

Panhandling or Policy: Are anti-panhandling laws effective or a pseudo-solution?

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Abstract

This paper was originally written for Dr. Jan MacLean's FANX99 course Foundations of Academic Literacy. The assignment asked students to choose from a list of essay topics and analyze both sides in a balanced manner, while also defining their own opinion. The paper uses APA citation style.

In this essay I will argue that anti-panhandling laws are not effective as they do not provide the solutions necessary to ensure that individuals do not need to resort to panhandling to survive. Research has shown that unless the underlying causes of severe poverty and homelessness are addressed, creating prohibitive by-laws will not produce lasting resolutions. Certain measures such as Housing First in Finland or creating employment opportunities for those in vulnerable situations have proven to be effective and lasting solutions that encompass housing and lack of income for the homeless. However, several municipalities in BC have implemented anti-panhandling laws that enable law enforcement to charge fines to deter panhandlers from sitting, lying down, or asking for money in certain places, or at certain times. Furthermore, these municipalities claim they have implemented these bylaws for the safety and comfort of their residents. I believe this reasoning to be elitist and exclusionary as it does not include homeless residents as part of the group that need protection. My position regarding the implementation of anti-panhandling laws is that it is not an effective, nor a necessary action to address the underlying issues of extreme poverty and homelessness. When these root causes are resolved, panhandling will cease to be considered as a source of income for those in need.

As a society that adheres to a capitalist economic system, we use money to secure food, shelter, safety, and comfort, it also allows us to move freely through our lives. If one does not have money, support, or the means by which to generate income, it becomes an unbearable weight that restricts our freedom. Canada has been experiencing and policing vagrancy since before its confederation (Lamb, 2018), when settlers brought ideals of ambition and abundance as they colonized the Indigenous lands of Turtle Island. Panhandling and poverty concur in an inextricable way, such that when an individual is to the point of experiencing severe poverty and homelessness, there are few options to consider. In this paper, I will explore the application and implications of anti-panhandling laws, as well as what it means for the unhoused population. I do not believe that outlawing panhandling will provide any substantial solutions, as anti-panhandling laws only seek to remove the visibility and presence of the unhoused population (Buccieri, et al. 2013) without providing any long-term resolutions. (Lamb, 2018) It does not address the underlying causes nor show compassion, while also criminalizing poverty and people experiencing homelessness.

Public safety is a prominent issue when regarding panhandling. (Buccieri, et al. 2013) Passersby of neighbourhoods that experience the presence of panhandlers often speak to the discomfort they experience when encountering these individuals (Alam, 2021). Some local businesses and communities in B.C. have turned to their municipalities to seek a solution (McCue, 2020); thus, anti-panhandling laws have been created with this idea of safety in mind. In addition to the B.C. Safe Streets Act (BCSSA) that was implemented in 2004, several locations across BC have applied bylaws that would outlaw sitting or lying down on sidewalks or asking for money in certain spaces or at certain times. Maple Ridge, Penticton, Quesnel, and Salmon Arm are places in B.C. that have introduced such bylaws, with the consequences being charged a fine ranging from \$50 to \$500 per infraction (McCue, 2020).

Additionally, Penticton Mayor, John Vassilaki, who attributes the increase in complaints received regarding panhandlers, in addition to the perceived dangerousness of their presence, as the reason their 'good neighbour' bylaw was put into effect. The intention is to reassure the public's feeling of safety and their ability to shop in the downtown Penticton area (Vassilaki cited in McCue, 2020). While I cannot argue the importance of creating and maintaining a sense of safety for residents, I find this reasoning and subsequent implementation of their anti-panhandling bylaw to be elitist and exclusionary in assuming that panhandlers and those experiencing homelessness are immune to or do not also have the need to

feel safe. By considering panhandlers to be outside the realm of ‘the public’ that requires protection, we further stigmatize poverty and homelessness while further marginalizing a vulnerable demographic.

Outside of Canada, people are exploring alternatives in addressing homelessness and poverty without creating prohibitive laws. In Prague, three Charles University students of Prague’s Faculty of Humanities, Tereza Jurečková, Katarina Chalupková and Ondřej Klügl (Volynsky, 2012) launched a social enterprise called Pragulic (Jurečková), which employs unhoused individuals as urban tour guides, while bringing to light the difficulties that homeless people encounter each day by also offering a 24-hour homeless experience (Allen, 2016). Additionally, Fort Worth, Texas has a program entitled “Clean Slate” that pays unhoused employees fair wages, including paid vacation and benefits, to pick up trash around the city (Gordon, 2018). This initiative, which is run by the Presbyterian Night Shelter and funded by the city, employed 40 people, and cleaned up approximately 3,856 tons of garbage in 2017. My view is that by offering constructive alternatives to panhandling, initiatives like these are helping to bring awareness and reduce stigma by emphasizing that unhoused people should be treated as human beings.

Moreover, the most effective example is modeled by Finland, which has taken the approach of “Housing First” since 2007 (Trewern, 2019). Juha Kaakinen (2016), one of the founders of Housing First, and CEO of the Y-Foundation, a housing non-profit, explains that the principle is to accept housing as a human right, and to treat those who live on the street as people. Furthermore, Kaakinen states that in a cost analysis study conducted on Housing First, they have found that there is a savings of at least 15,000 Euros per homeless person per year that is housed through this program, when compared to the cost of services that are utilized by unhoused people that remain on the street (Mahboob, 2020). According to Juha Kahila, an activist based out of Helsinki, Finland is currently on track to eradicate homelessness from the entire country by 2027 (Warner, 2022), and in Helsinki, Finland’s capital, they expect to reach that goal by 2025. I strongly support this style of approach to addressing homelessness as it provides clear and proven solutions and treats individuals experiencing homelessness with dignity and respect.

In Prince George, B.C., a bid placed by the city to dismantle a homeless camp has been ruled against. (Kurjata, 2021) Honourable Chief Justice Christopher E. Hinkson, a B.C. Supreme Court judge ruled that the city did not have adequate shelter to house the members from the larger of two makeshift

encampments in the downtown Prince George. Hinkson stated that the 81 shelter beds available in the city are inaccessible to individuals who do not meet certain conditions, citing barriers against those who struggle with addiction and mental health disorders (Hinkson, as cited in Kurjata, 2021). According to Chief Terry Teegee of the B.C. Assembly of First Nations, Indigenous people account for approximately 80 percent of Prince George's homeless population. Teegee "applauds" Chief Justice Hinkson's ruling, stating that the city must consider alternatives that do not criminalize or further marginalize unhoused individuals (Teegee, as cited in Kurjata, 2021).

However, aggressive anti-homeless action is being taken by the city of Vancouver under order from the fire department to remove tents, makeshift shelters, and their inhabitants from the Downtown Eastside to avoid fire hazards (Uguen-Csenge, 2022). This displaces more than 400 people with no plan from the city or the province to house them. Vince Tao from the Vancouver Area Network of Drug Users states that, "there's no plan to where people are supposed to disperse to survive. Yet the city is coming in anyway to just kick everyone out" (Tao as cited in Uguen-Csenge, 2022). Aeio Marion, a resident of Vancouver describes the dilapidated conditions and increasing unavailability of the city's single-room occupancy (SRO) housing, where Marion resides (Marion as cited in Uguen-Csenge, 2022). Additionally, Marion expresses concern that the intention of the city appears to be that "they are just trying to kill us off," to clear the streets, regardless of inadequate housing. I disagree with this approach to removing unhoused people from problematic areas as they become displaced repeatedly without any alternative, leaving them with few options, such a continuing to panhandle in order to survive.

In conclusion, I believe that anti-panhandling laws are ineffective and unnecessary. Moreover, employing laws that criminalize unhoused individuals is dehumanizing and divisive, which further compromises their efforts to survive. I support the stance that panhandling is not a stand-alone issue, but rather a symptom of homelessness, (Buccieri, et al. 2013) therefore, by effectively addressing homelessness we will address the issue of panhandling. Additionally, I believe that successful endeavours, such as Finland's Housing First approach, give us proof that there are more effective ways in which to approach the issue of panhandling and homelessness to the benefit of all residents. By demonstrating compassion for this vulnerable demographic, I believe that the province of BC, along with the rest of Canada, could effectually reduce and eradicate the need for panhandling, thereby circumventing the need for anti-panhandling laws.

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