



Ombudsman
Toronto

Listening. Investigating. Improving City Services.

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Sent by Email

To City Council:

Re: CC28.2 - Identifying and Addressing Pressures in the Refugee and Emergency Shelter System

I am pleased to see that Council is again considering ways the City can best support refugee claimants seeking shelter in Toronto. It is an indication the City listened to the community calls for action following my investigative report, [An Investigation into the City's Decision to Stop Allowing Refugee Claimants into Base Shelter System Beds](#), released in December 2024. As you recall, the City Manager did not accept my findings and refused to implement my recommendations unless directed to by City Council. After I asked Council to direct the public service to implement my recommendations, it voted instead to receive the report without debate.

I note that, as part of item CC28.2, Toronto Shelter and Support Services has submitted a briefing note, titled [Summary of Toronto Shelter and Support Services Work in Response to Ombudsman's Report: An Investigation into the City's Decision to Stop Allowing Refugee Claimants into Base Shelter System Beds](#). This briefing note responds to each of my report's 14 recommendations, and lists actions the division says it has taken, and plans to take, to address them.

While I was not given the opportunity to provide constructive feedback to the public service on this briefing note in advance, I offer Council the following comments with the goal of helping the City improve the fairness of services it offers to the people of Toronto.

My Recommendations on Human Rights, Accountability and Transparency

In my report, I found that the City's decision to stop allowing refugee claimants access to the base shelter system went against the Ontario *Human Rights Code* and important City policies and that it made this decision without consulting the City's experts on human rights and anti-Black racism, among others.

That's why I recommended that the City ensure all future changes to shelter eligibility for refugee claimants adhere to relevant law and policy, namely the Ontario Human Rights Code, the City's Human Rights and Anti-Harassment/Discrimination Policy, Access T.O., and the Toronto Shelter Standards by having any proposed changes reviewed by its Human Rights Office, the Confronting Anti-Black Racism Unit, the Toronto Newcomer Office, and other relevant internal experts before implementing them (Recommendation 2).

I also found in my report that the City did not follow a clear, well-documented decision-making process when it stopped allowing refugee claimants access to the base shelter system.

As a result, I recommended that the City come up with a formal procedure to document compliance with these policies (Recommendation 3).

TSSS' briefing note makes no mention of any plans to develop a formal, transparent process for making changes to shelter eligibility. This is concerning.

There is still no clear mechanism to prevent the City administration from making another significant change to its shelter eligibility rules in an opaque way, without properly consulting its internal experts. In short: what happened before can happen again.

My Recommendations on Advancing the Human Right to Adequate Housing

I recommended that the City develop a framework to analyze any proposed changes to shelter eligibility to ensure they are consistent with the Toronto Housing Charter (Recommendation 6).

TSSS' briefing note does not directly address this recommendation.

The City made a serious commitment when it decided to advance the right to adequate housing. This commitment requires careful thought and attention. In the case of the shelter system, it means that the City needs a way to assess eligibility changes so that they follow the Toronto Housing Charter.

My Recommendation on Meaningful Engagement

One of the key components of the human right to adequate housing, as set out in the Toronto Housing Charter, is Participation and Inclusion: Residents must be involved in decisions affecting their housing rights. This includes informed participation, meaningful engagement, and understanding the decisions made.

To that end, I recommended that the City develop a comprehensive strategy for meaningfully engaging with refugee claimants and refugee-claimant-serving organizations to help plan and deliver shelter services, and that this strategy include clear definitions of "meaningful engagement" and set out how the City will incorporate the feedback it receives (Recommendation 11).

According to its briefing note, "TSSS is collaborating with refugee claimant serving organizations in the planning, development and implementation of the [new refugee shelter] system, as well as the establishment of an advisory table with leaders in the sector." The briefing note lists several other consultations it carried out last year, and meetings it continues to attend with the refugee-serving sector. These are all positive efforts; however, they are not a substitute for a comprehensive strategy for meaningful engagement.

The City must ensure that its efforts are focused, ongoing, and helpful. They must be guided by a well-documented plan that is outcome-driven and transparent.

Follow Up and Monitoring

In the normal course of my investigations, the public service comments on the feasibility and practicality of my recommendations, accepts them, and we then begin the substantial work of monitoring their implementation. It can take hundreds of hours of work from members of my team and the division in question to ensure my recommendations bear fruit. This kind of concerted effort ensures that the City is making changes that best serve the public fairly. Unfortunately, this

process is not happening with the matter at hand, because the City did not accept my recommendations.

The City must earn the public's trust on this matter. To do so requires robust and independent oversight, and nothing less.

I strongly urge Council to direct the public service to implement all the recommendations from my report.

Sincerely,



Kwame Addo
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