call for Questions or Concerns*.

¹³ The OEM is responsible for coordinating the City's emergency planning and management activities.

¹⁴ Ontario's 'Incident Management System' is a standardized approach to emergency management which includes overseeing personnel, facilities, equipment, procedures, and communications operating within a common organizational structure. For more information see: [Incident Management System \(IMS\) Guidance: version 2.0, Government of Ontario](#).



59. A Deputy City Manager who was initially involved with the Encampment Office told investigators that the City has “struggled” in deciding where the Encampment Office belongs. She explained that the struggle, in part, is in coming up with an operational structure that supports the Encampment Office’s unique responsibilities, which include supporting and assisting people who are sleeping outdoors, as well as the enforcement side of clearing encampments from parks and maintaining parks as a common recreational space. The Acting General Manager of SSHA echoed this sentiment, telling us that the Encampment Office needs a structure that will allow it to separate the “enforcement aspects from the social services aspects” as part of the City’s overall response to encampments.
60. During his interview with investigators, the City Manager said that he no longer sees the City’s response to encampments as being an “OEM-centric” matter, but rather the responsibility of SSHA. He said that, currently, the City’s approach to encampments is “really focussed on the bread and butter” of SSHA’s responsibility of supporting and assisting people who are experiencing homelessness. To illustrate his point, he noted that the City’s initiative at the encampment at Dufferin Grove Park was led by SSHA.
61. According to the City, between August 11 and December 23, 2021, it implemented an initiative at Dufferin Grove Park to help encamped individuals move into permanent housing or shelter hotel programs. The initiative, led by SSHA, brought comprehensive social and health service supports directly to encamped individuals. The City is reviewing findings from this initiative and considering how aspects of it can be implemented at future encampment sites.

Analysis & Findings

62. Based on the evidence that we gathered, it appears that the City created the Encampment Office with the intent that it would play a central, coordinating role as part of the City’s response to encampments. This, in our opinion, is a positive step forward in the evolution of the City’s response to encampments.
63. However, the City has more work to do on integrating the Encampment Office into the City’s interdivisional approach to encampments. The City has not given the Encampment Office clear and defined responsibilities, nor has it given the public any information about the role of the Encampment Office as part of the City’s response to encampments.
64. It is a matter of fairness, both for City staff involved in responding to encampments and the public, that the City immediately define the role and



mandate of the Encampment Office. This should include clearly explaining the Encampment Office's responsibilities and its role in relation to other City services that are involved in responding to encampments. Information about the Encampment Office should also be included in the City's public communications about its response to encampments.

Recommendation 5

The City should immediately define the role and mandate of the Encampment Office, including clearly outlining its responsibilities as part of the City's response to encampments, and how these responsibilities relate to the work of other City services involved in responding to encampments. Information about the role and mandate of the Encampment Office should be included in the City's public communications about its response to encampments.

65. When it was first created, the Encampment Office consisted of one employee reporting directly to a Deputy City Manager. It has since grown to include a manager with five full-time staff, although we heard that the office still needs more resources, particularly resources to address the mental health needs of people living in encampments.
66. We appreciate that the City is in a challenging financial position, especially coming out of its emergency response to the COVID-19 pandemic. At the same time, we believe it is necessary for the City to examine the resource and expertise needs of the Encampment Office while it is defining the role and mandate of the Encampment Office to ensure that it can effectively carry out its mandate.

Recommendation 6

As part of defining the role and mandate of the Encampment Office, the City should assess the resource and expertise needs of the Encampment Office to ensure it can effectively carry out its duties.

67. When the City decided to transfer the Encampment Office to the OEM, it was to allow the OEM to coordinate the clearings of large encampments at parks, as well as to provide the Encampment Office with more "structure."
68. According to the City Manager, the City's current strategy to responding to encampments is no longer "OEM-centric" and is instead being driven by SSHA. Given the shift in strategy, it is incumbent on the City to consider whether it makes sense to continue to keep the Encampment Office within the OEM.



Recommendation 7

As part of defining the role and mandate of the Encampment Office, the City should consider whether the office should continue to reside with the Office of Emergency Management.

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Conclusion



CONCLUSION

69. Clearing encampments is extremely disruptive and in some cases traumatizing to the people living in them. The City owes a particularly high duty of fairness to those residents, who are among the most vulnerable in Toronto.
70. The City's response to encampments, including its enforcement action, must be done in a consistent and coordinated way, following a process that is well-established, transparent, and understood by all—City staff and encampment residents alike. This work must be carried out by a team with a clear mandate.
71. The City doesn't have an up-to-date IDP to ensure it takes a coordinated interdivisional approach in responding to encampments. Its Encampment Office doesn't have a clear mandate, and it's not clear to some City staff we spoke to, that the encampments file belongs under the Office of Emergency Management.
72. The City must update its interdepartmental protocol for dealing with encampments. If it does, and does it well, the protocol will give staff and the public a clear understanding of how the City will approach encampments, including how it will help the vulnerable residents living in them.
73. In developing a plan to update its protocol, the City must hear from people directly impacted by encampment clearings, and others with relevant experience. It must also incorporate the feedback and insight it receives during those consultations into its protocol and planning.
74. Finally, the City must better define the role of the Encampment Office, and make sure it has the resources it needs to do its important job.
75. Encampments are extremely complicated, and there is no one simple solution to them. Unfortunately, given the housing crisis in Toronto, encampments will be with us for the foreseeable future.
76. We do not have the power to order the City take any particular action, and we can't prevent staff from implementing City by-laws, including the by-laws that make camping in parks illegal. Rather, our role is to investigate the City's actions and make recommendations to ensure that the City treats encamped residents with respect and fairness. We believe these recommendations will help move the City in that direction.
77. We will have more to say in our forthcoming report, but the City must immediately start working on implementing the recommendations laid out in this report.

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Recommendations



RECOMMENDATIONS

78. In consideration of the information gathered through this Investigation and our findings, we are making the following the recommendations, which the City should implement as soon as possible:

Recommendation 1

The City should immediately develop a detailed plan outlining how it will update the Interdepartmental Service Protocol for Homeless People Camping in Public Spaces (IDP). This plan should include project milestones and timelines for when it will complete the update to the IDP.

Recommendation 2

The City should commit adequate staff resources to ensure the timely completion of the update to the IDP.

Recommendation 3

As part of its plan to update the IDP, the City should hold public consultations to receive feedback from the community. Groups that the City should consult with include people with lived experiences in encampments, community organizations that provide services to people who are unhoused, and internal and external stakeholders working in the fields of housing and human rights. The City should ensure that the feedback received informs its update to the IDP.

Recommendation 4

To promote transparency and public confidence, the City should make public detailed summaries of the feedback received from the consultations on the update to the IDP.

Recommendation 5

The City should immediately define the role and mandate of the Encampment Office, including clearly outlining its responsibilities as part of the City's response to encampments, and how these responsibilities relate to the work of other City services involved in responding to encampments. Information about the role and mandate of the Encampment Office should be included in the City's public communications about its response to encampments.



Recommendation 6

As part of defining the role and mandate of the Encampment Office, the City should assess the resource and expertise needs of the Encampment Office to ensure it can effectively carry out its duties.

Recommendation 7

As part of defining the role and mandate of the Encampment Office, the City should consider whether the office should continue to reside with the Office of Emergency Management.

Recommendation 8

The City should give Ombudsman Toronto an update on the status of its implementation of these recommendations by the end of 2022, and then quarterly updates thereafter.

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The City's Response to our Recommendations



THE CITY'S RESPONSE TO OUR RECOMMENDATIONS

79. As a matter of procedural fairness, we shared a draft of this report with City leadership and their legal advisers. We also met with them to give them an opportunity to make representations on our findings and recommendations.
80. In response to our report, the City administration says that it supports and accepts our recommendations and will undertake to implement all of them. The City will update our office on the status of its implementation of our recommendations by the end of 2022 and then quarterly thereafter.
81. A copy of the City Manager's letter of July 6, 2022 is attached as Appendix A.

OMBUDSMAN TORONTO FOLLOW-UP

82. Ombudsman Toronto will follow up with the City quarterly until we are satisfied that implementation of our recommendations is complete.

(Original Signed)

Kwame Addo
Ombudsman



Chris Murray, MCIP RPP
City Manager

City Hall
100 Queen Street West
East Tower, 4th Floor
Toronto, Ontario M5H 2N2

Tel: 416-392-3551
Fax: 416-392-1827
chris.murray@toronto.ca
www.toronto.ca

July 6, 2022

Mr. Kwame Addo
Ombudsman
City of Toronto

Dear Mr. Addo,

Thank you for providing an opportunity to review your interim report, **"Investigation into the City's Processes for Clearing Encampments 2021"**. We appreciate the efforts of you and your team in conducting this review and providing the opportunity to comment.

We support and accept the recommendations made in the report. I assure you that City staff will undertake to implement all of these recommendations to continue in our efforts to improve and ensure fairness and transparency in the delivery of our services.

The City will provide your office with an update on the status of its implementation of these recommendations in the fourth quarter of 2022, and quarterly thereafter.

I want to thank you, once again, for your report, as well as the entire Toronto Public Service for their tireless commitment to the public they serve.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josie Scioli".

Josie Scioli
On behalf of Chris Murray
City Manager