



## Homeless People and Welfare Recipients Suffer Under Restrictive Laws

### What is this research about?

Legislative reforms like the Ontario Works Act and Safe Streets Act are making the lives of the homeless more difficult. These new laws reshape public spaces to reflect private interests. They also use police and other state powers to investigate welfare applicants and punish panhandlers and squeegee cleaners. Such laws only intensify the social exclusion of marginalized populations in Canada.

### What did the researchers do?

The researcher reviewed how the Ontario Works Act and the Safe Streets Act have affected the lives of poor and homeless people in Ontario. She analyzed past works that describe the experiences of welfare recipients and the homeless under the new laws. She also examined Canadian legal cases that relate to personal privacy and the importance of consent in evidence gathering.

### What you need to know:

Homeless people and social assistance recipients have the same goals as the rest of the population. Current laws only reinforce the stereotypes about the poor and homeless as lazy, unmotivated, and prone to crime. Welfare recipients and the homeless need to develop their autonomy so that they can be capable of improving their situation. Respecting the privacy of welfare applicants is more beneficial to helping them succeed than encouraging a hotline for others to report on their misdeeds.

### What did the researchers find?

It was found that the new laws characterize the homeless and those on welfare as dangerous 'others'. By pushing homeless people out of public space through policing, the Safe Streets Act stops the public from thinking about why so many people end up on the streets in the first place. A ban on squeegeeing and panhandling takes away a form of income from the homeless that makes many of them feel self-reliant. The Ontario Works Act subjects welfare applicants to arbitrary searches and investigations. It also

encourages neighbours to rat out undeserving welfare recipients. This leaves the poor and homeless at the mercy of public opinion.

### How can you use this research?

Policymakers and community agencies need to be aware of the increased challenges that poor people face in Canada as a result of new laws that are designed to 'help' them. The homeless and poor do not pose a threat to the taxpaying public. They are trying to find employment and climb out of poverty. Policies need to recognize the right for homeless people to access public space and welfare applicants to feel empowered, not scared of, the help that they receive. The invasive nature of the two laws also deserves greater public review.

### About the Researcher

Janet Mosher is an Associate Professor with York University Osgoode Hall Law School. This Research Snapshot is from her chapter, "The Shrinking of the Public and Private Spaces of the Poor" which appears in the book, "Disorderly People: Law and Politics of Exclusion in Ontario". The book was published by Fernwood Publishing in 2002.

[jmosher@osgoode.yorku.ca](mailto:jmosher@osgoode.yorku.ca)

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### Keywords

Social development, Welfare, Poverty, Law and justice, Housing, Crime, Offences

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[kmbunit@yorku.ca](mailto:kmbunit@yorku.ca)

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