



Don't Look the Other Way

Homelessness among Indigenous and Inuit Persons
Milton-Parc Area in Montréal

INVESTIGATION REPORT AND RECOMMENDATIONS

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OMBUDSMAN DE MONTRÉAL

MAY 2022



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LIST OF ACRONYMS AND ABBREVIATIONS

CAAM	Centre d'Amitié Autochtone de Montréal
CERP	Commission d'enquête sur les relations entre les Autochtones et certains services publics (Viens Commission)
CCOMTL	CIUSSS du Centre-Ouest-de-l'Île-de-Montréal
CCSMTL	CIUSSS du Centre-Sud-de-l'Île-de-Montréal
CIR	Crisis Intervention Response
CIUSSS	Centre intégré universitaire de santé et de services sociaux
CTA	Cities and Towns Act
ECCR	Équipe de concertation communautaire et de rapprochement
ÉMMIS	Équipe mobile de médiation et d'intervention sociale
MCRR	Montréal Charter of Rights and Responsibilities
MPA	Municipal Powers Act
NPO	Not-for-profit organization
OdM	Ombudsman de Montréal
PAQ	Projets Autochtones du Québec
PAQ2	Second shelter of Projets Autochtones du Québec
PDQ	Poste de quartier
PRISM	Projet de réaffiliation en itinérance et en santé mentale
RSSS	Réseau de la santé et des services sociaux
SDIS	Service de la diversité et de l'inclusion sociale
SPVM	Service de police de la Ville de Montréal
SUM	Service de l'urbanisme et de la mobilité

SUMMARY

- This report stems from an initiative taken by a citizens' group that was justifiably exasperated. It also addresses, above all, a humanitarian crisis at the very heart of our city – real, homeless people suffering intolerable human distress.
- The Ombudsman de Montréal issues five recommendations to the concerned Ville de Montréal entities. (Section 6 of the report)
- Faced with uneven involvement on the part of some partners in the health and social services sector, the Ombudsman conveys its concerns to the *Protecteur du citoyen*, which will investigate them.

INTRODUCTION

1. Some residents of a central Montréal neighbourhood, where a community of homeless people of Indigenous ancestry coexists, tell us of the insecurity in which they live. They deplore the deterioration, insalubriousness and dangerousness of the neighbourhood that afflicts them personally and, of course, affects the homeless. They complain that competent authorities have failed to take charge these problems.
2. The purpose of this investigation is not only to ascertain the legitimacy of the complainants' grievances and, where appropriate, to suggest remedies, but also to examine the broader issue of Ville de Montréal's responsibilities with respect to homeless Indigenous and Inuit people concerned.
3. Homelessness, it must be said, is a real and known problem, but we quickly realized that the situation that was brought to our attention is critical. Accordingly, from the very start, the Ombudsman turns to external partners in addition to those of the City. She questions chief executive officers of the *Centres intégrés universitaires de santé et de services sociaux du Centre-Sud-de-l'Île-de-Montréal (CCSMTL) et du Centre-Ouest-de-l'Île-de-Montréal (CCOMTL)*. The CCSMTL immediately accepts the Ombudsman's proposal to set up a Crisis Unit, and even proposes to coordinate it in order to gather decision-makers around the same table and to come up with solutions. Decision-makers from various services of Ville de Montréal, the Plateau-Mont-Royal borough, CIUSSS's, Indigenous and community organizations and provincial and federal governments join forces. It's time for fast and coordinated action.
4. **Clearly, the issue of homelessness calls for a comprehensive approach and requires work in tandem with, among others, municipal authorities, community organizations and health and social services network (RSSS).**



These stakeholders, however, operate within state or community structures that can be difficult to reconcile, resulting in an accountability vacuum (everyone passes the buck). It is absolutely imperative to learn to improve coordination.

5. Indeed, this is an essential aspect rightly noted by the Quebec government on page 14 of the *Plan d'action interministériel en itinérance 2021-2026, S'allier devant l'itinérance*:

[TRANSLATION]

All the problems experienced by homeless persons must be decompartmentalized in order to grasp the full extent of their complexity. It is necessary to learn to cooperate to eliminate silos in every area of intervention. Operating in a silo adds a layer of complexity to the problems experienced, which is not only counter-productive but also contrary to the principles of primacy of the human person and to the adaptability of care and services [...]

From a government perspective, this vision is achieved by offering services consistent with the needs of the homeless individual and based on expertise.

6. We took these fundamental principles into consideration and had, among other things, extensive communications with members of the collective that launched the complaint, as well as with the key players involved in combatting homelessness in Ville de Montréal and externally so that we may first understand this multiple-faceted phenomenon.
7. Although we witnessed first-hand the dynamics, actions and omissions of various partners and the difficulties derived from them, we've had to limit our intervention and conclusions in this file in accordance with the scope of the powers of the City in the matter, as well as with the limits of our own jurisdiction and mandate.
8. Accordingly, our investigation was based on three interdependent elements that emerged from it and are linked to homelessness:
1. Safety
 2. Emergency and second-stage shelter, and housing
 3. Social coexistence and support
9. We followed the same methodology for each of these components:
- Understanding the subject of the complaint and noting the current situation;
 - Determining the City's responsibilities;



- Identifying the immediate steps taken or to be taken by the City and assessing their effectiveness;
 - Examining the responsibilities of the partners working with the City;
 - Weighing the required actions within the City's purview in order to fulfil fully its commitments and obligations;
 - Looking for solutions and, where appropriate, issuing recommendations.
10. Following this investigation, the Ombudsman de Montréal issued five recommendations to the concerned City entities and forwarded some questions to the *Protecteur du citoyen du Québec*, which accepted to take up the matter.
11. **We hope this initiative, whose progression and outcome you will find below, shines a clear, but also human, spotlight on Indigenous and, more specifically, Inuit homelessness in the Milton-Parc sector of Montréal. Above all, we would like it to spark the hope needed to move things forward, because they simply must.**

1. CONTEXT

1.1. Complaint

12. A group of citizens residing near the corner of rue Milton and avenue du Parc requests our intervention regarding the climate of insecurity of the area and the living conditions of homeless people who frequent it. They also have questions on the role played by Open Door, an organization that settled in the area in 2019.
13. Their complaint calls the situation a crisis, due to the severity of safety problems, insalubriousness and violence. They attest to physical and sexual attacks, prostitution, drug consumption and to the exploitation of homeless persons by drug dealers and pimps who move into the neighbourhood.
14. The plaintiffs also note instances of rudeness, the presence of waste, broken glass, syringes and other items on neighbourhood streets and alleyways, and occasionally on private property.
15. Dozens of people would occupy sidewalks on avenue du Parc near rue Milton. This is deemed a dangerous situation due to the proximity of vehicular traffic. In fact, there have been collisions.
16. The citizens, moreover, have a feeling of insecurity as they go about the area. Children would take detours to go to school. There would be altercations with drivers and pedestrians after intoxicated persons blocked thoroughfares or sidewalks. There are shouts, fights and interventions by emergency services on a daily basis.



17. Patronage of nearby businesses would be declining.
18. Despite their complaints and interventions by the borough, the citizens have the impression that the situation is getting worse. They say they have the feeling of not being heard and even sometimes of being judged in their interactions with the borough.
19. They say that the premises occupied by Open Door would be inappropriate: the basement of the Notre-Dame-de-la-Salette church would have no windows or adjoining land. They would like the organization to move to a more appropriate building, with support from the City or the borough.
20. The citizens question the current intervention approach. They believe that adopting an approach aiming at ending chronic homelessness would be preferable. They suggest extending the coverage by stakeholders with expertise in the field and increasing the rental and emergency shelter offering for Indigenous people.
21. They cite the rights provided under the *Montréal Charter of Rights and Responsibilities (MCRR)*.

1.2. Purpose of our investigation

22. We have deliberately chosen not to restrict our investigation to a simple question of “nuisance” in the public domain, as the complaint’s initial wording might have tempted us to do.
23. Instead, we approached this investigation with a view to understanding the issues at stake.
24. The purpose of this investigation, therefore, is:
 - to examine the facts put forward by the plaintiff group and the merits of its requests on the one hand; and
 - on the other hand, to search for comprehensive solutions, where appropriate, that take into account the root causes of homelessness as well as the needs and rights of Indigenous people who suffer from it in Milton-Parc.

1.3. Process and stakeholders in this file

25. In some respects, the investigation process used in this file is somewhat unusual for our office in the sense that our counterparts are numerous and, of course, belong to the Ville de Montréal, but are also in large part outside of it.
26. This is therefore a cross-sectional investigation, in the course of which we gathered the viewpoint of the plaintiffs and of City entities concerned listed below,



- but also for which we conducted telephone interviews and meetings (in virtual mode and in-person) with various outside stakeholders listed below.
27. We conducted not only relevant legal and legislative research, but also multidisciplinary research and literary reviews essential to the understanding of the myriad interconnected issues raised in this file (investigation reports, studies and homelessness action plans).
 28. The Ombudsman attended Crisis Unit sessions as an observer.
 29. We have visited the area on several occasions, notably in the presence of the representative of the plaintiffs during one visit.

1.3.1. Stakeholders at Ville de Montréal

30. Our investigation begins at the Plateau-Mont-Royal borough. We intervene with the *Direction de l'arrondissement* and the *Direction de la culture, des sports, des loisirs et du développement social* in charge of the homelessness file. We contact the borough mayor.
31. We meet with the City's *Commissioner of Indigenous relations* and with her acting successor, who is researching solutions with partners on a continuous basis.
32. We consult the *Commissioner for people experiencing homelessness*.
33. The *Service de la diversité et de l'inclusion sociale* is also contacted and becomes our main counterpart.
34. We obtain the cooperation of the *Chef du poste de quartier 38*.
35. The *Direction général adjointe - Qualité de vie* of Ville de Montréal is also solicited.
36. These individuals are all participants in the Crisis Unit.
37. We also contact the Ville-Marie borough.

1.3.2. External stakeholders

38. The Ombudsman calls on the two *Centres intégrés universitaires de santé et de services sociaux (CIUSSS)* involved in this file, the CCSMTL and the CCOMTL.
39. To help with our investigation, we contact the *Direction des partenariats urbains* and the *Mental Health and Addiction Programs Directorate* of the CCSMTL.
40. We contact several community organizations and other relevant stakeholders who offer services to homeless persons in Milton-Parc:
 - Open Door/La Porte ouverte
 - Native Friendship Centre of Montréal Inc.



- Projets Autochtones du Québec (PAQ)
- Montréal Indigenous Community NETWORK
- Plein Milieu
- Doctors of the World
- Makivik Corporation

41. We connect with la Fabrique de l'Église Notre-Dame-de-la-Salette, where Open Door has its premises.

2. INUIT HOMELESSNESS IN MONTRÉAL: ORIGINS AND FRAMEWORK

2.1. Origins

42. Inuit homelessness is not unique to Montréal. All major Canadian cities have experienced the arrival of people coming from Inuit communities. This presence, however, is more pronounced in Montréal than in other big Canadian cities, despite having larger Indigenous populations.¹

43. Several studies show that in fact, Inuit are overrepresented in Montréal's Indigenous population, itself overrepresented in relation to its demographic weight. For instance, according to the *Direction de la santé publique de Montréal*:

[TRANSLATION]

[...] in the 2018 census enumeration of homeless persons, Indigenous people made up 12 per cent of the sample, despite representing just under one per cent of Montréal's population. Inuit made up 25 per cent of homeless Indigenous people, even though they make up only five per cent of Montréal's Indigenous population. The vast majority of homeless Indigenous people in Montréal comes from elsewhere in Quebec or from another Canadian province. Only 22 per cent of them said they always lived in Montréal.²

44. Many factors motivate these individuals to leave their home communities and move to urban centres. They can accompany a relative, for instance, or look for a job, seek medical care or pursue studies. Living conditions in their communities - housing scarcity and overcrowding, the high cost of living, food insecurity, family

¹ [La santé des populations autochtones à Montréal](#), Un portrait réalisé par la Direction régionale de santé publique de Montréal, CIUSSS du Centre-Sud-de-l'Île-de-Montréal, 2020, p.7.

² [La santé des populations autochtones à Montréal](#), Un portrait réalisé par la Direction régionale de santé publique de Montréal, CIUSSS du Centre-Sud-de-l'Île-de-Montréal, p. 29.



problems linked to alcoholism, addiction, suicide, physical and sexual violence and incarceration – all of these can trigger their departure.³

45. According to researchers Marie-Ève Drouin-Gagné and Carole Lévesque, [Translation] “the main factor behind the presence of Inuit on Montréal streets, however, remains the important social, psycho-social and socio-economic problems in northern towns.”⁴ Many stakeholders tell us that improving living conditions in their home communities is closely linked to reducing Inuit homelessness in Montréal.
46. **Stakeholders we consulted from community and municipal groups, including the acting *Commissioner of Indigenous relations*, say that the Milton-Parc situation is indissociable from this historical and social context. The homeless who frequent the area are largely Inuit persons who live with the after-effects of historical trauma, distrust, disconnection from public services and physical and mental health problems.**

2.2. General organisation of services regarding homelessness

47. Shelters for the homeless are established and administered by not-for-profit organizations (NPOs) funded by the public and private sectors. They are not managed by the City or the RSSS, although both provide resources of all kinds to them, as well as financing. In winter, overflow units can be set up during severe cold weather spells by the RSSS, in cooperation with its municipal partners and community organizations. These are commonly called “winter measures.”
48. The COVID-19 pandemic has played a decisive role in the evolution of services offered to the homeless. First, health restrictions had the effect of curtailing the schemes available to people living off hidden homelessness, thereby increasing visible homelessness in Montréal and the needs associated with it.
49. In spite of the growing number of homeless persons, the capacity for accommodation from traditional resources has decreased because health restrictions have resulted in, among other things, a bed shortage. To avoid a humanitarian crisis, the City and the RSSS increasingly interceded to create emergency shelters in 2020 and 2021.
50. Resources for homeless Indigenous are no exception to the new reality: as the number of persons increases, the capacity of organizations decreases, etc.

³ *Guide de sensibilisation à la culture autochtone à l'intention du SPVM*, prepared by Elizabeth Fast, Stephen Puskas, Vicky Boldo and Rachel Deutsch for the Réseau pour la stratégie urbaine de la communauté autochtone à Montréal, p. 17.

⁴ [*La condition itinérante parmi la population autochtone au Québec*](#), Marie-Ève Drouin-Gagné and Carole Lévesque, Commission d'enquête sur les relations entre les autochtones et certains services publics. Fact sheet, p. 2.



51. Living conditions in Milton-Parc as described in this report, however, do not appear to be solely the product of the pandemic, although it may have exacerbated them.

2.3. Government action plans concerning homelessness

52. To prevent homelessness and meet the needs of those in it, various relevant levels of government have adopted action plans:
- the City's *Plan d'action montréalais en itinérance 2018-2020, Parce que la rue a différents visages*;
 - the *Plan d'action intersectoriel en itinérance de la région de Montréal 2015-2020, Agir ensemble, créer des solutions durables*, its final version adopted under the coordination of the CIUSSS du Centre-Sud-de-l'Île-de-Montréal, which now takes on the mandate of cross-sectoral coordinator for homelessness for the Montréal region; and
 - the Quebec government's *Plan d'action interministériel en itinérance 2021-2026, S'allier devant l'itinérance*.
53. All these action plans adopt a holistic and consultative approach among the stakeholders regarding themes of intervention like safety, shelters, housing and health and social services. These intervention issues intersect the three main components examined in this report.
54. Hereafter, for each of the three components in question, we refer to the following elements:
- The appropriate actions considered in each respective plan, the objectives of such actions and, if applicable, the results achieved; and
 - The accountability for each action under the terms of the plan in question.

3. SAFETY

3.1. Observations on the current situation

3.1.1. Vehicular traffic on avenue du Parc

55. The safety of homeless persons is worrisome due to the proximity of heavy automobile traffic lanes on avenue du Parc. According to the SPVM's analysis, there were four accidents in 2020 on avenue du Parc near rue Milton involving a pedestrian, including a fatal one and another that resulted in a serious injury. In 2021, there were two accidents. Only events involving the community in question were counted. It is possible, therefore, that other, less serious accidents occurred but were not reported to the SPVM.



3.1.2. Safety in an alleyway

56. The plaintiff group representative maintains that the alleyway at the heart of the neighbourhood is unsafe. This alleyway is routinely the scene of drug trafficking and prostitution. Many report having witnessed aggressions there. A passageway on private land belonging to a business between avenue du Parc and the alleyway would facilitate illicit activities. She suggests adding lighting in the alleyway and blocking the passageway.

3.1.3. Police actions

57. We have already alluded to crime arising from alcohol and drug consumption in the sector, such as drug dealing and pimping (prostitution). This kind of crime is increasingly evident in the area and the plaintiff group representative is requesting more police interventions to stop them. In fact, during one of our visits to the area, we witnessed drug deals in the neighbourhood's main alleyway.
58. For drug deals and pimping, the SPVM intervenes via investigations, which is not a visible means of intervention for residents. In the field, there is no systematic arrest of dealers, who are identifiable by neighbourhood residents.
59. Indeed, the police bases its actions on the principle that such a stance would often result only in a very short-term solution. Arresting a drug dealer, for instance, would not halt the massive consumption of drugs and alcohol, which must be stopped at the source.
60. In addition, police actions involving the homeless often result in judicialization. **In this regard, some stakeholders stress the lack of sites where severely intoxicated persons in Milton-Parc can be brought. In this context, therefore, there are few alternatives to judicialization resulting from police interventions. Involving the police is not the favoured course.**
61. Within the Crisis Unit, the SPVM notes an increase in criminal offences reported in the last three years. Generally speaking, they consist of threats, assault and assault with a weapon between homeless persons.
62. In 2021, the SPVM received three calls a day on average. These calls concern incidents like assault, disturbing the peace, removing an intruder or assistance for a person in need.
63. Some stakeholders speak of a kind of police disengagement in the neighbourhood. The fear that a justified and necessary police intervention might be perceived by some people or by media coverage as illegal profiling or discrimination could indeed produce an inhibiting effect on necessary police work.



64. Accordingly, the SPVM intervenes mainly at the community level. More specifically;

- A joint patrol partnering police officers from the SPVM and members of CAAM works in the Milton-Parc area in particular.
- A team of two women patrol officers on foot and patrol officers on bikes from the SPVM criss-cross the area. This procedure would be perceived as less repressive than patrolling in vehicles.
- Police officers from the *Équipe de concertation communautaire et de rapprochement (ECCR)*, are also present.
- The Poste de quartier 38 counts on the support of the SPVM's Indigenous liaison officer.

3.2. Responsibilities of Ville de Montréal

3.2.1. Powers and regulations

65. Under section 4 of the *Municipal Powers Act* (MPA), the City has jurisdiction over the areas of safety and transport. It cannot delegate its powers in these matters, except to the extent allowed by the law. The law allows the City to extend all aid it deems appropriate⁵ and it can adopt any regulation to ensure peace, order, good government and the general well-being of its population.⁶

66. The *Montréal Charter of Rights and Responsibilities* (MCRR) defines certain commitments by Ville de Montréal regarding safety matters according to article 26, namely:

- To develop its territory in a safe manner (26a);
- To take measures to ensure the safety of its citizens in public spaces, notably parks, and public and recreational facilities (26c);
- To support preventive measures based on raising awareness and on participation of citizens, in cooperation with public safety and civil security authorities (26d);
- To protect the physical integrity and property of persons (26e);

⁵ *Municipal Powers Act*, CQLR, c. C-47.1, s. 90.

⁶ *Ibid.*, s. 85.



3.2.2. Government action plans concerning homelessness

67. Regarding police involvement, the three action plans mentioned above propose similar actions:
- To carry out activities to strengthen ties among police, partners and homeless persons;⁷
 - To continue the deployment of CIR (Crisis intervention response) police officers;⁸
 - To create and consolidate joint intervention police practices.⁹

3.3. Role of partners

68. The prioritized approach for the neighbourhood's homeless population is social intervention work. That is the important role played by community partners and the RSSS, towards the goal of improving safety for the area and the people. This role is discussed in section 6.3, *Social coexistence and support*.

3.4. Measures implemented to date

3.4.1. Vehicular traffic on avenue du Parc

69. The SPVM and the borough explain to us that the main cause of accidents is not due to municipal facilities but rather to the intoxication levels of victims, their dangerous movements or their inattention on the roadside or in traffic lanes.
70. Prior to our intervention, the borough, with the support of the *Service de l'urbanisme et de la mobilité* (SUM), analyses the physical layout of avenue du Parc around rue Milton to consider the relevance of better securing the area. In the end, experts do not find any aspect to correct or possible pathway for improvements in terms of engineering design of the street or intersection.
71. With a view to prevent accidents involving vehicular traffic, some municipal stakeholders have tried to arrange an outdoor space, other than the sidewalk, that could accommodate the area's homeless persons. In the absence of available municipal land near the intersection, two private properties in the immediate area were considered. The City, however, was unable to come to an agreement with the owners of the vacant potential properties.
72. As part of the Crisis Unit's work the following actions were taken:

⁷ [Plan d'action montréalais en itinérance 2018-2020](#), action 3.2.

⁸ [Plan d'action intersectoriel en itinérance de la région de Montréal 2015-2020. Agir ensemble. créer des solutions durables](#), mesure 101.

⁹ [Plan d'action interministériel en itinérance 2021-2026](#), action 9.1.



- The borough implemented measures to ease traffic on avenue du Parc, new road markings that reduce the width of the road and the installation of radar speed signs.
 - Lacking any other option, the Lucia-Kowaluk Park, located at the corner of avenues du Parc and des Pins, was adjusted slightly in the fall to serve as an alternative space. The PDQ 38 had voiced reservations regarding the site chosen due to the heavy and fast road traffic in the sector and the risks that that poses when people panhandle in the street.
73. Despite these alterations, stakeholders notice that members of the community do not go to Lucia-Kowaluk Park. A survey of members of that community concludes that the site is of less interest than the Milton and Parc intersection for various reasons; panhandling on the section of the road adjacent to the park (which is much wider and where traffic is much faster) is more dangerous, the police presence, the distance to services like Open Door and the dépanneur. Cultural activities in the park could encourage the community to go there more often.
74. We should note that Notre-Dame-de-la-Salette church, which rents its basement to Open Door, forbids the organization's users to use the much bigger lot located in front of the church. The church tells us it wants to protect parishioners, who are mostly elderly, and to limit acts of vandalism.

3.4.2. Safety in the alleyway

75. Following citizens' suggestions concerning safety in the alleyway, we intervene with the borough and emphasize the importance of swiftly implementing recommended solutions (adding lighting, installing a fence). The PDQ 38 confirms this safety problem and the relevance of the means suggested.
76. The borough quickly accepts to install two lamp posts in the alleyway in question, recognizing that it is indeed very dark. At our behest, it obtains the cooperation of the owner of the private building who, with financial help from the borough, will erect two fences that will block access to the alleyway.
77. This is an example of listening to citizens, which led to simple and efficient solutions that increased their feeling of safety in the alleyway.

3.4.3. Police actions

78. The approach adopted by the SPVM appears to correspond to the aims of action plans to combat homelessness that advocate community cooperation and diversion programs.
79. The SPVM got involved actively within the Crisis Unit through its Indigenous liaison officer and the head of the PDQ 38. The latter, in fact, remains engaged in consultative bodies with partners (CIUSSS and community-based).



80. Female foot patrol officers attend meetings of the Milton-Parc safety sub-committee that brings together the neighbourhood's front-line stakeholders.
81. Training and information sessions have been given to PDQ 38 teams in 2021, notably by the SPVM's Indigenous liaison officer.
82. In the field, in addition to maintaining teams already in place, PDQ 38 has assigned police officers to validate information and identify criminal elements in the area to meet the growing challenges of criminality raised by residents (e.g.; drug dealing, persons with seriously problematic behaviours).
83. The bike patrol team is maintained for the winter season and pays special attention to this area.

4. SHELTER

4.1. Observations on the current situation

84. In order to deal with situations like that of Milton-Parc neighbourhood, experts agree on the necessity of setting up shelter resources that are culturally adapted for Indigenous people and more specifically for Inuit. Montréal would not have resources specifically dedicated to the Inuit community, despite the fact that it is different from other Indigenous people; they are far from their home communities and families, with a different language and culture, the history and social context of Nunavik, to name but a few differences.
85. Existing resources are often not adapted to the needs of recipients who suffer from alcohol dependency. In such cases, alcohol consumption cannot be stopped even for one night without provoking weaning symptoms that can have serious, even lethal consequences.
86. Emergency shelter resources for the Indigenous community:
 - Projets Autochtones du Québec – two emergency shelter sites, including PAQ2, created during the pandemic to compensate for the reduction in capacity resulting from the health restrictions of the first shelter.
 - The Native Women's Shelter of Montréal.
 - The Indigenous shelter programs of various organizations like Chez Doris and Open Door.
87. The community can look to non-Indigenous resources. The mix of clients, however, does not seem to go smoothly due to, among other factors, alcohol consumption, language and cultural differences.



88. The accommodation capacity of many organizations has decreased due to health restrictions. This is the case for Open Door which, before the pandemic, was a place of respite, open during the day, for the homeless community of Milton-Parc. In this context, night services were cut everywhere and Open Door expanded its services to 24 hours, although that remained far short of meeting demand.
89. **Municipal and community stakeholders have also attested to the lack – even absence – of transition shelter and social housing adapted to Indigenous and Inuit cultures, such as community housing.** PAQ offers a 16-room transition program. Several transition housing projects, each comprising about 20 rooms, are being developed by various organizations like PAQ, Native Women’s Shelter and Chez Doris. A housing program for Indigenous persons is also under development in the Verdun borough.

4.2. Responsibilities of Ville de Montréal

4.2.1. Powers and regulations

90. The provisions of the MPA grant municipalities powers allowing them to meet diverse and evolving municipal needs in the interest of their population. They must not be interpreted in a restrictive or literal manner.¹⁰
91. Section 91 of the MPA allows a municipality to provide aid to assist people with physical disabilities or in need, and states that in exercising that power, it can establish shelters.
92. Ville de Montréal links the use of these powers to exceptional circumstances, as in the case of emergency local measures. To that end, it cooperates in searching for sites to establish temporary shelters due to health restrictions, for instance. It also emphasizes that a shelter must incorporate psycho-social support resources, which is not within its jurisdiction.
93. Moreover, the *Cities and Towns Act* (CTA)¹¹ confers on a municipality the power to acquire, build or develop on its territory buildings that can be rented or disposed of, free of charge or against payment, in whole or in part, to the benefit of, among others:
- a public institution within the meaning of the *Act respecting health services and social services*; or
 - the *Société québécoise des infrastructures* for occupation by a stakeholder in the health and social services sector.
94. Article 29 of the CTA stipulates that a municipality can own buildings for housing purposes. It can rent such a building; set up public services in it; demolish,

¹⁰ *Municipal Powers Act*, CQLR, c. C-47.1, s. 2.

¹¹ CQLR, c. C-19, s. 29.



transport or restore a construction built on/in it; build a construction on/in it. The municipality may also dispose of the building free of charge to the benefit of its housing authority or another not-for-profit organization.

95. **The powers of Ville de Montréal in the shelter and housing sectors are, on the whole, complementary to the broader powers of the Government of Quebec in housing and health and social services.**
96. **However, we do not believe that they are limited solely to exceptional situations. This is not specified in the law, which must not be interpreted in a restrictive manner.**
97. **On the other hand, as Quebec’s metropolis, Ville de Montréal has wider powers regarding homelessness through the Entente-cadre Réflexe Montréal¹², which is also binding on the CCSMTL. As such, the Bureau de la gouvernance en itinérance was created, allowing the City to contribute to the development of a common vision with the CCSMTL in regard to the requirements of the City to support homeless persons.**
98. This agreement establishes the Fonds Réflexe Montréal en itinérance, which can be used to finance various projects, including emergency or long-term shelters, respecting pre-established priorities. The funds come mainly from the Ministère de la Santé et des Services sociaux, and to a lesser extent, the Ville de Montréal.
99. The *Montréal Charter of Rights and Responsibilities* defines certain commitments by the City regarding citizens’ economic and social rights. Specifically, the City undertakes to:
 - take appropriate measures, with the support of its partners, to provide homeless persons with temporary and secure shelter, as quickly as possible, should such persons have expressed the need.¹³
 - take into account, in the implementation of housing measures, the needs of vulnerable persons and particularly individuals and families with low or modest incomes.¹⁴

4.2.2. Government action plans concerning homelessness

100. Ideally, homelessness is a temporary condition and emergency shelter, assuming it is inevitable, must lead to stable housing.

¹²*Entente de partenariat portant sur l’itinérance dans la métropole entre la ministre de la santé et des services sociaux, le Centre intégré universitaire de santé et de services sociaux du Centre-Sud-de-l’Île-de-Montréal et la Ville de Montréal*, 2019.

¹³ Article 18b) of the MCRR.

¹⁴ Article 18c) of the MCRR.



101. Thus, the three action plans integrate emergency shelter and social or affordable housing, both of them combined with services adapted to the specific needs of homeless people, including women, people of the First Nations and the Inuit.¹⁵

102. The three action plans reveal that the inventory of emergency or transitional shelter and social or affordable housing must:

- **be enhanced and be built in consultation with the City, the RSSS, community organizations and Indigenous organizations;**
- **include planning at the outset by all partners concerning measures applicable for the winter season;**
- **contain options and services aimed specifically at Indigenous and Inuit people; and**
- **include additional funding and support for organizations that serve women and Indigenous persons.¹⁶**

103. As an example of a specific and adapted offering, the *Plan d'action montréalais en itinérance 2018-2020* considers developing accommodation resources with controlled alcohol consumption such as “wet service” for homeless alcoholics (4.5). In connection with this, an exploratory “wet services” has been studied by the Royal Victoria Hospital, but could not be implemented due to the pandemic.

104. The *2020-2025 Strategy for Reconciliation with Indigenous Peoples* also includes the relevant commitment by Ville de Montréal to:

[...] support culturally safe Indigenous social housing projects which are led by Indigenous organizations and sometimes intended for certain targeted groups (transitional housing, homes for Indigenous women and families, etc.) and also support Indigenous organizations that wish to develop new forms of affordable housing ineligible for existing programs (e.g., housing for Indigenous students, etc.)

¹⁵ See: *Plan d'action montréalais en itinérance 2018-2020*, actions 4.1 to 4.6 and 5.1 to 5.4; *Plan intersectoriel en itinérance de la région de Montréal 2015-2020*, measure 36; *Plan d'action interministériel en itinérance 2021-2026*, actions 5, 6 and 7.

¹⁶ See measure 36, among others, of the *Plan intersectoriel en itinérance de la région de Montréal 2015-2020*, which deals with the consolidation of funding of some organizations that offer emergency or temporary shelter to homeless persons, notably those that serve Indigenous persons and women, as well as the consolidation of funding for some day centres, Article 18c) de la MCRR.



4.3. Role of partners

105. It is difficult to disentangle the roles of the City's partners in housing and shelter for people experiencing homelessness, given that the basis of action plans is precisely that all of them must adopt an integrated approach, working for the same goals.
106. In addition, in terms of the specificity of the offering in shelters discussed above, action 10 of the *Plan d'action interministériel en itinérance 2021-2026* has for purpose to [Translation] “co-build solutions for homelessness with relevant Indigenous organizations in order to adapt services to their realities.” The plan specifies that the emergency shelter offering and housing support services for homeless Indigenous persons will be increased. The *Ministère de la Santé et des Services Sociaux* is responsible for this aspect, in cooperation with the *Secrétariat aux affaires autochtones*.
107. This idea of a **collaborative** partnership for Indigenous and Inuit homeless persons is quite evident in the *2020-2025 Strategy for Reconciliation with Indigenous Peoples*, in which, in response to the call for action no. 100 of the *Commission d'enquête sur les relations entre les Autochtones et certains services publics (CERP)*, the Ville de Montréal endorses the following commitment:

In partnership with Inuit governmental authorities, community organizations and the Government of Québec, the City of Montreal will collaborate in the creation of culturally appropriate services for the homeless Inuit clientele in Montreal (day centres and emergency accommodations, short—and long-term accommodations).

(our emphasis)

108. **What we are learning from this investigation is that when working on such a collaborative governance as this, each partner must be accountable individually and jointly for the expected result, failing which the team will not attain the desired result.**

4.4. Measures taken to date

4.4.1. Increased capacity of Open Door

109. After discussions with the Open Door organization, we contacted the CCOMTL's *Brigade de prévention de la Covid-19* to find out more about the possibility of increasing its capacity. Over the following weeks, via the Crisis Unit, Open Door's capacity was increased.
110. Nevertheless, this shelter resource is temporary and contextual to the COVID-19 pandemic.



4.4.2. Emergency shelter

111. Despite the needs expressed by all the stakeholders we met and the very clear objectives set out in the action plans, **the emergency shelter offering for the community has been enhanced, as of yet, only temporarily**, by moving one of the PAQ shelters. In normal circumstances and under regular powers of the City and the RSSS, its inauguration in January 2022 would not have been possible.
112. The pandemic has forced several shelters open only at night to reorganize their services. Now, several of them provide private and semi-private rooms 24/7. This formula allows a better intervention window with recipients. They can remain on-site even in the daytime, when support services are available. In spite of the advantages of this new approach, there was no shelter of this kind for Indigenous people.
113. Starting in the summer of 2021, PAQ indicates to the CCSMTL its intention to move its shelter located in the Guy-Favreau complex (PAQ2) in a building that allows it to adopt the 24/7 model to better serve its clients, several of whom are members of the Milton-Parc community. The CSSMTL accepts to fund this project. PAQ then starts the search for a suitable and safe site for its clients which must absolutely include an outside space where supervised alcohol consumption is allowed in a manner that is respectful to the neighbourhood. A site is located in September 2021.
114. In the fall of 2021, the Ville-Marie borough informs the CCSMTL and PAQ that zoning and a social acceptability problem make it difficult to use this site for the required purposes.
115. The OdM verifies with the relevant municipal entities and notes that in this case:
 - Approval from the borough council was required to allow the usage «community activities» in this building as such usage at this site was conditional according to the urban planning regulations;
 - “Rooming house” usage, a designation frequently allotted to shelters and that is now protected by planning regulations, would have been applicable. This usage categorization could conceivably discourage the building owner from renting it to establish a shelter. In fact, the new protection provided to rooming houses means that changing the usage of the site subsequently is prohibited once the rooming house usage is exercised. The prohibition in this case proves to be constricting in spite of its worthy underlying objective.
 - Many homelessness resources already exist in this area, including the Hôtel Place Dupuis emergency shelter since 2020-21.
116. The *Service de la diversité et de l’inclusion sociale* (SDIS) then launches the search for a new site. We conduct regular follow-ups with the service’s



management. Over two months of searching, no viable sites for a rapid opening of the resource are identified on the open market or in buildings that belong to the government or the City.

117. Ultimately, in a dramatic twist, on December 21, 2021, the Montréal agglomeration adopts a new local state of emergency decree that enables the City to requisition a hotel where PAQ2 can set up its shelter from the end of January to March 2022. Its accommodation capacity seems to have increased after the move.
118. The MSSS would not have confirmed yet the funding renewal of this resource after March 31, 2022. For its part, Ville de Montréal would be taking steps to keep the site at its current location and, in the event of a move, says it is ready to keep looking for a site.

4.4.3. Warming centres, winter measures and emergency measures

119. The CCSMTL coordinates consultation among the partners and the winter measures plan, to which the City provides funding and logistical support (SPVM and SDIS), in addition to contributing to the assessment of its requirements.
120. **We have followed the continuous process of establishing winter measures and have witnessed their last-minute implementation, under the imminent threat of a rupture of basic services for homeless persons. Pandemic and weather conditions were utterly predictable in 2021 and cannot be used to justify the flagrant lack of planning that we witnessed.**
121. **We find it surprising that in December and January, these measures were still in their initial phase, that the search for a site was ongoing, and especially that it was dependent on the declaration of a local state of emergency by the Montréal agglomeration. After two years into the pandemic, its impact on homeless services were well-known. Also, winter and its deep freeze come around every year.**
122. **Tents and winter emergency shelters are, all things considered, expensive stopgap measures that will not resolve the problem of a structural and perennial lack of resources for adapted lodging and social housing. In addition, funding of a limited duration for organizations that dispense these services hinders their longer-term planning.**
123. **A more efficient strategy to come to grips with homelessness would be to meet the year-round needs of shelters, and would breathe life into the actions and objectives so often repeated on this subject by Ville de Montréal and the RSSS.**



5. SOCIAL COEXISTENCE AND SUPPORT

5.1. Observations on the current situation

5.1.1. Social coexistence: municipal component

❖ Coexistence plan

124. The *Direction de la culture, des sports, des loisirs et du développement social* of the Plateau-Mont-Royal borough is tasked with formulating the social coexistence plan for the Milton-Parc neighbourhood. The borough and the *Service de la diversité et de l'inclusion sociale* fund the community groups that provide services to the area's homeless persons.
125. To improve the area's cleanliness, the borough has installed a chemical toilet and a water fountain on public land near the corner of Milton and Parc.

❖ Presence of Open Door

126. Our investigation is limited with regard to the role of the Open Door organization and its partnership with Ville de Montréal. We can, however, confirm that the organization faces financing and governance issues that have an impact on the quality of its services. The site itself has no windows.
127. If the City wishes to continue its partnership with this organization, it must ensure that the site is in compliance with buildings' safety codes, particularly now that the organization's services include emergency shelter. The City must also require improvements in the governance of Open Door and put into place effective accountability mechanisms with the aim of assessing the continuation of the funding it provides.

❖ Communication with citizens

128. Many residents have directed their requests and complaints (summarized in paragraphs 19 and 20) to the borough council, elected officials and Plateau-Mont-Royal administration.
129. The representative of the plaintiff group reports an initial failure to listen on the part of the borough and maintains having had the feeling that they were judged. In response to the complaints, the borough chose, first off, to appeal to tolerance and to defer to the RSSS to resolve the impasse.
130. There were two virtual citizens' assemblies, one in December 2020 and the other in August 2021. The borough deplors the absence of authorities responsible for health and social services at the first meeting and their silence at the second.



131. Then, in December 2021, the City and its partners (community organizations and the RSSS), brought together by the Crisis Unit, hold a virtual information meeting for citizens to address the support measures for Milton-Parc homeless people and the issue of Indigenous homelessness.
132. Citizens are invited to ask questions and voice their comments, to which the City and its partners reply.
133. Some citizens demand to be consulted on safety issues in their neighbourhood and to participate more fully in finding solutions.

5.1.2. Support for homeless persons

❖ Front-line resources

134. Front-line stakeholders in the field come mostly from NPOs that receive funding from the CIUSSS and the City. In general, they do street or outreach work. They listen to and exchange with homeless and marginalized people and provide support, references and counselling. They ensure a regular presence onsite. They also retrieve the consumption paraphernalia left in public spaces.
135. There are also two RSSS teams: Équipe Connexion of the CCOMTL and l'équipe Itinérance of the CCSMTL. Some stakeholders, however, tell us that their presence on the ground had greatly diminished since the start of the pandemic.
136. On the community side, we find Plein Milieu, Exeko via the Indigenous Support Workers Project, Médecins du Monde (mobile clinic and Indigenous navigators), the Native Friendship Centre of Montreal and Open Door's outreach team.
137. **It has been emphasized that implementing consultation and coordination mechanisms among community, RSSS and police stakeholders to institute care paths, for instance, would improve the efficiency of interventions.** Some stakeholders are reluctant to get involved in this process, perceived as a breach of confidentiality.
138. As mentioned above, the short-term funding practice for community organizations and the limited envelope allocated by the City and the RSSS make it impossible to implement desired programs for the long term. This temporary funding affects the governance and retention of staff in these organizations.

❖ Intoxication

139. Many municipal and community stakeholders stressed the need for "wet services" type of supervised alcohol consumption, of sobering-up and other resources that have the capacity to accommodate intoxicated people adapted for Indigenous and Inuit persons.



140. The Crisis Unit identified the intoxication level of homeless persons as a dominant issue that affects area residents. The objective of a working group focusing on this issue was to identify measures to improve cross-sectoral coordination for care paths for people with drinking problems.

5.2. Responsibilities of Ville de Montréal

5.2.1. Powers and regulations

141. Municipalities have powers in the spheres of culture, recreation and community activities (section 4 of the CTA). They can adopt regulations for the general welfare of their citizens (section 85 of the CTA) and grant any assistance they deem appropriate in these fields (section 90 of the CTA).

142. As previously stated in paragraphs 91 to 98, various legislative provisions, including section 91 of the MPA, enable the City to provide the personalized assistance contemplated in this report in section 6.3 (below) regarding municipal support for Indigenous and Inuit people in Milton-Parc. The City does have the power to encourage initiatives like creating a multidisciplinary centre for Inuit in Montréal, for example. Another illustration of the relevant powers the City possesses in these matters is that it can help establish a healthcare co-op.¹⁷

143. The *Montréal Charter of Rights and Responsibilities* includes several relevant commitments by the City:

- Fighting all forms of discrimination, including racial and social profiling as well as other discriminatory profiling; poverty, social exclusion, sexism, racism, ageism, ableism, [...] and xenophobia, which may be direct, indirect, systemic [...];¹⁸
- Promoting citizen involvement in their respective communities in order to improve overall economic and social conditions;¹⁹
- Taking appropriate measures, with the support of partners, to prevent and fight poverty and social exclusion;²⁰
- Supporting the development and diversity of cultural practices;²¹

¹⁷ *Coopérative de solidarité santé Shoener-Jauvin v. Yamaska (Municipalité de)*, 2013 QCCQ 2744.

¹⁸ Article 16i) of the MCRR at Chapter 1, Democracy.

¹⁹ Article 18e) of the MCRR at Chapter 2, Economic and Social Life.

²⁰ Article 18ee) of the MCRR at Chapter 2, Economic and Social Life.

²¹ Article 20d) of the MCRR at Chapter 3, Cultural life



- Supporting preventive measures aimed at increasing citizen awareness and involvement with respect to this issue, in partnership with public safety and civic protection officials;²²
- Promoting flexibility in supplying municipal services and in the use of public spaces to meet various citizen needs;²³

144. L'Entente-cadre Réflexe Montréal indicates that special attention must be given to vulnerable clients, including First Nations and Inuit, via supervised alcohol consumption services. L'Entente-cadre allows the implementation of services of that nature in Montréal following a feasibility study.

5.2.2. Government action plans concerning homelessness

145. Clearly, action plans do not provide precise and concrete benchmarks for municipal stakeholders to manage issues of support and social coexistence for homeless persons, even though the principal focus of the *Plan d'action montréalais en itinérance 2018-2020* is support and coexistence in public spaces.
146. Nonetheless, we stress that the action plan relies on the creation and development of multidisciplinary local committees on homelessness. On that topic, it is mentioned that social coexistence is improved in and around neighbourhoods that offer supervised injection services (SIS).
147. Seven local committees have been created, but the pandemic precluded the fulfilment of a documented comprehensive picture. In addition, two neighbourhood committees around SIS in the Ville-Marie borough were formed, but the feedback survey of these projects with social actors, residents, business people and homeless persons could not be conducted due to the pandemic.
- 148. Without minimizing the importance for the City to take into account these needs for services and to cooperate in deploying them, it is obvious that in the current environment, its partners are the first responders when it comes to supporting homelessness, which also falls within their expertise.**

5.3. Role of partners

149. The *Plan d'action interministériel en itinérance 2021-2026* aims to consolidate homelessness proximity services, adding to this end that good cooperation between the RSSS and the community network is necessary. Under the plan, this consolidation of proximity services must take three forms:

²² Article 26d) of the MCRR at Chapter 6, Security.

²³ Article 28c) of the MCRR at chapter 7, Municipal Services.



- The deployment of outreach proximity services and of specialized homelessness services, including those in emergency and transitional shelter resources, like the *Projet de réaffiliation en itinérance et santé mentale (PRISM)*.
- The development of the function of a professional respondent for homelessness within the institutions.. These professionals in health and social services would support internal and external partners of the institution and would act as a bridge with the community.
- The adaptation of proximity services practices from all the programs and services in health and social services institutions so that these institutions
 - supervise the quality, continuity and accessibility of services; and
 - perform their partnership work with specialized proximity services, professional respondent for homelessness as well as community organizations.

- 150. The *Ministère de la Santé et des Services sociaux* is responsible for this plan.**
- 151. Consequently, the RSSS is responsible not only for supplying the required health services, but also for monitoring the coordination of all stakeholders in delivering support services, including community organizations.**
- 152. To that end, it seems at first glance that the RSSS must review its own practices, be proactive and fully embrace its status as the highest relevant authority in terms of support.**
- 153. According to many of the many interested parties we spoke with in the course of this investigation, the RSSS does not entirely fulfil its obligations. In fact, the highest municipal authorities would have requested its intervention without obtaining the support sought.**
154. Health problems and situational issues (language, state of intoxication, prejudices) are complex. Gaining access to a doctor or other specialist is a real hardship for persons struggling with these enormous challenges.
- 155. On that subject, we note that the presence of an organization like Médecins du Monde that provides its range of services in the heart of a city like Montréal speaks for itself and highlights the critical need to improve access to healthcare for this community.**



5.4. Measures taken to date

5.4.1. Social coexistence: municipal component

❖ Cleanliness of public land

156. The borough has increased its maintenance interventions on public land. It has mapped out interventions by various squads to identify service gaps. This led to a review of the routes taken by blue-collar workers and the cleaning squad of the Groupe Information Travail, and to better coordination between the teams.
157. The borough is now carefully monitoring complaints dealing with cleanliness of public land. It notices a sharp decrease in the number of complaints in October and November 2021.

❖ Social mediation

158. A social mediation team is set up by the Native Friendship Centre of Montreal in cooperation with municipal stakeholders.
159. The OdM has discussed the possibility of extending the pilot project *Équipe mobile de médiation et d'intervention sociale (ÉMMIS)* in Milton-Parc with the *Service de la diversité et de l'inclusion sociale*, as some municipal stakeholders would have liked. The Service explains that it would have been difficult to insert ÉMMIS in the range of available services on the grounds that it is not culturally adapted. Under the circumstances, it is more appropriate to use the mediation team of the Native Friendship Centre of Montreal.

5.4.2. Support for homeless persons

❖ Intoxication

160. A mapping of services offered with regard to intoxication was produced by the Crisis Unit working group on intoxication. Some of the front-line stakeholders report they have not yet received this map. This issue is, of course, the responsibility of health services.

❖ Front-line resources

161. As a result of the Crisis Unit's work, new positions of Indigenous navigators will be added. These navigators support Indigenous persons at every stage in their access to and procurement of health services.
162. Also in relation to the Crisis Unit, a mapping of front-line stakeholders was drawn up and shared. Few of them are present in the evening, however. It seems that the higher level of intoxication at such moments would compromise the ability of responders to intervene safely.



163. Some stakeholders would have noticed a greater presence of the RSSS teams in Milton-Parc area since the end of the summer of 2021, which seems to dovetail with the start of our intervention.
164. The Crisis Unit contributed to a certain improvement in the dialogue among front-line resources and with decision-makers among partners. The Milton-Parc safety sub-committee that brings together community stakeholders, the borough, the SPVM and the CCOMTL continues meeting. It is thus able to report difficulties or gaps in services to a strategic committee linked to managers who can untangle situations. These two committees are working on ways to improve the coordination of interventions with individuals in the community.
165. The fact remains that to date, the offering of front-line support services is merely a way of treating the symptoms of a much more serious crisis. The underlying needs remain to be filled by developing strategic, appropriate and perennial health and social services devoted specifically to Indigenous persons.

5.5. Referral to the Protecteur du citoyen

166. The Ombudsman de Montréal's jurisdiction is confined to decisions by Ville de Montréal, the boroughs, City-controlled corporations and individuals who perform duties for the City. The issue of the unavailability or inaccessibility of essential health and social services for the community in question, then, exceeds our mandate.
167. During our investigation, the problem of access to healthcare and the lack of services appropriate to the community has appeared to us glaringly urgent, even if they are well-known and have been the subject of official action calls for many years.²⁴
168. To shed light on the role of health and social services authorities in the Milton-Parc neighbourhood and to examine if they fulfil their role properly, the Ombudsman de Montréal referred this file to the Protecteur du citoyen du Québec, who agreed to open an investigation.

6. REQUIRED ACTIONS BY THE CITY AND RECOMMENDATIONS

6.1. Safety

169. Six accidents over two years in the Milton-Parc area, including a fatal one and another that resulted in a serious injury, is especially alarming. We note that Ville de Montréal has adopted a Vision Zero Action Plan which states that [Translation]

²⁴ Final Report of the Viens Commission, pp. 386-389.



“Zero fatalities and serious injuries on our roads is the only ethically acceptable target.”²⁵

170. Although the problem is unusual and closely linked to the behaviour of victims, such a result calls for action and shows the urgency for all partners to develop sustainable resources that are aligned with the specific needs of this community. Inaction could lead to more deaths.
171. Acts of violence and misdeeds committed are often intracommunity, which is characteristic of the cycle of violence in the Indigenous community. Violence takes several forms specific to that environment: it is structural and institutional, but also familial, personal, lateral and self-inflicted.
172. We must find the means to break this cycle. But in the key messages in Chapter 10 of *La violence vécue en milieu autochtone* in the *Rapport québécois sur la violence et la santé, Institut national de santé publique du Québec, 2018*, we can read on page 282:

[TRANSLATION]

The inadequacy or lack of social and health services and programs that are socially and culturally safe can impede the reduction in violence.

173. To ensure the safety of this community, we must inevitably start from the beginning, that is return to the root causes of alcohol abuse and violence prevalent in the community. These causes are known and examined in section 6.3.4 *Prévention*. As we will see, in this case, ensuring the overall security of individuals is achieved by ensuring cultural security, as well as through prevention via appropriate programs that are the subject of our **recommendation 5** in paragraph 208.

6.2. Shelter

174. We note that within its normal powers and in compliance with its regulations, the City, with its partners, struggled to set up an emergency shelter project. It was not possible to find in a timely manner a public or private site where a shelter responding to the needs of the target community could be installed.
175. **The health crisis gave the City temporary flexibility regarding the application of regulatory requirements and emergency powers to requisition buildings. It is essential, however, to ensure that even apart from winter measures or a health emergency, the City can exercise its jurisdiction to establish shelters, which it does not currently seem to be able to do.**

²⁵ [Plan d'action Vision Zéro décès et blessé grave 2019-2021](#), p. 6.

176. Ways and means must be created, practical and nimble levers within normal municipal powers.
177. The progression of the emergency shelter project related above was marked by the same regulatory pitfalls many stakeholders have long warned about. Planning regulations are often a major barrier to the implementation of shelter or community resources for homeless persons.
178. Applying a zoning by-law is not optional and a violation can be sanctioned by the courts. But it appears that the usages by which shelters are traditionally classified by municipal authorities can significantly hamper such projects. Alternative usages allowed by regulations could better fit the actual uses of the facility, as well as the mission of shelter resources for the homeless.
179. In a few boroughs, a regulatory change adopted in 2020 prohibits the conversion of a rooming house for another usage. In this file, we have seen that this prohibition can hinder the establishment of an emergency or temporary shelter, which are generally classified in this usage. The owners of buildings rented for this purpose cannot later utilize their building for usage other than rooming houses. Despite the good intentions of the legislator, this may be an unintended consequence of this regulation, and should be addressed.
180. These regulatory constraints and the application and current interpretation of planning rules are incompatible with the objectives of the action plans for homelessness and with the City's commitments under the MCRR regarding the creation of emergency shelters.
181. The City should initiate a process of reflection in order to remedy the adverse consequences of this regulatory framework, which is counter-productive to the implementation of shelters, and solutions that simplify it rather than complicate it.
182. We are aware that urban planning regulations fall under borough jurisdiction, but in this case, we need to consider their overall impact and the intended objective.
183. It bears repeating: concerted action and coordination among all the partners are key to the swift and efficient implementation of shelter and housing projects considered here.
184. In view of the above, the Ombudsman de Montréal issues two recommendations concerning shelters.



RECOMMENDATION 1

185. **The Ombudsman de Montréal recommends to Ville de Montréal** and its boroughs to introduce the necessary flexibility for planning regulations and/or its interpretation, with a view to promote the implementation of shelter resources for homeless persons.

RECOMMENDATION 2

186. **The Ombudsman de Montréal recommends to Ville de Montréal:**

- To list concerted action among its services, boroughs and external partners as a priority when developing shelter projects.
- To designate a decision-maker who is accountable and responsible for consulting at every step of the shelter project, and for which every entity will have to submit a formal accounting report.
- To assume fully a leadership role in developing appropriate shelter and housing projects or programs destined for Inuit people in Montréal.
- To use the powers it wields on the issue and to take all necessary measures so that Montreal implements in the year 2022 a stable and safe emergency shelter resource that meets the needs of Inuit people.

6.3. Social coexistence and support

6.3.1. Communications with citizens: switching to participation mode

187. We recognize the borough's efforts to inform citizens and to answer their questions. We believe, however, that in circumstances such as these, in which a neighbourhood experiences dramatic upheavals that affect its security, informing citizens is no longer enough. They must participate in finding solutions.

188. This is actually what the MCRR provides for. In it, the City commits to promote **citizens taking charge of their neighbourhood** in order to improve social life in communities and to support preventive measures based on citizen **participation**, in cooperation with public and civil security authorities.

189. Communication with citizens being valuable, at the heart of social coexistence, the Ombudsman de Montréal issues **Recommendation 3** (below), on the basis of observations mentioned in paragraphs 75 to 77 and 128 to 133.



RECOMMENDATION 3

190. The Ombudsman de Montréal recommends to Plateau-Mont-Royal borough and to Ville de Montréal:

- to include one or more citizen's voices in the committee responsible for security in the Milton-Parc area;
- to involve citizens in the search for solutions linked to security and the management of homelessness in the area;
- to inform citizens of decisions taken regarding homelessness at later stages and of their motivation.

6.3.2. Support: funding of NPOs

191. Community organizations are ubiquitous and essential in the panoply of services for homeless persons. This is particularly true for Indigenous organizations that are the key to adapt services for the community.
- 192. The current financing system to which they are subject is based on the approval of projects on a per-project rate and of a limited duration. This system is dysfunctional when applied to the range of services offered to homeless persons, which are derived from sustainable social programs. This short-sighted vision does not serve the interests of homeless persons and hence is incompatible with several directions and objectives identified in this report.**
- 193. This leads to a series of consequences that are detrimental to the issue of Indigenous homelessness. Organizations struggle to plan activities, hire and retain needed specialized staff and to conduct organized interventions that can produce lasting benefits. This kind of intervention requires permanent facilities and is incompatible with seasonal and temporary funding.**
194. This finding leads to a re-evaluation of the way organizations that offer homelessness services are financed. They must be able to intervene on a continuous basis to be efficient, whether the funds come from Ville de Montréal or the RSSS.
195. Sustainable financing, however, must be paired with strict accountability mechanisms that can track the use of public funds and of the progression of the objective for which they were invested. All of which so that homeless persons may receive necessary services and area residents are considered and respected.



196. Although a large portion of this financing comes from the RSSS, the City also provides support for these organizations.

197. In view of our above-mentioned conclusions on the gaps in the financing method currently applied for community organizations that work in the field of homelessness, the Ombudsman de Montréal issues **Recommendation 4** (below).

RECOMMENDATION 4

198. The Ombudsman de Montréal recommends to Ville de Montréal:

- To upgrade the financing method for community organizations so that they can offer structured services in a continuous and permanent way to homeless persons;
- To tighten the existing accountability mechanisms related to the funding of organizations.

6.3.3. Support: intoxication, blind spot of the services offering

199. For the time being, no culturally sensitive wet services, for sobering up or detoxification resources exist in Montréal. And yet, the level of intoxication is identified by the Crisis Unit as a key factor. We note that in the call for action no. 90, the Commission Viens already recommended in 2019 to “ Financially support the establishment of culturally safe addiction treatment centres and detoxification centres in urban areas [...].”

200. The role of Ville de Montréal is limited on this issue, which is the responsibility of the RSSS. But it does have the power to finance the programs at issue and to define some of their directions via the Entente-cadre Réflexe Montréal. It must make it a priority, as stated in the agreement itself and in action plans for homelessness.

6.3.4. Prevention

201. Ville de Montréal is the urban hub for Québec’s Inuit communities. An increasing proportion of them migrate to the city for various reasons related to health, education, access to housing, safety, etc. Their needs in terms of cultural dissemination and of appropriate health and social services are growing. Addressing these needs would have a preventive effect on homelessness in the community.

202. The Tungasuvvingat Inuit multidisciplinary centre located in Ottawa is cited as an example by various stakeholders, including the Native Friendship Centre and the Makivik as a sustainable and strategic solution for the Inuit community. The



provincial and federal governments as well as the City of Ottawa are partners and fund the centre.

203. In addition to the initial cultural shock, it is known and documented by authorities that Inuit women are especially at risk of exploitation and to drift into homelessness as soon as they arrive. A reception and support service for Inuit people newly arrived in Montréal should be developed with community partners.
204. We also know that alcohol and drug abuse are a human and social phenomenon. Several factors place Indigenous persons at risk of developing addictions to substances. On that score, there is a variety of ways the City can engage and contribute to, among other things, drug and alcohol abuse preventive programs designed specifically for Indigenous persons in Montréal. Regarding that type of program and on the strategic position that Montréal can occupy within them, the recommendations of an expert in her paper published by UNESCO in 1994 still seem to us relevant, powerful and applicable to our thesis:

*If **participation** is considered to be a criterion of success of prevention education programmes, then the active involvement of individuals and groups concerned (inhabitants of a district, neighbours, young people, women, drug takers, ex-drug addicts, pharmacists, teachers, social workers...) cannot be too strongly stressed. **Local activities** are of the utmost importance, from the point of view of primary prevention, as is the **development of social activities** in general - in the fields of sports, culture, the arts and leisure. One final recommendation -all strategies which aim to **reinforce the social fabric** should be based on partnerships between the **State**, the institutions of civil society, people's organizations and those specialized in drugs to ensure the attainment of the common goal of preventive education which is the improvement of the quality of life with a view to human development for the individual, the family, the school, the community and society as a whole, through formal and non formal education and information.²⁶*

(our emphasis)

205. In this report, we have discussed a great deal about homelessness plans and projects, but to manage and, eventually, to overcome the problems linked to Indigenous and, specifically Inuit homelessness in Milton-Parc and elsewhere, prevention and programs are necessary. These programs are based on *norms, values and models that vary from culture to culture*. Thus, whilst **action must be taken globally, individuality must be respected.**²⁷

²⁶ Lia Cavalcanti, *Prevention of drug abuse through education and information: an interdisciplinary responsibility within the context of human development*, 1994, p. 12.

²⁷ *Ibid.*, p. 6.



206. In order to reach the goals regarding homelessness commented at length in this report and to incorporate these goals into programs that reinforce the social fabric, the neighbourhood and urban area are unavoidable strategic elements. Therefore, Ville de Montréal must not allow itself to be paralyzed by the fragmentation of public responsibilities and must revamp its cooperation methods.
207. Given that there is undeniably a lack of prevention programs to deal effectively with homelessness, alcohol abuse and violence in Montréal's Inuit community, but also that Inuit culture must be recognized and have premises where that culture can find its expression, the Ombudsman de Montréal issues recommendation 5 (below).

RECOMMENDATION 5

208. **The Ombudsman de Montréal recommends to Ville de Montréal:** to develop a preventive approach to combat homelessness in the community in question by:
- taking the initiative to create community reception and support programs for Inuit persons who arrive in Montréal;
 - positioning itself as an active partner in developing services and a community gathering and cultural dissemination point like a multidisciplinary centre, of the kind that exists elsewhere, by and for the Inuit community in Montréal;
 - defining in concrete and practical terms its role, responsibilities and contribution for the purpose of creating these programs.

7. CONCLUSIONS

209. We know that as of the filing date of this report, housed citizens in Milton-Parc have noticed no appreciable difference regarding the fears that led to their complaint to the Ombudsman de Montréal. This in itself illustrates the conclusions of our investigation.
210. The expression "walk the talk" has real meaning here, and achieving that required the OdM to step out of its comfort zone in this file. We have had to set aside linear assertions that do not apply when dealing with the phenomenon of homelessness. We have had to keep going forward in this investigation, despite the fact that we understood from the very start that no ready-made solution exists.
211. Indeed, mobilizing all the entities and partners, the problems of accountability among separate organizations, the fragmentation of responsibilities, the surprising dispersal of basic information on available resources on the ground and the



no-less-surprising but obvious reticence of some partners have all been part of the challenges over the course of this investigation.

212. It is imperative to walk the talk – that is, to put words into action. It is essential not to manage this situation by simply ticking the boxes of a plan. We must act in a premeditated way and make sure that planned measures can produce concrete results, that all entities are accountable for the responsibilities that fall within their purview, and that that accountability is not measured in terms of isolated tasks but rather by their decisive impact in the field. In short, we must focus on comprehensive, strategic measures.
213. We must be able to observe that life for Indigenous homeless persons in Milton-Parc is improving. With the help of a cultural hub upon their arrival from the North. By having access to committed and appropriate care and services if they stumble. When they finally come out of the homelessness spiral and land in a safe dwelling place.
214. When there are clear signs that the homelessness crisis specific to Milton-Parc is improving, and only then, will housed citizens breathe a sigh of relief.



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