

PROVINCIAL ONTARIO BILL 6

Bill 6 further prohibits using drugs in public places, including any structure (such as a tent) that is in a public place (such as a park).

Bill 6 is meant to further intimidate and criminalize PWUD and homelessness.

If Police or Provincial law enforcement think you're using in a public place, they can issue "*directions*" which are enforceable under threat of arrest.

ONTARIO TRESPASS TO PROPERTY ACT

The Trespass to Property Act means you aren't allowed to do a range of things without permission on public or private property (such as camping, disturbing the peace, having a fire, etc.) and you can be fined.

If convicted of an offence, you could receive a **maximum fine of \$10,000, and/or possible prison time**

Bill 6 expands the reach and penalty of the Trespass to Property Act during sentencing.

1. IF YOU'RE USING IN A PUBLIC PLACE, THESE ARE THE ENFORCEABLE "DIRECTIONS"

- They can order you to leave or stop using in a public place.
- If you don't leave or stop, they can take your drugs (which can be submitted for analysis as proof in court).
- They can demand that you provide your full name, birth date, and address.
- It's an offence to not surrender your drugs or not provide your full name, birth date, or address (or to give false information), if you don't stop or leave.

IT'S CONSIDERED AN OFFENCE TO NOT FOLLOW THESE DIRECTIONS

2. WHAT DOES AN OFFENCE MEAN?

- An offence is when you break a law. You may be arrested and taken into police custody.
- Under Bill 6, you can be escorted to social services (such as detox, forced treatment, a shelter, an emergency room).
- They may do this in lieu of a fine or imprisonment. Or any combination of the 3.

Under Bill 6 you may face a maximum fine of **\$10,000**
Or a max prison term of **6 months**

3. TRESPASS TO PROPERTY ACT AGGRAVATING FACTORS UNDER BILL 6

- If you're given notice to leave a property, and you don't leave, it's considered an offence and can effect your court sentencing.
- If you leave and then come back before the notice leave-time, this does not negate your trespass notice.
- If you're sentenced in court, they may decide that you're "likely to trespass again in the future," which could increase any penalties or your case.
- If you leave or are forced to leave, you could lose all your belongings.

AN OFFENCE UNDER THE TRESPASS TO PROPERTY ACT CAN RESULT IN A MAX \$10,000 FINE

WHAT YOU CAN DO

KEEP 6 & WE KEEP US SAFE

SEEK LEGAL ADVICE
TMU Legal Clinic
416-979-5363

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CONSIDERATIONS FOR
ENCAMPMENT RESIDENTS
AND PEOPLE
WHO USE DRUGS