Home is Where the Community Is*
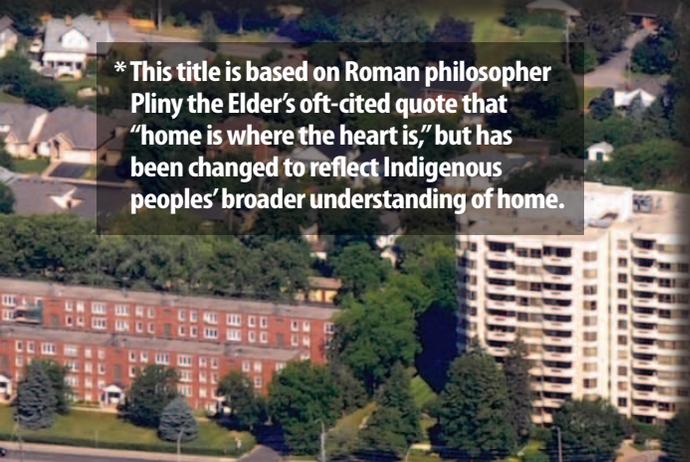
*This title is based on Roman philosopher Pliny the Elder's oft-cited quote that "home is where the heart is," but has been changed to reflect Indigenous peoples' broader understanding of home.
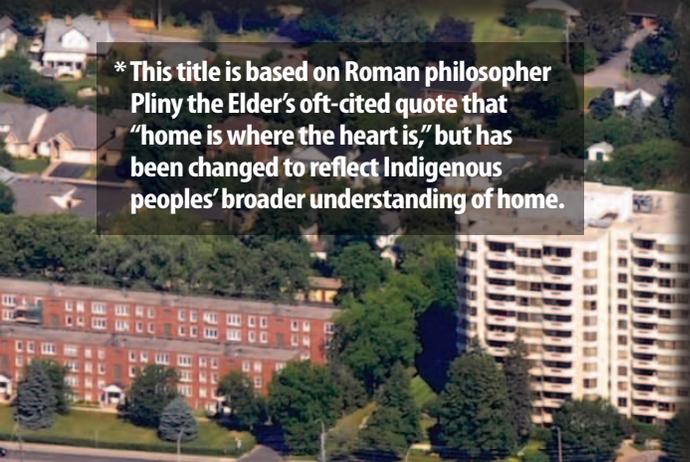
An Environmental Scan and Literature Review on Indigenous Homelessness in Halton

A Project by Halton Community Legal Services - 2018

ACKNOWLEDGEMENTS

TABLE OF CONTENTS

BACKGROUND

Halton Community Legal Services (HCLS) is a community legal clinic with core funding provided by Legal Aid Ontario. As a community legal clinic, the mandate of HCLS under Ontario's Legal Aid Services Act[1] is to 1) determine the legal needs of the individuals and communities served or to be served by the clinic, and 2) ensure that the clinic provides legal aid services in the areas of clinic law in accordance with those needs. Under its memorandum of understanding with Legal Aid Ontario, "clinic law services" are defined as legal and other services provided under the Act in clinic law areas, and includes legal representation and advice, community development and organizing, law reform, and public legal education. HCLS's legal services policy requires the clinic to provide direct law services to low-income residents of Halton in these core areas:

- provincial social assistance including matters under the Ontario Works Act and Ontario Disability Support Program Act
- tenant rights
- employment insurance
- Canada Pension Plan – disability
- employment standards
- human rights

Since the confederation of Canada in 1867, as the Truth and Reconciliation Commission of Canada (TRC) recognized, the colonial justice system and the legal profession have allowed for, or have been used to further, the legitimization of oppressive government conduct and policies towards Indigenous peoples.[2] It should therefore come as little surprise that an entire section of the commission's "Calls to Action" and related recommendations are directed towards the justice system. The Indigenous community is inherently distrustful of the justice system, and Indigenous service providers are justifiably skeptical of mainstream, government-funded agencies that lack an adequate understanding of the Indigenous context and a demonstrated commitment to long-term relationship-building.

HCLS understands that improved access to justice can be achieved for Indigenous clients by working with them, the local Indigenous community, Indigenous social agencies and networks to 1) build relationships and trust, 2) develop the competence to provide culturally respectful and appropriate services, and 3) foster and improve coordination and integration with other legal aid services and community partners across all public sectors. As such, in 2016 HCLS signed a partnership agreement with 15 legal clinics in southwestern Ontario to address systemic barriers to serving the Indigenous community. In October 2017, HCLS's board publicly committed to addressing the TRC's Calls to Action, and will review the clinic's policies, practices, procedures and services that affect the Indigenous community in Halton in its next strategic plan.

While Indigenous client numbers are low, HCLS has built trust with these clients, including those who have been provided with housing law services related to illegal eviction, housing in a poor state of repair, the experience of homelessness, difficulty accessing services and finding affordable housing, and with those who have experienced racism and discrimination as part of these issues. HCLS has also spearheaded engagement with the Indigenous community in the development of the Halton Consolidated Courthouse, participated on the Indigenous Education Advisory Committee for Halton's public and Catholic school boards, and is leading the "I Am Affected" campaign in Halton to raise awareness of intergenerational trauma on the Indigenous population resulting from Indian residential schools, the Sixties Scoop of Indigenous children from their families and communities, and racism and violence against Indigenous women and girls. The non-Indigenous clinic staff who have assisted in this work have been guided by a part-time Indigenous Justice Coordinator and supported by Legal Aid Ontario's Aboriginal Justice Strategy policy counsel, both of whom are Indigenous.

PROJECT OVERVIEW AND RESEARCH QUESTIONS

HCLS has undertaken this project, funded in part by the Government of Canada's Homelessness Partnering Strategy Program and Legal Aid Ontario, to address knowledge gaps and define service priorities for Indigenous people who experience homelessness in Halton. The shared knowledge that results will be used to foster strategic partnerships and create an action plan that can be funded through coordination between levels of government or departments within the same level of government. This is crucial, since there is a particular need to build community capacity and partnerships to meet the needs of Indigenous peoples in Halton.

Project funding has already been used to hire an Indigenous community worker to gather knowledge and carry out qualitative research. A project advisory committee was also formed, consisting of Indigenous service providers from Peel and Hamilton, non-Indigenous service providers from Halton, and Indigenous people with lived experience of homelessness. A project statement of principles was developed to guide the project and to ensure intercultural safety.

The project seeks to answer the following questions:

1 What is the community profile of Indigenous peoples who are at risk of homelessness or are homeless in Halton?

2 What is the experience of Indigenous peoples who are at risk of homelessness or are homeless in Halton?

3 Are there particular elements, issues, types of trauma or other factors that create homelessness in the Indigenous population?

4 What are their movement and mobility patterns in seeking supports for housing stability? Where do they go for help?

5 What are the relationships between Indigenous peoples and the agencies, services and individuals that give them support and/or shelter?

6 What services, processes, approaches and changes would benefit their lives by reducing or preventing homelessness?

The project will proceed in three stages, using a range of methodologies. Stage 1 includes the completion of an environmental scan and literature review. This will be followed by qualitative research including interviews, focus groups and listening circles in Stage 2, leading to the development of a community action plan in Stage 3.

ENVIRONMENTAL SCAN

The population of Halton Regional Municipality

Halton Region is located on Lake Ontario between the Region of Peel and City of Hamilton. It is composed of four municipalities: Oakville, Burlington, Milton and Halton Hills. The region is 967 square km in size and is both rural and urban. The population in Halton in 2016 was 548,435, a 9.3% increase from 2011.

Population growth rates in Oakville, Burlington and Halton Hills between 2011 and 2016 were relatively similar, at 3.6%, 6.2% and 4.3%, respectively. The growth rate in Milton was significantly higher at 30.5%—one of the highest in Canada.[3]

Aboriginal identity population in Halton Regional Municipality[4]

According to the federal census count, the Aboriginal population in Halton increased substantially in all four areas of the region between 2011 and 2016: by 22.0% in Oakville, 31.4% in Burlington and 28.1% in Halton Hills. Milton had the smallest Aboriginal population in 2011, but it almost doubled by 2016 (a 91.7% increase), surpassing Halton Hills. Overall, Halton Region's Aboriginal population increased by 35.8%, or 1440

people.

The greatest concentration is in Burlington, which by the census counts had 37.7% of the region's Aboriginal people in 2011 and 36.2% in 2016. As might be expected, the Aboriginal population is younger than the general population. In each region, the percentage of Aboriginal people aged 15 to 24 is higher than the equivalent percentage of the non-Aboriginal population.

The average age of the Aboriginal population in Milton is the lowest among the four regions of Halton. Milton also has the fastest-growing Aboriginal population. The highest percentage of Aboriginal people aged 15–24 is in Halton Hills.

Income

Between 2011 and 2016, Halton Region's household income rose by 4.2% to $103,009 and ranked first among the 49 census divisions in Ontario. The median household income was 39% and 46% higher than the provincial and national medians, respectively. Within Halton, Oakville had the highest median household income at $113,666.[6]

The proportion of households with earnings over $100,000 in 2016 was 52%, while household incomes under $40,000 decreased from 17% in 2011 to 14% in 2016. Halton has a low proportion of low-income persons at 8.2%, based on Statistics Canada's low-income measure after tax (LIM-AT).[7]

Figure 1: Population Indicating Aboriginal Identity Living in Private Dwellings

Halton Municipalities	2011 Number	2011 Percent	2016 Number	2016 Percent	% Change 2011 to 2016*
Oakville	1160	28.9%	1415	25.9%	+ 22.0%
Burlington	1515	37.7%	1970	36.2%	+ 31.4%
Milton	545	13.6%	1045	19.1%	+ 91.7%
Halton Hills	800	19.8%	1025	18.8%	+ 28.1%
Regional Total	4020	100.0%	5460**	100.0%	+ 35.8%

* 2016-2011 ÷ 2011
** The total does not add to the sum of the four separate municipalities due to rounding by Statistics Canada.

Figure 2: Aboriginal Identity Population by Age[5]

	Aboriginal population		Non-Aboriginal population	
	Number aged 15–24 as a percent of the total Aboriginal population	Average age of the total Aboriginal population	Number aged 15–24 as a percent of the total non-Aboriginal population	Average age of the total non-Aboriginal population
Oakville	17.7%	33.2	14.2%	39.3
Burlington	16.0%	34.6	11.5%	41.7
Milton	15.3%	28.6	10.4%	34.1
Halton Hills	26.3%	33.0	13.8%	39.1

Housing

The Halton Region Comprehensive Housing Strategy Update 2014-2024 recognizes that residents should be able to remain in their community and has identified actions to provide coordinated services to residents who need support to obtain or maintain their housing. The Strategy Update also specifically recognizes the need to build community capacity and partnerships to meet needs.[8]

Rental housing

The number of tenant households in Halton in 2016 was 37,000. Almost one in five households lived in a rented dwelling.[9] Halton Region also produces an annual State of Housing Report.[10] The 2016 report identifies vacancy rates and rental housing costs to assess the health of the rental market. Halton's rental market vacancy rate in 2016 was the lowest for private rental units in the Greater Toronto Area (GTA) at 1.3%.[11] The average monthly rent of private townhouses and apartments in Halton in 2016 was the highest in the GTA:[12] $1,405 per month, 27% higher than the provincial average.[13]

The State of Housing Report acknowledged that in addition to purpose-built rental units, apartments and townhouse units, renter households likely occupy single and semi-detached units including secondary suites, townhouses, condominium rental apartments and other rental arrangements.[14] It further recognized that a continuum of community housing supports is needed to meet the needs of residents across their stages of life and varying income levels.[15]

The 2016 report set the Assisted Income Threshold at $48,500 annually for Halton. Households with an income below this amount often require government assistance to meet their housing needs due to the lack of market supply of affordable units.[16]

Homelessness and precariousness

The Halton community recently participated in a process to develop a Community Safety and Well-Being Plan. In 2017, more than 500 participants were involved in this process. One of the five preliminary issues identified for prioritization was the need to coordinate efforts to reduce homelessness and pre-

vent eviction. As the plan notes,

> Homelessness can result from many challenges in life such as a mental health issue, job loss, family conflict, domestic violence or an illness. During a one-day point-in-time-count in 2016, it was identified that approximately 264 people in Halton were homeless, in addition to many others for whom housing was precarious, couch surfing or facing other circumstances that place them at-risk of becoming homeless or being evicted. A coordinated strategy to wrap services together with housing solutions can reduce the risk of homelessness in Halton.[17]

The 2016 federal Point-in-Time Count Initiative in Halton was conducted on April 5 by 12 volunteer teams from 25 community agencies across Halton. Surveys were conducted among 12 informal groups in the community, and in emergency shelters and transitional housing.[18] Of the 264 individuals or heads of households in the general population who were identified, 229 participated in the survey. Of the surveyed participants, 59 (26%) were in a shelter, 116 (51%) were in transitional housing, 21 (9%) were in public or unsheltered locations, and 33 (14%) were in locations not disclosed.[19] The reasons for housing loss identified were: family conflict (63 or 27.5%), fleeing domestic violence (24 or 10.5%), illness or medical condition (56 or 24.5 %), job loss (23 or 10.0%), unsafe housing conditions (25 or 10.9%), housing affordability (58 or 25.3%), and other (39 or 17.0%).[20]

Halton Community Legal Services has developed a comprehensive screening tool, the legal health check-up (LHC), as an outreach tool for its services.[21] Between October 2014 and December 20, 2017, 725 individuals filled out the check-up. A section of the check-up relays the housing experience of respondents and highlights the housing precariousness experienced by individuals and households in Halton. For example,

- 41% of respondents reported living in a rental unit, while 10% were living with family or friends.
- Others were in shelters, couch surfing, renting rooms, in hospital, in shared accommodation or living in rooming houses.
- 13.2% were behind in their rent.
- 60 (8.2%) were being threatened with eviction and 69 (9.5%) had been given eviction papers.
- 15.3% were on the waiting list for subsidized housing.

- 177 reported late payment of rent for their unit in the last year; 70 respondents reported more than four late payments in the last year.
- 21% were behind with utility bills.[22]

Respondents who lived in rental units also reported problems such as outstanding repairs (12%), infestations (13%) and other unsafe conditions (7.1%). Comments from respondents further identified unsafe conditions such as mould, flooding, water leaks, windows and doors that could not be secured, problems with stairs and railings with increased risk for falls, and electrical and plumbing problems.[23]

The last question in the check-up's housing section invites respondents to report anything else about housing issues. The comments provided illustrate the difficulty that low-income tenants face in finding affordable housing, emphasizing that social assistance does not cover their high rent and other needs such as moving expenses, bills and groceries.[24]

In 2017, HCLS provided legal services related to housing issues in almost 800 cases, of which 256 were eviction cases. The issues in the housing cases are consistent with those identified in the LHC data. In addition to providing legal services, intake and case workers make referrals to community resources and services. Frequent referrals are made to the Halton Housing Help and the region's Housing Stability Fund. These services proactively meet the needs of vulnerable Halton residents. In 2016, the Housing Stability Fund assisted 487 residents to help secure permanent housing, 201 to avoid eviction, 154 to avoid utility disconnection, and 373 with moving and storage costs.[25]

Indigenous homelessness and precariousness

The legal health check-up offers respondents an opportunity to self-identify their Aboriginal heritage. However, no respondent self-identified as Aboriginal.

The Point-in-Time (PIT) Count identified a population of First Nations and Métis individuals living precariously, as well as some households that had difficulty self-identifying their possible Indigenous heritage. The First Nations and Métis respondents were over-represented in the count compared with their percentage of the Halton population.

The proportion of First Nations people in the PIT Count (3.93%) is 7.08 times as large as the proportion identifying as First Nations persons in the 2016 census (0.555%). The proportion of Métis people in the PIT count (1.3%) is 34.7 times as large as the proportion in the census (0.0375%). No Inuit were counted among the homeless population in the PIT Count.

Methodologically, the PIT Count does not yield statistically significant results; Statistics Canada cautions about the reliability of small counts in the census. However, the numbers do strongly indicate that the proportion of First Nations and Métis people among all people living precariously in the Halton area is many times larger than the proportion of the same groups in the general population. The proportion of Inuit people may also be similarly larger, but since no Inuit were identified in the PIT Count, nothing can be said from the data.

Figure 3: Comparison of Aboriginal Data from the Point-in-Time Count for Halton and the Aboriginal Identity Data for the Halton Census Division from the 2016 Census[26]

2016 Point-in-Time Count Aboriginal Data			2016 Census of Canada Aboriginal Identity Data		
Aboriginal Identity	Number	Percent	Aboriginal Identity	Number	Percent
First Nations	9	3.93%	First Nations	3005	0.5555%
Inuit	0	0.00%	Inuk	90	0.0166%
Métis	3	1.31%	Métis	2030	0.3752%
			Multiple Aboriginal responses	130	0.0240%
			Aboriginal responses not elsewhere included	200	0.0370%
Non-Status; but have Aboriginal Identity	4	1.75%			
Don't know	22	9.61%			
Declined	0	0.00%			
Unclear	1	0.44%			
Not Aboriginal	190	82.97%	Not Aboriginal	535520	98.99%
Total	229	100.0%	Total	540975	100.0%

Limitations of the data due to self-identification barriers

Local data on self-identification of Indigenous people accessing housing-related services is extremely limited, but should change over time. Initiatives are under way in the community to build capacity to collect data. For example, one strategic priority of the Mississauga Halton Local Health Integration Network is to "expand socio-demographic data collection and review to build the capacity of providers to assess and evaluate the impact of a person's social determinants of health."[27]

In a recent speech at a community conference organized by HCLS and the Halton Poverty Roundtable, Renu Mandhane, Chief Commissioner of the Ontario Human Rights Commission, addressed the importance of collecting human rights data. She urged attendees to collect and report data on the programs and services provided in Halton, and to disaggregate that data by the groups known to disproportionately experience poverty—including First Nations, Inuit and Métis people.[28] Mandhane also indicated that the province has embraced data collection as a vital tool in its Anti-Racism Strategic Plan. Recently passed legislation like the Anti-Racism Act, 2017, enables the government to require organizations to collect race-based data. The Commission is now urging the government to pass regulations requiring public sector organizations, including those involved in health care, corrections, law enforcement, education and child welfare organizations, to collect and analyze race-based data, and report it publicly.[29]

Based on existing data, at least 5,000 Aboriginal people are in Halton, and the population is growing rapidly. Given the limited census methodology (i.e., sampling only people in private dwellings), there is good reason to believe that this number is larger and that the hidden segment of the Aboriginal population experiences the greatest and most acute need.

Census data, covering persons living in private dwellings where they usually reside, are valuable but limited for a service that focuses on disadvantaged people because many of those living precariously are almost certainly excluded. The general Aboriginal population needs some services, but the need is more acute for the "precariat". The obvious need from a research perspective is to gather original data that address the characteristics and needs of the Aboriginal precariat: home-less or near homeless people with associated problems related to accessing health services, benefits and entitlements, protection from discrimination, etc.

The need for local data is important to avoid stereotyping, homogenizing or pathologizing the Indigenous population. Too little is known about Halton's rapidly growing Indigenous community and its needs, except that needs are great.

Indigenous people may be reluctant to self-identify due to discrimination, lack of access to culturally responsive services, confusion over definitions, uncertainty over the standard of proof of Indigeneity and specific government policies that have eroded Indigenous identity over time.

Ancestry

In addition to addressing Aboriginal identity, the federal census covers Aboriginal ancestry. The graph below compares the number of people in Halton claiming to have an Aboriginal ancestry with the number identifying as Aboriginal.

Figure 4: Aboriginal Ancestry and Aboriginal Identity in Halton[30]
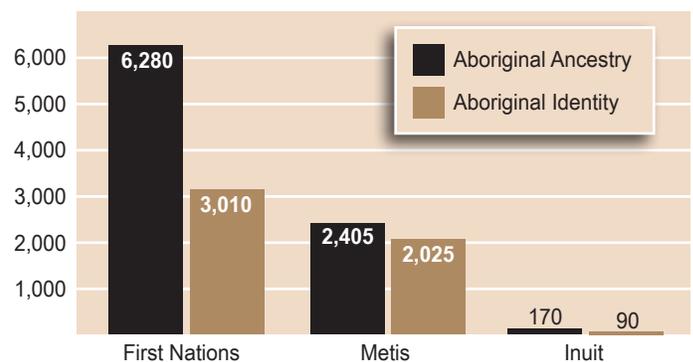
At the columns at left, 6280 people claimed First Nations ancestry, while only 3010 people—47.9% of them—identified as First Nations people.

The middle two columns show that the apparent erosion of identity is far less for Métis people in Halton. Of the 2405 people claiming Métis ancestry, 2025—84.2%—said they identified as Métis. At right, 170 people claimed Inuit ancestry, while 90 individuals—52.9% of them—identified as Inuit.

It is assumed that the lower the proportion of people indicating identity of those claiming ancestry, the greater erosion of ethnic identity. Thus, Métis people appear to experience the least amount of identity erosion followed by Inuit, while First Nations people show the greatest degree of identity erosion.

Government laws and policies

Prior to Confederation, laws were created to regulate and control what it meant to be an Indigenous person and, moreover, to assimilate Indigenous people. "Registered Indian" or "Status Indian" still refers to a legal identity given to individuals who meet a set of criteria to be registered with the Canadian government under the Indian Act and its predecessor legislation, the Gradual Civilization Act and the Gradual Enfranchisement Act. Inuit and Métis people do not qualify for registration. Conversely, section 35 of the Constitution Act recognizes and affirms the existing Aboriginal and treaty rights of the First Nation, Inuit, and Métis peoples.[31] Not surprisingly, numerous court cases have concerned the characterization of Indigenous identity and rights.[32]

For Métis people, R. v. Powley is one of the most important Supreme Court of Canada decisions on Métis rights and the question of who is a Métis person entitled to those rights. In 2003, a unanimous Supreme Court affirmed the existence of Métis rights and laid out a 10-part test to determine whether a person can exercise them.[33] Building on the rights affirmed in Powley, the Supreme Court's 2016 decision in Daniels v. Canada determined that Métis and non-status Indigenous people are considered "Indians" under federal jurisdiction through section 91(24) of the Constitution Act.[34] The significance of this decision has not been an obligatory extension of benefits to Métis and non-status Indigenous people from the federal government, but rather it clarifies that jurisdiction lies with the federal government. The case did not define a test of who qualifies as Indigenous, but did hold that determining whether particular individuals or communities are Non-Status Indian or Métis is a fact-driven question to be decided case by case.[35]

The impact of other government policies that have led to low rates of self-identification, loss of culture and erasure was discussed in Brown v. Canada (Attorney General), a 2017 decision on the Sixties Scoop class action lawsuit in Ontario:

> There is also no dispute about the fact that great harm was done. The "scooped" children lost contact with their families. They lost their aboriginal language, culture and identity. Neither the children nor their foster or adoptive parents were given information about the children's aboriginal heritage or about the various educational and other benefits that they were entitled to receive. The removed children vanished "with scarcely a trace." As a former Chief of the Chippewas Nawash put it: "[i]t was a tragedy. They just disappeared."

> The issue is not what was known in the 1960's about the harm of trans-racial adoption or the risk of abuse in the foster home. The issue is what was known in the 1960's about the existential importance to the First Nations peoples of protecting and preserving their distinctive cultures and traditions, including their concept of the extended family. There can be no doubt that this was well understood by Canada at the time. For example, focusing on adoption alone, Canada knew or should have known that the adoption of aboriginal children by non-aboriginal parents constituted "a serious intrusion into the Indian family relationship" that could "obliterate the [Indian] family and…destroy [Indian] status."[36]

One of the clearest statements of the negative impact of government policy can be found in the opening paragraph of the Summary of the Final Report of the Truth and Reconciliation Commission:

> For over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada. The establishment and operation of residential schools were a central element of this policy, which can best be described as "cultural genocide."[37]

Discrimination

In December 2017, the Ontario Human Rights Commission published the results of a public opinion survey to "gauge and give voice to people's attitudes – both positive and negative – about human rights in Ontario." Discrimination on the basis of race, Indigenous ancestry and poverty were of particular concern. The results are startling: 70% of Indigenous respondents reported they experienced some form of discrimination in the past five years; and 21% said that it was because of their ancestry, ethnic origin or culture. Indigenous respondents were somewhat more likely to report discrimination because of disability, low employment income, and receiving social assistance.[38]

The survey also addressed attitudes towards Indigenous people. 57% of respondents said they feel at least somewhat positive towards Indigenous people. However, 49% held that Indigenous people receive too many government benefits.

It was reported that this view is likely based on stereotypes about Indigenous people. Only 34% of respondents said they were familiar at least to some extent with the impact of colonialism on Indigenous people, and 35% were familiar at least to some extent with Indigenous or Aboriginal rights.[39] Awareness of Indigenous or Aboriginal rights and the impact of colonialism were higher amongst Indigenous respondents, 57% and 46% respectively.[40]

Attitudes in Halton

On October 19, 2017, HCLS launched the "I Am Affected" campaign to initiate conversation and provoke thought about the Indian residential school system, its legacies, and the process of reconciliation in Halton. A series of posters and banners released at the launch event depicted seven different images: of racism, discrimination, missing and murdered Indigenous women, residential schools, intergenerational trauma, and the Sixties Scoop. The posters are intended to build community understanding of the ongoing effects of residential schools and the resulting trauma that persists across generations.

In completed evaluation/feedback forms, many respondents indicated they had a significant lack of awareness of residential schools and their legacy prior to the launch. Post-event, respondents almost unanimously indicated their knowledge had increased. As a result, people wanted to engage, learn more about and take part in reconciliation. This is exemplified by comments such as "How can I incorporate the information/emotional experience into my classroom to ensure I help/commit myself to the truth and open up the path to reconciliation?" and "How can non-Indigenous people help redress the wrongs that have been done?".

For participating Indigenous people, an additional goal of the campaign was to spread the message that "we're still here". With no reserve and no residential school in Halton, many of those in the dominant culture are unaware of how the impacts of colonialism are experienced in their community. The Indigenous population is hidden, and historically Oakville has not proven itself to be a welcoming and safe community, which makes it difficult for people to self-identify their Indigeneity.

One participant said it was the first time that she had publicly shared her experience of racism and lack of knowledge of her ethnic origin in her home community:

I grew up in Oakville with no identity but instead a deep sense of shame. Shame because I didn't know who I was and shame because others around me made me feel that way when I disclosed I was Ojibway. I know a lot more now and no longer feel the shame. My goal is to raise my daughter and soon-to-be twin sons with the pride, strength and sense of self that I didn't have until adulthood. I want them to feel safe living in Halton. I want their voices heard and spaces made where they feel welcome and loved.[41]

The importance of reconciliation, awareness and education were emphasized throughout the launch event, and the messages will spread. 99% of respondents in the feedback forms agreed or strongly agreed that they will share the knowledge they learned with others in the community. One individual stated, "I want to learn more about the TRC Calls to Action—how to carry the vibration of this space into other places that so badly need it".[42] This comment is reflective of many similar statements received.

Culturally responsive services

The 2016 Comprehensive Housing Strategy (CHS) Report Card acknowledged the need for outreach to local Indigenous people in Halton "to ensure that Halton benefits from go-forward dedicated Indigenous funding for housing made available by the province."[43] Unlike in other nearby urban areas such as Hamilton, Toronto and Brantford, no Indigenous organizations or agencies are located in Halton. There is no Native Friendship Centre, Indigenous health organization, Native Women's Centre or any independent, Indigenous-led social service or community service organization.

Social service agencies in Halton, including those represented on the project advisory committee, recognized the need for culturally responsive services. One example is the Reach Out Centre for Kids (ROCK), the regional children's mental health service. ROCK has been funded for an Indigenous community outreach worker. Under the direct supervision of Simcoe County's Enaahtig Aboriginal Community Mental Health Program coordinator and the overall supervision of its executive director, and in partnership with ROCK, the Indigenous community worker will play a significant role in establishing

a deeper understanding of the mental wellness needs of Indigenous families, youth and children in Halton.[44]

Data collected from six focus groups conducted at the Housing Summit in Burlington on October 13, 2016, in which 50 regional housing service providers participated, recognized "gaps in providing housing that is culturally appropriate for newcomers, addresses the needs of youth, seniors and multi-generational families, and for individuals with health and ability needs."[45] But for First Nations, Inuit and Métis people, the gap in culturally responsive housing services has not been recognized in Halton.

The next section discusses the importance of culturally relevant housing services for Indigenous people. Before service gaps can be explored with service providers, knowledge of the problems within the Indigenous community rooted in the legacy of colonialism, intergenerational trauma, barriers to identification and best practices regarding cultural competency and safety and capacity is needed.

Building a more caring society

The Truth and Reconciliation Commission, recognizing the legacy of inequality, stated that reconciliation must create a more equitable and inclusive society by closing the gaps in social, health and economic outcomes between Aboriginal and non-Aboriginal Canadians. This requires constructive action to address the ongoing legacies of colonialism that have harmed Aboriginal people's education, culture, language, health, child welfare, administration of justice, economic opportunities and prosperity, it said.[46]

The Ontario government has recently committed $250 mil-lion over the next three years to work with Indigenous partners to address this legacy, close gaps in services and remove service barriers.[47] The federal government and First Nations, Inuit and Métis partners are co-developing distinctions-based housing strategies; such strategies must be founded in the values of self-determination, reconciliation, respect and cooperation. A place to call home, Canada's National Housing Strategy, further recognizes that housing rights are human rights and that progressive implementation of every Canadian's right to access adequate housing is needed.[48]

The Canadian Human Rights Tribunal decision in the Caring Society case is instructive regarding building a rights-based policy for funding and providing culturally appropriate services for Indigenous people in Halton Region.[49] The decision is clear that services and funding should not be based on unrealistic assumptions about need and population size. At the same time, this decision should not be understood as requiring proof of the specific level of need before funding or services are provided. Based on the 2016 census data, many Indigenous people make Halton Region their home; the actual population is likely higher than the census found.

Taking steps to develop culturally responsive housing for Indigenous people in Halton will reduce service providers' and funders' exposure to human rights complaints. More important, it will not only decrease existing discrimination in providing and funding important social services, but go a long way to address the legacy of inequality faced by Indigenous people. Service providers and funders have a unique opportunity to engage the Indigenous population to create, implement and improve culturally appropriate services across Halton. To quote the Tribunal in Caring Society: "This is the season for change. The time is now."[50]

LITERATURE REVIEW

This section reviews the literature from Canada, Australia and New Zealand on Indigenous homelessness to identify challenges and best practices for Halton. In particular, it discusses (1) the definition of Indigenous homelessness, (2) some unique characteristics of Indigenous homelessness, and (3) the limitations to existing service programs and supports for adequately housed Indigenous people.

The Definition of Indigenous Homelessness

According to the Canadian Observatory on Homelessness, homeless is broadly defined to include:

> …a range of housing and shelter circumstances, with people being without any shelter at one end, and being insecurely housed at the other. That is, homelessness encompasses a range of physical living situations, organized here in a typology that includes 1) Unsheltered, or absolutely homeless and living on the streets in places not intended for human habitation; 2) Emergency Sheltered, including those staying in overnight shelters for people who are homeless, as well as shelters for those impacted or lacks security of tenure; 3) Provisionally Accommodated, referring to those whose accommodation is temporary or lacks security of tenure, and finally, 4) At Risk of Homelessness, referring to people who are not homeless, but whose current economic and/or housing situation is precarious or does not meet public health and safety standards. It should be noted that for many people homelessness is not a static state but rather a fluid experience, where one's shelter circumstances and options may shift and change quite dramatically and with frequency.[51]

Jesse A. Thistle has developed the following definition of Indigenous homelessness in consultation with scholars, community members, knowledge keepers and elders:

> Indigenous homelessness is a human condition that describes First Nations, Métis and Inuit individuals, families or communities lacking stable, permanent, appropriate housing, or the immediate prospect, means or ability to acquire such, housing. Unlike the common colonialist definition of homelessness, Indigenous homelessness is not defined as lacking a structure of habitation; rather, it is more fully described and understood through a composite lens of Indigenous worldviews. These include: individuals, families and communities isolated from their relationships to land, water, place, family, kin, each other, animals, cultures, languages and identities. Importantly, Indigenous people experiencing these kinds of homelessness cannot culturally, spiritually, emotionally or physically reconnect with their Indigeneity or lost relationships.[52]

It is necessary to combine these definitions to properly understand the ways in which the Indigenous community experiences homelessness, both in the local (colonial) context of high rents and a shortage of affordable housing, and in the broader (Indigenous) context of community and connectedness. Together, these definitions capture the complex relationship between land, housing and homelessness as a culturally understood experience—taking into account related factors such as displacement into reserve land, the history of the Canadian Indian residential school system and the Sixties Scoop.[53] A distinct response to Indigenous homelessness is required if lasting solutions are to be achieved. Responses must address not only the physical structure of a home, but an Indigenous people's need to reconnect culturally, spiritually, emotionally and physically with their self, family and community.

Pathways to homelessness

Research suggests that there is no single pathway to homelessness or a well-defined set of characteristics of Indigenous people who experience homelessness, or who are at risk of becoming homeless. Some studies on Indigenous homelessness have identified factors such as violence in the home, discrimination by landlords, lack of affordable housing,[54] and lack of addiction treatment programs.[55] But as the Saskatoon Indian and Métis Friendship Centre (SIMFC) observes, "there are as many reasons for homelessness as there are homeless individuals."[56]

What is clear from the literature is that Indigenous people who are homeless, or who are at risk of being homeless, have certain unique characteristics that must be recognized and understood. We discuss each of these in turn.

❶ Intergenerational trauma

Intergenerational trauma may contribute to individual experiences of homelessness for Indigenous individuals:

> For Indigenous people experiencing homelessness, this collective narrative of trauma intertwines with individual experiences of homelessness … Their personal narratives cannot be extricated from the context of colonialism or from the broader story of Indigenous settlement.[57]

Government policies that have historically governed the lives of Indigenous people in Canada have caused unresolved trauma by disrupting and separating families and creating detachment from the community.[58] This trauma includes situations in which Indigenous people were forced to live on reserve, treaties were broken, children were removed from their homes and Indian Act policies put an entire population at a higher risk of becoming homeless.[59] For example, in numerous studies, a family history of residential school attendance is considered a major reason for contemporary homelessness.[60]

❷ Mobility

Indigenous homelessness is often a fluid experience, with individuals filtering through various options like staying with friends or family, sleeping at a shelter, or taking to the land and sleeping at campsites, parks or on the street.[61] More broadly, it is estimated that approximately 45 % of Indigenous people in Canada have migrated to cities.[62]

This movement does not evidence a desire to abandon one's culture,[63] but coincides with cutbacks to social housing and other related programs.[64] Julia Christensen describes this process as "circular migration" in which those who leave their community for a particular reason—such as domestic violence, following their apprehended children, or seeking a better neighborhood for their children[65]—find that housing in urban centres is lacking and end up returning to their community, where they face the same issues and leave again.[66] Data on mobility patterns supports this pattern, showing that Indigenous people "move from their home communities to the city and then back and forth between urban centres and smaller communities."[67]

Understanding these patterns of mobility is essential to understanding the nature of homelessness for Indigenous people. As Paul Memmott and Daphne Nash note,

> People maintain active social relations with extended family and kin … and can call on them for accommodation and other resources. These and related behaviour patterns can increase the risk of homelessness for those who are requesting resources and for the wider household.[68]

For example, a high degree of mobility can influence when and what services these individuals access. A study by the SIMFC suggests that while homeless Indigenous individuals do seek assistance, they do not always seek out the agencies and service providers that might provide valuable help. The research team determined that increasing awareness of services to homeless individuals may be worthwhile, specifically an awareness of housing organizations by those needing housing the most.[69]

❸ Gender and social tension

Gender and social tension are key factors to understanding how Indigenous peoples experience homelessness.[70] For example, the SIMFC study reported that women never slept on the streets during winter, instead staying with family or friends. It was more common for men to sleep on the streets, in ATM booths or in parks.[71] In both summer and winter, only

a minority of participants in the study accessed shelters, stating that they were charged a fee after one free night, were not allowed to consume drugs or alcohol, or felt they were treated poorly.[72] All participants reported tension regarding staying with friends and family because they knew they were putting stress on their host. Many would try to alleviate this stress by coming back only at night, or contributing to the household in some way.[73] Some felt a great deal of anxiety, as each day they had to find somewhere to stay at night, particularly in winter.[74] While the sample size was small (n = 44), this study does offer important insights.

4 Age

Indigenous youth experience homelessness, particularly in terms of lack of connection with their culture.[75] According to the 2013 Incidence Study of Reported Abuse and Neglect, Aboriginal children are 130% more likely to be investigated for child abuse and neglect than white children, and are 168% more likely to be taken into care. Children at risk are usually from poor families that struggle with a lack of affordable housing.[76]

In a study on the structural determinants of Indigenous youth homelessness, Cyndy Baskin notes that the Ontario Child and Family Services Act

> …is not inclusive of Aboriginal values, particularly around collective responsibilities for raising children, nor does it acknowledge the impacts of colonization or the inherent strengths of Aboriginal peoples and communities. It does not make clear distinctions between neglect and poverty nor does it include aspects of prevention which is crucial to the well-being of the future of our children and youth.[77]

Misinterpreting poverty as neglect has resulted in mass removal of children from Indigenous families and communities such that the Truth and Reconciliation Commission found that "Aboriginal children are still taken away from their parents because their parents are poor."[78]

In order to escape poverty, Indigenous youth often leave their families to complete high school, obtain higher education, find a job or access health care. This can lead to homelessness or more severe consequences.[79] For example, the Sheridan College Indigenous Student Support Centre at the Oakville Campus supports Indigenous students attending the college in Halton. Because of the lack of affordable housing in Oakville and Indigenous students' low income, many live in illegal basement apartments with two or three other students, making for possibly unsafe and overcrowded housing.[80] In Lethbridge, Alberta, bridges were built between a reserve and the city to support Indigenous youth's transition to urban life. But the youth were not prepared for different expectations in the city such as stricter guidelines for receiving income support, and landlords not allowing long-term guests based on leases, or no tolerance for multiple guests or overcrowding.[81]

Program services for Indigenous homelessness

Proper services and support for Indigenous people who are homeless, or at the risk of being homeless, is crucial. The literature, however, reveals 1) tension between Indigenous forms of knowing and customs and how services or programs are provided, and 2) that Indigenous people find it difficult to self-identify in order to be eligible and receive support.

1 Conflicts between Indigenous traditions, housing program designs and service providers

Indigenous ways of knowing conflict with housing program designs. For instance, interviews with Blackfoot people in Alberta revealed that residents often felt they needed to ignore "cultural traditions that involve community sharing and reciprocity if they are to maintain adequate housing".[82] Indigenous people can lose housing due to family or friends who are staying over and causing problems, being loud, or merely exceeding the housing authority's limit for the unit.

Similar issues exist for service provision. Blaming victims is a concern,[83] as are unrealistic expectations. For example, Jesse Thistle, a researcher who experienced homelessness for years, felt that the people who helped him most were the ones who just listened while he set goals for himself, not those who set unattainable goals and gave up on him when he did not achieve them.[84] The majority of shelter programs in Canada are for non-Indigenous people, and some shelter users find that shelters react negatively, or remain indifferent, to Indigenous expressions of culture.[85]

The literature suggests that Indigenous people desire to be treated as individuals who are experiencing homelessness

rather than being defined by it.[86] These people also desire a facility with all the needed services under one roof so that when they are ready to leave, they have everything they need to succeed on their own.[87] But when this is not the case, Indigenous people in urban centres turn to their own support networks, joining other Indigenous people (even if from other nations) to celebrate their common beliefs in Mother Earth. "Just being Native is enough sometimes."[88]

This is not to say that some good programs do not exist. For example, Na-Me-Res (the Native Men's Residence in Toronto) is a shelter that "ensures that Aboriginal people experiencing homelessness have access to a continuum of culturally appropriate supports that will assist them in securing stable, safe, and affordable housing while helping them to achieve their goals and aspirations".[89] Na-Me-Res provides programs to suit the varying needs of their clients. It has programs that assist with regaining culture, reconnecting with family, learning life skills and traditional teachings, and offers encouragement to continue education or obtain employment. It also has a nurse on site, and scheduled visits by a doctor and a psychologist.[90]

While the name indicates that the Na-Me-Res is for Indigenous men, it also allows non-Indigenous men to stay in the shelter.[91] Self-identification is not required for the Mino Kaanjigoowin program, which assists people with addictions and mental health problems.[92] The Sagatay program "offers Aboriginal men and youth safe, supportive housing and a culture-based learning environment to develop the skills they need to succeed as strong, confident, and self-sufficient men in the broader urban environment"[93]. In order to take part in Sagatay, the men applying must be Indigenous, though they do not need to be Status. Na-Me-Res does require proof of ancestry, but accepts an affidavit stating background.[94] This is done to ensure that Na-Me-Res serves Indigenous men, as the program's funding is specifically for Indigenous men. Between 2015 and 2016, the residence assisted 576 Indigenous men through outreach and mobile services, the men's residence, and the Mino Kaanjigoowin and Sagatay programs.[95]

Programs like those offered by Na-Me-Res, with a direct mandate to assist Indigenous people, have been shown to provide value to their clients and create important relationships and bonds. As one respondent stated in a study by Distasio and others, "I'd like to see more Aboriginal organizations and/

or persons providing advocacy services on behalf of other Aboriginals …I'd like to have more support from a Native worker to help me adjust to the city".[96] This sentiment has been echoed in other studies and shows the importance of not only providing Indigenous-centred programming, but recognizing that having Indigenous staff can reduce barriers and foster positive interaction.

2 Service eligibility and the difficulty of self-identification

Indigenous individuals often face the difficult task of self-identifying before being considered eligible for services or support. The typical self-identification process is as follows:

The Aboriginal Housing Support Centre in Scarborough assists Aboriginal individuals and families to obtain affordable housing, streaming people into Native or social housing.[97] In order to qualify for Native housing, self-identification is necessary, but it is difficult if the individual does not have a Status or Inuit card. Executive director Warren Canney explained that in order to qualify without one of these cards, applicants must fill out a form that details their parents, their family background and the nation they identify with. Their identity must be confirmed by affidavit; individuals cannot swear an affidavit as sole proof of ancestry.

Canney said that self-identification is the most difficult part of the process, as some people do not know where they came from or who their parents were. Those seeking access to services are responsible for proving their identity; they must uncover the details in order to satisfy a funder and service provider that they qualify for Native housing. Some clients become frustrated and give up. Others (such as those in prison) have the time to do the research and are able to do some digging. Still others, such as those who were adopted who have not been able to access their records, or those who do not know who their family is, face significant challenges.[98]

Some programs have recognized these difficulties, but outside the housing context. For instance, at Sheridan College self-identification is voluntary and confidential, and documentation proving Indigenous ancestry is not needed. However, documentation may be required to maintain eligibility for certain academic scholarships or bursaries.[99]

CONCLUSIONS AND LESSONS LEARNED

Based on the environmental scan and review of relevant literature, the following conclusions can be drawn:

1 Indigenous homelessness is a complex problem that will not be solved simply by providing a roof over people's heads. Broader issues such as community connectedness and Indigenous identity must be considered.

2 The Indigenous population in Halton is growing. High-level aggregate data about the situation of Indigenous people exists, and snapshot data on homelessness provides much-needed localized data. However, more Halton data are needed to understand the full complexity of problems facing Indigenous people. Better collection of local data is required to learn more about the needs and characteristics of this community. Also needed is development of shared definitions and processes for self-identification across social and community services, training for staff to build cultural competency and understanding of the legacies of colonialism, and training on practice regarding intergenerational trauma.

3 While legislation, the Truth and Reconciliation Commission's Calls to Action and court decisions have laid a broad foundation to deal with systemic factors disadvantaging Indigenous peoples, they alone are not sufficient. Community-level programing and integration of legal assistance with other services is necessary to address the complex, clustered and inter-related legal and non-legal problems experienced by Indigenous peoples.

4 The need to learn from the community and to improve services and supports is clear from numerous examples of housing policies and conditions of private leases that conflict with Indigenous culture and social arrangements, having the perverse effect of exacerbating homelessness among Indigenous people. This is consistent with the TRC's Call to Action 57, which addresses the need for professional development and training:

> We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.[100]

5 The policies and programs surveyed suggest that the best strategy to facilitate this learning likely involves partnering with Indigenous and other service agencies that are assisting Aboriginal people. An action-oriented strategy building on an active offer of service would build a presence, trust and credibility with the Indigenous community in Halton. The need to partner with Indigenous service agencies and community members is also evident from the fact that many Indigenous people are reluctant to self-identify and to seek assistance.

6 Indigenous community members must be involved in every stage of program delivery, design and evaluation. Such involvement will be critical in determining the criteria of eligibility to access services. It should also build trust between communities, which is vital to addressing homelessness within contemporary colonial geographies. This is consistent with Article 23 of Unit-

ed Nations Declaration on the Rights of Indigenous Peoples, which states

> Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in determining health, housing and other economic and social programs affecting them and, as far as possible, to administer such programs through their own institutions.[101]

7 Broad, expansive and inclusive access to holistic services that recognize the erosion of Indigenous identity due to colonial policies and laws would do more to address inequality and over-representation of Indigenous people amongst the homeless population than restrictive criteria that risk perpetuating historical patterns of disadvantage and exclusion.

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* Original documents including notes from conversations with service providers are on file with HCLS.

** All websites were accessed between December 30, 2017 and January 2, 2018.