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# HOMELESSNESS & THE CHARTER

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**A RESOURCE FOR JUNIOR HIGH**  
ALBERTA CIVIL LIBERTIES RESEARCH CENTRE

# Acknowledgments



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## Homelessness and the Charter: A Resource for Junior High

### Introduction

The Alberta Civil Liberties Research Centre (ACLRC) seeks to contribute to a more just and inclusive Alberta community by providing research and education that promotes respect for civil liberties and human rights. Through our Human Rights Education Program, the ACLRC works with Alberta schools to teach students about human rights by providing free online materials for teachers as well as presentations and workshops on a variety of human rights topics.

The **Homelessness and the Charter** program is designed to explore the human rights implications of the *Canadian Charter of Rights and Freedoms (Charter)* through the lens of homelessness. In this program, students will deepen their understanding of *Charter* rights and human rights through applying their understanding of the *Charter* right to life, liberty, and security of the person to the issue of homelessness.

Utilizing this resource guide, teachers will lead students through lessons on Human Rights and *Charter* rights, exploring how these rights interact with the right to housing and the issue of homelessness. Students will closely examine the real-life Canadian case of *Victoria v Adams*, applying their understanding of the *Charter* and human rights to examine the importance of this case and how it continues to play an important role in Canadian law. The module will culminate in an in-class debate on a topic related to the themes, ideas and materials students have examined throughout the module. In addition to this resource guide, ACLRC has prepared an information guide to supplement teachers and facilitators' knowledge on how the *Charter* and human rights interact with the right to housing, as well as informational videos to supplement in-class discussions on the subject.

This resource has been created to compliment the Alberta Junior High curriculum, where students explore and learn about the *Charter* and the rights contained therein. It should be noted however, that this resource can be adjusted to suit different curricula and students in higher grade levels.

## **Homelessness and the Charter: A Resource for Junior High**

In working through this resource guide, you will find the following sections:

- Connections to the Alberta Curriculum
- Providing Students with the legal background on the right to housing
- Preparing Students for a Debate
- Potential Session Schedule

This resource guide has been prepared to assist teachers and facilitators in providing this program. However, ACLRC Human Rights Educators may also be contacted to assist in running this program. For more information on ACLRC and working with our Human Rights Educators, please consult the following section of this guide.

### **About the Alberta Civil Liberties Research Centre**

The ACLRC is a non-profit, non- government organization dedicated to education, research and publishing in civil liberties and human rights law for Albertans.

The ACLRC Human Rights Educators are available to teach secondary students about human rights law, from the international level to the local level. The program combines direct teaching of students as well as coaching and assisting teachers in the human rights field.

The Alberta Civil Liberties Research Centre (ACLRC) seeks to contribute to a more just and inclusive Alberta community by providing research and education that promotes respect for civil liberties and human rights. Through our Human Rights Education Program, the ACLRC works with Alberta schools to teach students about human rights by providing free online materials for teachers as well as presentations and workshops on a variety of human rights topics.

For more information or to book a Human Rights Educator please contact the ACLRC.

### Part One – Complimenting the Junior High Social Studies Curriculum

As of January 2022, the Alberta Social Studies curriculum for Grade 9 students aims for students to “analyze the relationship between Canada's political and legislative processes and their impact on issues pertaining to governance, rights, citizenship and identity.”<sup>1</sup>

The Homelessness and the Charter program, in examining the Charter, human rights and homelessness, effectively compliments two of the major specific outcomes identified in the Grade 9 curriculum. These include, the appreciation of “the impact of the Canadian Charter of Rights and Freedoms on rights and governance in Canada” and “how emerging issues impact quality of life, citizenship and identity in Canada”<sup>2</sup>.

In addition to complimenting the curriculum, the in-class debate activity will not only engage students with the information discussed in class, but also engage several important skills. Such skills include:

- critical and creative thinking;
- historical thinking;
- decision making and problem solving;
- cooperation, conflict resolution and consensus building;
- age-appropriate behaviour for social involvement;
- research and information skills; and
- oral, written and visual literacy skills.<sup>3</sup>

The information and exercise contained in this program, will not only meet the curricular needs of students, but also provide them with the opportunity to engage in the learning material in a meaningful way. The ACLRC information guide on Homelessness and the Charter and videos will assist teachers in providing this information and the debate activity.

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<sup>1</sup> Overview, [Alberta Education, Program of Studies](#), Social Studies *Grade 9* (2009).

<sup>2</sup> Specific Outcome 9.1.3, [Alberta Education, Program of Studies](#), Social Studies *Grade 9* (2009).

<sup>3</sup> Benchmark Skills and Processes, [Alberta Education, Program of Studies](#), Social Studies *Grade 9* (2009).

### Part Two – Providing Students with the Legal Background on the Right to Housing

When introducing students to the connection between human rights laws and the Charter, providing students with an expansive picture of how human rights relates to the right to housing and homelessness is crucial. Through providing students with various sources of laws, policies and rights, students will not only gain a better understanding of how Canadian laws address issues such as homelessness, but also how Canadian laws compare and relate to international standards.

In discussing human rights and the *Charter*, utilizing the lens of homelessness will allow students to apply what they have learnt about these rights to a concrete issue. In examining homelessness and the right to housing, it will be important for teachers to discuss with students' what homelessness means and how it can present itself in a variety of ways.

#### Homelessness & The Right to Housing

To examine the application of human rights laws and the *Charter* through the lens of homelessness, it is first important for students to understand what homelessness means. Teachers should provide students with information on statistics surrounding homelessness, hold discussions on factors leading to or increasing homelessness, as well as some of the myths and misconceptions surrounding homelessness.

There are several resources to assist teachers in teaching students about homelessness. A resource that teachers can refer to for examples of lessons plans and activities, is the Homeless Hub from the Canadian Observatory on Homelessness.<sup>4</sup> The Canadian Observatory on Homelessness Canada's largest national research institute devoted to homelessness and is the curator of the Homeless Hub, a library of resources on homelessness.<sup>5</sup> These resources can help contextualize homelessness for students, and may also be beneficial for students when preparing for the in-class debate.

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<sup>4</sup> <https://www.homelesshub.ca/about-homelessness/education/teachers/lesson-plans>

<sup>5</sup> <https://www.homelesshub.ca/>

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### International Human Rights & The Right to Housing

Canada is a party to several international human rights treaties, and thus has several international human right obligations. Through sharing with students information about Canada's international obligations and what those obligations involve, students will gain a broader picture of human rights and how international human rights relate to Canadian laws and policies and how international human rights law regards the right to housing. This information will also be beneficial for students when they are preparing for their debate, as international human rights obligations do specifically include a human right to adequate housing.

Information on international human rights and the right to adequate housing can be found in the Report prepared by ACLRC as well as in the video on the Human Right to Housing prepared by ACLRC.

### Charter of Rights and Freedoms & The Right to Housing

To compliment the Alberta curriculum on the *Charter*, the ACLRC Report provides significant information on how section 7 of the *Charter* can be applied in instances involving homelessness. A useful case study that can help ground students' understanding of the application of section 7 of the Charter to homelessness, is the 2005 case of *Victoria v Adams*. The ACLRC videos provide an overview of human rights and *Charter* rights and how they interact with the right to housing and an overview of an important case in Canadian law addressing the intersection of the Charter with homelessness, *Victoria v Adams*.<sup>6</sup> In examining the case of *Victoria v Adams*, students will be able to apply the knowledge they have learned regarding human rights and Charter rights, to a real-life situation. The ACLRC Report provides information on additional case studies where the *Charter* was successfully (or unsuccessfully) applied to homelessness. In addition to the ACLRC resources created specifically for this program, ACLRC has several helpful resources on human rights and the Charter on their website, which can be later used by students in preparing for their in-class debate.<sup>7</sup>

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<sup>6</sup> See the ACLRC videos on [Charter Rights and The Human Right to Housing](#), and [The Right to Housing in Canada](#).

<sup>7</sup> Alberta Civil Liberties Research Centre, [Human Rights Resources](#); and [Know Your Charter Rights](#).

### Part Three – Preparing for a Debate

Following the lessons on the Charter, human rights and the connection to homelessness, this program calls for students to participate in an in-class debate. The debate will be an opportunity for students to utilize the information they have learned during the program and apply it in a creative manner. The debate will also push students to problem solve, think critically, and work together in their debate teams.

#### How Do You Hold a Debate?

When introducing students to the debate activity, a good place to start is with the ACLRC video on debating.<sup>8</sup> This video provides an overview of what a debate is, how it is run and the purposes behind a debate.

For additional information on how to organize a debate, the structure and flow of a debate and preparing for a debate, the Alberta Debate and Speech Association has several helpful resources, including lesson plans for in-class debates, resources on techniques and debate etiquette and tools and techniques to assist students in their debate.<sup>9</sup>

In consulting these resources and the ACLRC video on debating, teachers are encouraged to adapt the format and debate activity as needed, to suit their students' learning needs and requirements.

#### Debate Propositions

Once the debate activity has been discussed with students, the debate proposition should be shared. Propositions can be based on fact, value, or policy. When developing a proposition for the debate, teachers should consider what arguments can be made for both sides of the argument, how students can utilize the information they have learned to make these arguments and how much research may be required in preparing students' arguments.

Below are two example debate resolutions. However, teachers are encouraged to

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<sup>8</sup> Alberta Civil Liberties Research Centre, [Debating Video](#), 2021.

<sup>9</sup> Alberta Debate and Speech Association, [Resources](#), 2021.

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- The Canadian Charter does a sufficient job at protecting the right to life of homeless Canadians.
- Homeless persons in Canada are equally protected under the laws in Canada as persons with homes.

### Research & Evidence Gathering

Once students have received their debate resolution and an overview of the debate process, students will begin their research and evidence gathering. At least one session should be dedicated to showing students how to effectively research for preparing for their debate. Teachers should provide information on where students can access the *Charter*, where to find reliable and accurate articles, case summaries and other sources to support their arguments.

This is a good opportunity for students to discuss and learn about how to reference sources in their work, the difference between primary and secondary sources and how to conduct good and thorough research online and through physical sources such as textbooks, magazines, newspapers, and books.

In conducting their research, students should not only research their own position and find sources that support their position, but also consider the arguments their opponents may make. This will allow for students to prepare to address their opposition's arguments, making their own position stronger.

### Group Work

As this debate will be conducted in groups, students will need to discuss among themselves how they want to divide work. Students should be encouraged to equally participate in the research and preparation aspect of the debate, as well as presenting their arguments.

### Practicing

Students should be provided with sufficient class time to practice presenting their arguments as a group. Practice sessions should also allow time for teachers or ACLRC Human Rights Educators to ask students questions about their positions. This will allow for students to

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identify any ideas or topics that they may wish to consider before presenting their arguments in the debate.

### The Debate

During the debate, students should be reminded of the importance of polite and respectful behavior. The debate activity is not geared towards declaring a winner, but in encouraging students to engage with the learning material in a creative manner and in demonstrating their critical thinking and research skills.

Following the debate, teachers and ACLRC Human Rights Educators can debrief with students.

Questions that may be asked can include:

- Did your own opinion differ from the argument that you made during the debate?
- Did you learn anything new, or change your mind on the subject following the debate?
- What was something that surprised you when researching for your argument?

This debrief session will allow for students to reflect on what they have learned during the debate process and what they have learned about the learning material.

## Part Four – Potential Session Schedule

Below is a suggested session schedule for this program. However, teachers are encouraged to adapt and adjust this suggested schedule as necessary to meet the scheduling and learning needs of their students as well as the schedule of the ACLRC Human Rights Educators.

### Week 1

- Students learn about what human rights are
- Students learn about international human rights
- Students learns about the Canadian Charter of Rights and Freedoms
  - History

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- Purpose
- Contents
- Students compare international human rights and the rights contained in the Charter

### Week 2

- Students discuss homelessness, who it impacts, how it impacts people etc.
- Students learn about how *Charter* rights are relevant to homelessness, which ones protect peoples from homelessness, how does homelessness impact charter rights?
- Students learn about the *Victoria v Adams* case.

### Week 3

- Students learn about how to debate
- Students are divided into groups and receive their debate topic and positions they will argue.
- Students learn about how to research for and prepare arguments for a debate.
- Students begin research

### Week 4

- Students conclude research
- Students begin practicing with their group mates
- Debate
- Students debrief with teacher and/or ACLRC Human Rights Educator on the experience and what they have learned about the Charter, human rights, and the issue of homelessness.

## Conclusion

This program is designed to explore the human rights implications of the *Charter* through the lens of homelessness. Students will deepen their understanding of *Charter* rights and human rights through applying their understandings in a debate. The debate provides an

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opportunity for students to utilize the information they have learned and apply it in a creative manner, engaging their problem-solving, critical thinking and teamwork skills.

This program compliments the Alberta social studies curriculum and is easily adaptable to suit the schedule and learning needs of various classrooms. The ACLRC Human Rights Educators are available to assist in the facilitation of this program and can be contacted via the ACLRC.

### ACLRC Resources (Links)

ACLRC Video, [Charter Rights and The Human Right to Housing](#), 2021, 4:04 mins.

ACLRC Video, [The Right to Housing in Canada](#) 2021, 3:16 mins.

ACLRC, [Debating Video](#), 2021, 2:30 mins.

ACLRC, *Respectful Me, Respectful You* Scenario: [Discrimination Against Person Perceived as Homeless](#) 2016, 2:30 mins.

ACLRC, [Teaching about Charter Rights Through Examination of the Right to Housing under Canadian Law](#), 2021.

### CANADIAN LAW WEBSITES

#### 1. Social Rights Advocacy Group

<http://www.socialrights.ca/>

A not for profit NGO dedicated to relieving poverty and improving access to adequate food, clothing, housing, education, healthcare and other requirements of dignity, equality and security through human rights research, public education and legal advocacy in Canada and around the world in support of economic, social and cultural rights (social rights).

#### 2. The National Right to Housing Network

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<https://housingrights.ca/>

The National Right to Housing Network (NRHN) was formed after the enactment of the *National Housing Strategy Act* in 2019. Its goal is to mobilize a broad-based, grassroots civil society network to fully realize the right to housing and homelessness in Canada. It is composed of a group of key leaders, thinkers, experts and people with lived experience of housing precarity and homelessness. Resources accessible at the HRHN are the following:

*A. Addressing the Evictions & Arrears Crisis: Proposal for a Federal Government Residential Tenant Support Benefit* - This federal submission and proposal, written alongside the Centre for Equality Rights in Accommodation (CERA) and through consultation with over 120 individuals and organizations, offers:

- An analysis of the arrears and evictions crisis during the pandemic, recognizing it as a systemic issue that affects already-marginalized peoples like women, low-income workers, Black and Indigenous peoples, queer households, and persons with disabilities most
- A review of the federal government's commitment to the progressive realization of the right to housing under the National Housing Strategy Act (NHTA) and, in turn, to international human rights obligations which recognize housing as a fundamental human right
- A practical and detailed proposal for a federally-funded Residential Tenant Support Benefit to help preserve tenancies and avoid evictions due to the pandemic, in accordance with the NHTA
- An overview of the steps taken by each provincial and territorial government to address evictions and arrears up to February, 2021

*B. The National Right to Housing Network, The Right to Housing in Canada – Backgrounder and Fact Sheet* [https://housingrights.ca/wp-content/uploads/National-Right-to-Housing-Network-Backgrounder Fact-Sheet\\_FINAL.pdf](https://housingrights.ca/wp-content/uploads/National-Right-to-Housing-Network-Backgrounder-Fact-Sheet_FINAL.pdf)

*C. Fact Sheets and Articles including:*

- Canada's First Housing Advocate – What's at stake, what the role is, and who we need to shape this critical human rights mechanism.

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- The Right to Housing 101 – What it means, what it doesn't, and what it looks like in the Canadian context.
- “Housing Rights: Ottawa takes a historic step forward,” Bruce Porter and Elizabeth McIsaac (Literary review of Canada: November 2019).

D. Videos (videos of webinars)

### 3. **Right to Housing Coalition**

<https://righttohousing.ca/>

### 4. **Centre for Equality Rights in Accommodation (CERA)**

<https://www.equalityrights.org/>

### 5. **CHRC - Housing Rights – Office of the Federal Housing Advocate**

<https://www.housingchrc.ca/en/about-us>

### 6. **Maytree**

<https://maytree.com/media-centre/>

Formed in 1982, “Maytree works to advance systemic solutions to poverty through a human rights approach...Maytree is committed to advancing systemic solutions to poverty and strengthening civic communities. We believe the most enduring way to fix the systems that create poverty is to have economic and social rights safeguarded for all people living in Canada. They focus on poverty and human rights; housing; income security; human rights cities and right to education.”

### 7. **The Shift**

<https://www.make-the-shift.org/>

Global Director at The Shift, Leilani Farha, is the former UN Special Rapporteur on the Right to Housing. Her work is animated by the principle that housing is a social good, not a commodity. Leilani has helped develop global human rights standards on the right to housing, including through her topical reports on homelessness, the financialization of housing, informal settlements, rights-based housing strategies, and the first UN Guidelines for the implementation of the right to housing. She is the central character in the documentary PUSH regarding the financialization of housing, screening around the world. Leilani Launched The Shift in 2017

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with the UN Office of the High Commissioner for Human Rights and United Cities and Local Government.

Resources provided include:

- [Push a movie](#)
- A new podcast called [#PUSHBACK Talks](#) - New episodes of PUSHBACK Talks are released every Friday. Listen on [Spotify](#), [iTunes](#) and [Google Podcasts](#).

- [Press room](#)

- In a April 2020 report entitled *A National Protocol for Homeless Encampments in Canada*. The report outlines eight broad human rights-based principles that should guide governments and other stakeholders in adopting a rights-based approach in their response to encampments.

### 8. Right to Home Working Group

<https://www.make-the-shift.org/righttohome/>

Convened by The Shift and the Canadian Urban Institute, the Right to Home working group brings together elected officials and city staff from across Canada committed to securing the right to housing.

### 9. The Canadian Urban Institute

<https://canurb.org/>

[Right to Housing Toronto \(R2HTO\)](#) published the report *Encampment Rights Review* in September 2020, applying Farha's Canadian level work to Toronto. While the R2HTO report commended the City for its inter-divisional approach, it also said "the City must immediately cease to treat encampments as by-law infractions or nuisances in the urban landscape" and highlighted B.C. court decisions that successfully challenged similar anti-camping by-laws.

### 10. Social Rights Advocacy Centre <http://www.socialrights.ca/>

"A not for profit NGO dedicated to relieving poverty and improving access to adequate food, clothing, housing, education, healthcare and other requirements of dignity, equality and security through human rights research, public education and legal advocacy in Canada and around the world in support of economic, social and cultural rights (social rights)."

**11. The Homeless Hub <https://www.homelesshub.ca/>**

The Canadian Observatory on Homelessness is a non-partisan research and policy partnership between academics, policy and decision makers, service providers and people with lived experience of homelessness. This website provides details on their research initiatives and their knowledge focused resources.