

Unwanted guest

Introduction

Thank you for hearing my concerns regarding the City of Regina's Trespass to Property Initiative and support for the Motion regarding the Review of "Unwanted Guests". I am a retired social worker with a lifetime of experience, much of it in Regina, as a frontline worker, health research & policy expert and university professor. I am deeply concerned with the City of Regina's Trespass to Property Initiative. My interest lead to the submission of a Freedom of Information and Protection of Privacy Act information request last December to the Regina Police Service for data related to the Initiative.

Regina should be working to develop an inclusive community rather than advancing policies of exclusion toward people experiencing poverty and inequality,

Points

- This banning law is arbitrary - anyone who is disliked can be banned and later ticketed through police involvement, many times – with no real right to challenge and appeal the initial ban. This is a quasi-judicial initiative that criminalizes the least powerful in our society and leaves them no recourse to defend themselves.

The document explaining activities that can result in a ban states: "being intoxicated, harassing customers, shoplifting , etc." can be grounds for a ban issued by the business. This policy opens up the possibility of bans (and it's all inclusive "etc"..) based on racial discrimination, the mere dislike of personalities, or discrimination based on many other details such as age, capacity, civil status, class, culture, ethnicity, gender, gender identity, language, nationality, opinions, other physical characteristics, physical or mental abilities, political beliefs, racialized category, relationship status, religion, sex, sexual orientation, socioeconomic status, spiritual beliefs, or family structure. The decision to ban depends on the person at the business who issues it – if the staff or manager is intolerant or prejudiced, or has been ordered to do so by a boss, he or she can just ban people. In what world is this fair? The banning process requires no proof of the named infraction, and there is no real appeal process, yet the result can be financial hardship, ultimately a criminal record, not to mention extreme stress, embarrassment and a loss of dignity. If the fine for each ticket is still \$250.00 there are few if any in this cohort who even have enough for a cup of coffee much less this amount of money. Many have been issued more than one ticket. As mentioned in the Motion, one man was charged 23 times which would amount to nearly \$6,000. When I asked, through a Freedom of Information request to the Regina Police Service, what happens to people if they cannot pay the fine, the question was ignored. Presumably they can be imprisoned.

- There are *already* laws prohibiting shoplifting, violent behavior and drunken behavior so why is this even needed? One actually has more rights when charged through a court of law than under this open ended Initiative. In addition, businesses have banned people for years before this initiative began so why is the City of Regina bringing the Police into the process? This process means that any business can ban people for any reason, yet fill out the ban form (see attached) to make it look like the ban meets the criteria mentioned above. Then if the person reappears, the police are phoned and issue a ticket based on the business's claim. If they

continue to reappear (e.g. break the ban) they can be issued repeated tickets over and over, each with its hefty fee. Ultimately they may default on the fine or fines, or they may be charged with Mischief officially criminalizing the individual.

- Winter

I don't need to tell people here of the severity of our winters! In addition to the social need for the company of others, many unhoused people frequent the businesses that have often issued unwanted guest bans because they need a place to rest and to escape the winter temperatures. If using the shelter system in Regina, sleeping outside or staying at friends or relatives, people must find a place to spend their time during the day. Shelters are not available in the daytime for example. If the Covid-19 pandemic restrictions continue into this coming winter, the need for public space will increase as many shelters have reduced their beds in order to allow for the needed public health measures such as distancing. This means there will be fewer places for unhoused individuals even during the allowed hours.

- The initiative stigmatizes and potentially criminalizes certain people who would benefit from services and supports that do not exist in our community. Is it their fault we live in a province that does not care about the most marginalized? Do we think people can just stop behaving in certain ways because they are banned, or is it just a way to render them more invisible? In reality it is making it a crime to live in a city with insufficient social & financial support for many people including those dependent on shelters, without stable homes, and suffering from distress and disabilities. The initiative says 'get out, you are not welcome here and we don't care what happens to you.' The colloquial term 'unwanted guest law' to refer to the City of Regina's Trespass to Property Initiative reveals the insulting and discriminatory nature of the initiative. The pandemic is increasing the numbers of those out of work and experiencing poverty and eviction. The result makes this issue even more urgent than ever. Research shows that many who become homeless develop mental distress issues, rather than these issues being the reason that drove them to homelessness.
- This harmful, unfair and oppressive policy practice should be stopped immediately on the grounds of civil & human rights, rather than waiting for the commencement and results of a review as defined in the motion. As seen in the removal of the anti-panhandling city bylaw in 2010, there would be no adverse effects in ceasing to use this initiative immediately. The review itself should also be expanded to include among its consultation bodies the actual people experiencing the effects of the initiative, the "unwanted guests" themselves.

Kathleen Donovan

NOTICE OF BAN FROM ENTERING THE PROPERTY OF

Accused Name:	
DOB:	
Address:	
City:	
Province:	

--

Take Notice:

You are hereby prohibited from entering _____ in Regina, Saskatchewan on _____ (today's date) .

For a period of _____.

You may return to the said property on _____.

Accused Name:
Accused Signature:

Issuing Employee Name:	Management Approval
	Supervisor/Manager Name:
	Signature:
	Approval Date: