

KNOW YOUR RIGHTS

The Right to Access Violence Against Women (VAW) Shelters for Women, Trans, and Gender-Diverse People Who Use Drugs

VAW shelters must provide services without discrimination based on gender identity, gender expression, or present, previous, or perceived addiction — which includes people who use drugs, even if they are not currently experiencing addiction.

Under the *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*, you cannot be discriminated against based on a disability. Courts have confirmed that addiction (sometimes also described as a “substance use disorder”) counts as a disability (current, past, or perceived) in human rights law. Ontario’s *Violence Against Women Emergency Shelter Standards* also confirm that provincially funded VAW shelters must be accessible to people who use drugs and cannot discriminate because of drug use, gender identity, or gender expression.



SHELTERS MUST:

- Provide services without discrimination, including any ways that harm people who use drugs
- Accommodate* addiction-related needs, unless doing so would cause undue hardship*
- Base decisions on evidence — not fear, assumptions, or stigma around drug use
- Adjust shelter practices to meet the needs of people who use drugs, rather than refusing access
- Maintain a space free from stigma and harassment linked to drug use
- Make shelter communications and processes accessible for people who use drugs
- Respect dignity, privacy, and participation for all, including people who use drugs

***Accommodation:** This means the shelter changes its rules or practices so people with disabilities — including addiction — can access services equally and without discrimination.

***Undue Hardship:** This is the legal “limit” on accommodation, meaning a shelter needs only accommodate someone until the point where it would impose unsustainable costs on the shelter or a real, evidence-based health or safety risk to the shelter.

YOU CANNOT BE:

- Denied access to shelter just because you are believed to have an addiction (past or present)
- Excluded from shelter by blanket “no drug use” rules
- Refused reasonable accommodation (e.g. healthcare referrals, relaxed curfew rules, etc.) that would help you access or keep shelter
- Insulted, shamed, or targeted by staff or other people living in the shelter because you use drugs
- Profiled, singled out, or monitored because of stereotypes about addiction and drug use
- Punished based on hypothetical or unproven safety concerns related to drug use



Many municipalities in Ontario set their own shelter standards. Some require low-barrier, non-discriminatory access for people who use drugs. Others create barriers.

Scan the QR code on the left to find out more about your municipality’s policies.

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