

Police Confiscation of Property

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Thousands of people across British Columbia experience homelessness every year. Many of them rely on public spaces for their survival and must carry all their worldly possessions with them in bags and carts.

For them, when police officers and bylaw officers confiscate carts or belongings, whether to tidy a sidewalk or park, or explicitly to deter homeless people from resting or gathering, these confiscations mean losing everything they have in the world.

Pivot Legal Society has been working with people experiencing homelessness for over a decade and, in the last 6 months, has traveled the province to hear from almost 100 people experiencing homelessness and poverty. Here is what we know:

1. People lose both necessities and cherished personal items such as identification, medication, important paperwork, survival clothing, harm reduction equipment, family photos, letters, and mementos. The loss of medication can have devastating health consequences, and the loss of identification can mean people are barred from necessary services and even excluded from entering housing developments.
2. The loss of belongings puts people experiencing poverty and homelessness in danger. Loss of possessions used for shelter or warmth can be life threatening, and people are more likely to engage in higher risk income generation or other means to rebuild their possessions as quickly as possible.
3. Possessions also serve as a source of funds for people living in poverty. Many people sell or trade belongings for money or things they need. Confiscating belongings can push people into more dangerous and possibly illegal income generation.
4. Confiscation of belongings deters people from accessing necessary services because people generally cannot bring their belongings with them into the offices of service providers, and they fear their

belongings will be taken while they are away. This includes important services such as food, needle exchange, other health care, housing services, community corrections appointments, and court.

Recommendations

The most sustainable solution to this problem is the provision of housing where people can securely store their belongings. In the interim, Pivot recommends that BC take the following immediate actions:

1. Ensure that the Policing and Security Branch of the MPSSG, works with municipal police forces and RCMP E-Division to confirm that all police forces across the province understand the harm caused by police participation in the confiscation of homeless people's belongings.
2. Develop a province-wide policy that supports the ability of homeless people to maintain their belongings and prioritizes ensuring that homeless people have access to services without fear of losing their possessions.
3. Fund groups of people with lived experience to train police on how to work effectively with people experiencing homelessness.
4. Fund shelters and warming centres to offer 24-hour indoor spaces and appropriate storage facilities for clients' belongings.

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