

NEWSLETTER



REST IN POWER BELOVED WARRIOR
DUNCAN GRANT

APRIL 2020

UPHOLDING THE RIGHTS OF PEOPLE WHO RELY ON PUBLIC SPACES: PART II

This is a two-part article on Pivot Legal Society's know-your-rights workshop at Oppenheimer Park on December 13.

Good Samaritan Drug Overdose

Act (GSDOA): The GSDOA is meant to protect people at the scene of an overdose, whether you are a witness, the caller, or the person overdosing. Some people may hesitate or decide against calling emergency response for an overdose because they are carrying drugs or drug paraphernalia, or have prior convictions for drug-related offenses.

You are protected by the GSDOA from:

- Charges of *simple drug possession*
- Charges for breaching your court conditions where your offense is simple drug possession, specifically conditions of parole, pre-trial release, probation orders, and conditional sentences

You are not protected by the GSDOA from more serious charges, such as:

- Production, possession for the purpose of trafficking, and trafficking of controlled substances
- Warrants
- All other crimes besides simple possession

You are also not protected against charges for breaching court conditions where the underlying offense is

anything other than simple drug possession.

My tent is my home. What are my rights?

The law is not yet settled on whether or not a tent constitutes a home for the sake of Section 8 of the Charter, and if a person who lives in a tent has the same rights as someone who lives in a house. Pivot believes that people who live in tents should have the same rights as people who are housed. What can you do to help protect yourself if you live in a public space, such as a park, in a tent?

You can hang a sign that says, **“This tent is my home.”** Close your tent when you're not inside it, or if you see police, bylaw officers, and fire department. If police ask to look inside your tent, tell them the tent is your home and you don't consent to them entering it or looking inside. You can ask them why they want to search your tent. Always observe and document police interacting with you and your tent. If you are arrested after a tent search, tell your lawyer that you informed police that the tent is your home and you did not consent to them searching it.

The police are trying to take my things. What can I do? Police should only be taking your property if: the property was obtained illegally (e.g. you stole it, you bought something that was stolen, etc.), the property was

used to commit a crime (such as a weapon police claim you used to harm somebody with), or if the property will give evidence that a crime took place.

If police are trying to take your things, you can inform them that you need your belongings to survive, and that by taking your belongings, they are putting your health and safety at risk. Your rights to life, liberty, and security are protected by Section 7 of the Charter (and the Charter overrides any City bylaws.)

If your property was illegally obtained (this includes property that was stolen by someone else and sold to you), you can't get it back and it may be destroyed. If you lawfully own the property, be wary of signing any waivers (such as a "waiver of voluntary relinquishment".) Try to record the **officer's name and badge number** (or the number of their car, which should be nearby), which items they took, a file number (if they give you one), and the date that your belongings were taken. You can also use this information to try calling your local police property office and ask for your belongings back.

Bylaws: Municipal bylaws governing possessions, camping, and traffic on sidewalks may affect you if you rely on public space. If you are charged for a bylaw offense, you can dispute tickets through the provincial court. Remember, your Charter and human rights still apply.

Ministry of Children and Family

Development: In BC, social workers investigate complaints of child abuse and neglect on behalf of the Director of Child Welfare and Family Development. If you don't allow a child protection social worker to meet with you and your child, they can file a court application to have a social worker, police officer, or other specific person enter your home or vehicle to search for the child and determine their welfare (if necessary, by force).

Social workers and police officers may remove your children from your home and they don't need a court order to do this. If you are interacting with a social worker:

- Make notes about your conversations
- Have a supportive family member or friend present during interactions
- Always get **legal advice** before signing any documents or attending court dates--the Parents Legal Centre provides free lawyers and advocates if you can't afford legal aid

Resources: CCAP and Pivot's workshop was an example of a community coming together to provide resources and education to its residents. Pivot Legal Society is a human rights organization that uses strategic litigation and legal advocacy campaigns to reform systems. If you are in need of legal aid, please visit: http://www.pivotlegal.org/legal_referral_info

PETITION: PRIORITIZE A COVID-19 PROTECTION PLAN FOR THE HOMELESS

To Health Canada, Vancouver Coastal Health Authority, First Nations Health Authority, City of Vancouver, Vancouver Parks Board, and the Canadian Red Cross,

How can you self-isolate when you don't have a home? How do you wash your hands when you don't have a sink? Homeless residents and advocates are calling on government and public stakeholders to immediately and urgently provide a measured, appropriate, culturally-safe response to the COVID-19 pandemic to those who are unhoused and overlooked by current pandemic protocols.

Over a hundred people live in a tent city in Oppenheimer Park, and many more visit daily. The last City of Vancouver Homelessness Count showed that there are over 1,200* homeless people in the Downtown Eastside, including 600* unsheltered (* an undercount). The City of Vancouver has just declared a Homelessness Emergency in the City of Vancouver.

In Oppenheimer Park, there is no soap or hand sanitizer in the washrooms — and sometimes no washrooms at all. Running water is limited. Tent city residents, and other homeless people, often rely on crowded drop-in centres, food line-ups, and shelters with shared washrooms and showers.

Many are immune compromised, with chronic disease and disability, and a high percentage are seniors. The vast majority don't have phones to call 811 for testing or help.

Existing resources are not equipped or prepared to meet pandemic-level needs and demands. Vancouver Coastal Health does not currently offer any formal services or outreach in Oppenheimer Park. Shelters and drop-ins are already overwhelmed and under-equipped to offer additional shower, laundry and washing facilities. Other DTES programs are scrambling to pandemic-proof existing services especially for those who are most at risk.

Chrissy Brett, Oppenheimer Park tent city liaison, says, "We need to show that health needs are way more dire for some of our people that are being ignored. In the absence of coordinated governmental response, community groups are once again stepping in. We're grateful for the support of City Councillor Jean Swanson Park Board Commissioner John Irwin and some employees of BC Housing that are engaged with our process for advocacy and support. We need to push the City, province, feds and Health Authorities to come to the table."

Chris Livingstone, founder and board member for Western Aboriginal Harm Reduction (WAHRS), says, “Budgets are being determined by April 1st — now is the time to budget for peer funding. Now is the time to place emergency health demands front and centre and ensure health and safety for our most vulnerable. We need health support workers coming in, extra washrooms, portable showers. Immediate response should be the safety of the people in the camp and on the street — that’s it.”

“All of these things can be done and have been done - it’s just a matter of will,” says Scott Clarke, North West Indigenous Council President. “Remember, this is Indigenous land.”

“It has never been so obvious that housing is healthcare. And that we must provide resources to protect people who are homeless from infection and contagion. And we need to prevent others from becoming homeless during a public health emergency. It’s really critical. And it’s not only a moral imperative that we do so, but it’s a public health necessity.” — Diane Yentel – President of National Low Income Housing Coalition (USA).

We acknowledge that we are on the unceded traditional territory of the Coast Salish peoples, including the territories of the xʷməθkʷəy̓əm (Museum), Skwxwú7mesh (Squamish), Stó:lō and Səlilwətaʔ/Selilwitulh (Tsleil-Waututh) Nations.

List of demands for homeless and unsheltered:

To implement an appropriate and comprehensive COVID-19 pandemic plan for people living in Oppenheimer Park and other homeless people, that is immediately resourced, culturally-safe, and actionable

For decision-makers at the three levels of government to meet NOW with advocates and stakeholders

To immediately open the field house in Oppenheimer Park and create an emergency on-site screening and triage station

Ban all “street sweeps” and daily displacement of homeless people from public places. Because:

People have lost access to many of their daytime sheltering options - they need to be able to “shelter in place”, including in tents, pending the opening of more formal housing options.

Sweeps are disruptive to health and wellbeing of homeless people (lose their shelter, lose important possessions including medication), and to the service providers and outreach workers who are trying to connect with them (per Alison Eisinger – ED of Seattle/King County Coalition on Homelessness).

To view the full list of demands and sign the Change.org petition, go to <http://tiny.cc/xbavmz>

FOOD AND COMMUNITY RESOURCES

Carnegie Community Centre: 401 Main St. | Breakfast 9-11am, lunch 12-4pm, and dinner 5-8pm | All meals \$2 served through service window.

Crabtree Corner YWCA: 533 E Hastings St. | TO GO meals only for womyn + kids | FREE Bag lunch Mon. - Fri. 2pm + Wed. 12pm.

Downtown Eastside Neighbourhood House: 573 E Hastings St. | TO GO meals only. FREE Bag breakfast + hot lunch Mon. + Wed. B 10am / L 12pm. Harm reduction supplies available.

DTES Women's Centre: 302 Columbia St. | Serving bagged DAILY breakfast (10-11:30am *except Wed*) and lunch (12-2:30pm) at the door FREE. Snacks 3pm. For women/womyn (trans and cis).

Evelyn Saller (44 Club): 320 Alexander St. | TO GO \$2 daily meals. Breakfast 10-12pm, lunch 11-3pm, dinner 3-5:50pm.

First United: 320 E Hastings St. | FREE hot food/harm reduction supplies offered at the door. Daily B 8am / L 12pm / Snack 2pm / Sat + Sun depends on donations.

Harbour Light: 119 E Cordova St. | Bag lunch, FREE for all, daily 11am.

Heatley ICT: Bagged meals Wed. evenings (women only) 5-8pm.

Living Waters: 782 E Hastings St. | Meals FREE for all, Sat. 7pm / Sun. 5pm

Mission Possible: 543 Powell St. | FREE hot Power Breakfast Saturdays for 100 people by ticket only. 9-10am in take-

away containers. Line up at 8am for ticket.

Muslim Care Centre: 140 E Hastings St. Dinner FREE for all, daily 5pm

Quest Foods: 611 E Hastings St. + 2020 Dundas St. | Low cost groceries Mon.-Sat. 9am-4:15/6:15pm. Referral needed.

Sheway: 533 E Hastings St. | For pregnant women, FREE take-out lunch weekdays from 11:30am-1:30pm

Union Gospel Mission: 601 E Hastings St. | FREE TO GO meal. Weekdays L 11am / D 6pm; Sat L 11am / D 4pm + Sun. D 4pm.

WISH: 330 Alexander St. | Free bagged TO GO meals for women/womyn sex workers (current & former). Daily B 7am-9am; D 6-8pm; Snacks 10:30am / 10pm / 1am.

Community Centres

Carnegie Centre: Operating hours reduced 9am-8pm.

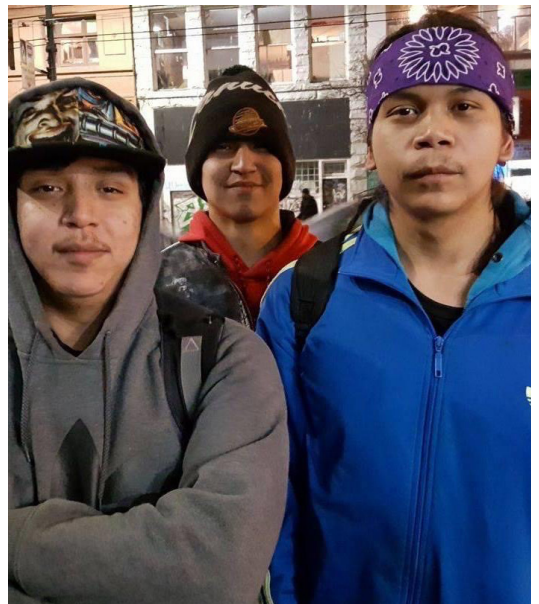
Downtown Eastside Women's Centre (DEWC): Drop-in closed except emergency bathrooms, all other programs/services suspended.

WISH: Drop-in operating at normal hrs for essential services (food, toilets/showers, sheltering) for women only (trans & cis) survival sex workers, all other programs/services suspended.

Covenant House Supports: For youth under 25. Outreach, drop-in (<15 people or fewer at a time), shelter may still have beds available but very close to capacity.



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CARNEGIE COMMUNITY ACTION PROJECT | 11:15 AM EVERY FRIDAY

The Carnegie Community Action Project is a project of the board of the Carnegie Community Centre Association. CCAP works mostly on housing, income, and land use issues in the Downtown Eastside (DTES), so that the area can remain a low income friendly community.

CCAP works with English-speaking and Chinese-speaking DTES residents in speaking out on their own behalf for the changes they would like to see in their neighbourhood. Join us on Fridays 11:15 am in classroom 2 on the third floor of the Carnegie Centre for our weekly volunteer meetings!

Downtown Eastside residents who want to work on getting better housing and incomes and stop gentrification are welcome to attend. Lunch is provided.



Interested in working for better housing, income & other issues in the DTES?

come get involved in your community

Join the Carnegie Community Action Project

WEEKLY VOLUNTEER MEETINGS:
EVERY FRIDAY at 11:15 am
at the Carnegie Community Centre
in the classroom, 3rd floor, 1st door on right

唐人街關注組 | CHINATOWN CONCERN GROUP

- 大多數是唐人街華裔居民
- 加麗基社區中心協會屬下的其中一組
- 我們看到華埠現在變化很快。華埠越來越不像華埠，而在華埠的華人社群將被邊緣化。所以我們組織一起，透過開會、討論及行動來保護唐人街
- 我們關心華埠的未來可負擔性及想見更多低收入房屋及長者屋在唐人街

關注組組員領袖每週會開小組會來討論我們的項目、華埠消息和建立我們對社區事件的分析。我們歡迎有意參與關注組的人士來一齊參與這些小組會。詳情請聯絡我們。小組會主要用廣東話舉行，有時候會用普通話翻譯。 chinatownconcerngroup@gmail.com | chinatownconcerngroup.wordpress.com 加麗基社區中心 - 401 緬街 『緬街圖書館』二樓，溫哥華，卑詩省，V6A 2T7 加拿大



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Thank you to Vancity for supporting CCAP's work. Support for this project does not necessarily imply that funders endorse the findings or contents of this newsletter.