

## Progress Update on Safe and Inclusive Access

### RECOMMENDATIONS:

That Council:

1. Receive the progress update report and attachments on safe and inclusive access for information; and
2. Direct Administration to monitor the utilization of the Safe and Inclusive Access Bylaw, and as necessary, return to Council with any recommended amendments.

### HIGHLIGHTS

- This report contains details about lived experiences of hate, transphobia and homophobia which may be harmful or traumatic for some readers. If you need support, contact 211.
- Quantitative and qualitative data suggest that the recently enacted Safe and Inclusive Access Bylaw (17M2023) (“the Bylaw”) and amended Public Behaviour Bylaw (both approved 2023 March 14) have had some positive impacts:
  - Decreased numbers of specified protests<sup>1</sup> within 100 metres of the entrance to a recreation facility or library
  - High levels of voluntary compliance
  - Enhanced sense of staff safety at recreation centres and libraries
  - Members of the 2SLGBTQIA+ community report feeling safer in public spaces
- Data presented in this report is valid up until 2023 April 16.
- **What does this mean to Calgarians?** Individuals are still permitted to protest on any topic, and early evidence suggests that the Bylaw’s 100-metre access zone applicable to “specified protests” is increasing safe and inclusive access to public recreation facilities and libraries.
- **Why does it matter?** All members of the public are entitled to access public spaces. Creating public spaces that are safe, inclusive, and free from hate or harassment is critical for ensuring all Calgarians can thrive in our city.
- Background and Previous Council Direction are included in Attachment 1.

### DISCUSSION

#### Changes in protest occurrences

Protests on a range of political, cultural, and labour-related topics continue to occur in Calgary. Since the Bylaw was passed, the weekly average number of planned events with potential for protests in Calgary has not changed. However, the number of specified protests targeting the 2SLGBTQIA+ community taking place at recreation centres and libraries has declined. On 2023 April 1, the rescheduled Drag on Ice with DJ Gaysnakes performance took place with no disruptive protest occurring. This performance was originally scheduled for early February but was postponed due to safety concerns over anticipated protests targeting the 2SLGBTQIA+ community. At Canyon Meadows pool, the last scheduled protest was planned for 2023 March 26; however, no protestors were present. Protests continue to occur at Reading with Royalty events at libraries with varying numbers of protestors involved. Analysis of protest event data show that since the Bylaw was passed, the number of specified protests taking place at recreation centres and libraries has dropped to approximately one per week, which is lower than the forecasted rate of three per week (Attachment 2).

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### Bylaw enforcement

Between 2023 March 15 and April 16, six violation tickets have been issued under the Bylaw. A majority of the individuals protesting are voluntarily complying with the 100-metre restriction. From 2022 June 1 (when the Street Harassment amendment initially took effect) to 2023 March 14, seven violation tickets were issued under the Public Behaviour Bylaw. Between 2023 March 15 and 2023 April 16, four additional violation tickets were issued.

### Experiences of recreation facility and library staff

The Bylaw, coupled with increased presence of police and community peace officers, has led to an increased sense of safety and reduced levels of anxiety in staff. Several staff expressed appreciation toward The City, Calgary Police Service and City Council for the support they've received through the enactment of the Bylaw and amendment to the Public Behaviour Bylaw, expressing "a sigh of relief" in dealing with the challenges they've faced related to disruptive protests.

Calgary Public Library noted that specified protests have continued related to their Reading with Royalty program. The Library has also seen increased presence from supporters of the 2SLGBTQIA+ community at protests. Data collected at library locations where Reading with Royalty events have taken place, show that attendance has remained relatively consistent since the passing of the Bylaw.

### Community engagement survey

In the course of six days (the time available in light of the quick turnaround for this report), an online survey was completed by over 460 members of the 2SLGBTQIA+ community and groups experiencing exclusion and discrimination. Thirty-two percent of participants reported feeling safer in public spaces, while 62% reported they don't feel any different about their level of safety.

Over 600 comments were also provided via open-text questions. Participants described the impacts of the Bylaw, including for example, "I can take my child to the library or other city facilities and not worry (as much) that someone will be screaming vitriol at us as we come and go or participate in events that are important and meaningful to our family". Some comments conveyed that the bylaws have had no impact or no impact yet. Concerns related to how the Bylaw would be enforced were also shared. Finally, a number of participants commented on how the presence of bigotry and hate in our city is impacting their overall sense of safety. While the Bylaw does not apply to all public contexts, the survey data suggest that it has created a protection mechanism for members of communities who experience exclusion and discrimination to feel safer and while accessing public spaces and services.

## **EXTERNAL ENGAGEMENT AND COMMUNICATION**

- |  |   |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken        | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken |
| <input type="checkbox"/> Public/interested parties were informed | <input type="checkbox"/> Public communication or engagement was not required        |

## **IMPLICATIONS**

### **Social**

The new Safe and Inclusive Access Bylaw and amendment to the Public Behaviour Bylaw advance Council's Strategic Direction on Social Resilience; The City's Social Wellbeing Policy; Gender Equity, Diversity and Inclusion Strategy; and Commitment to Anti-Racism.

### **Environmental**

Not Applicable

### **Economic**

Inclusive public spaces support diversity, attract business, and contribute to a thriving economy and a prosperous city.

### **Service and Financial Implications**

#### **Existing operating funding - base**

Not Applicable

The City's peace officers, in collaboration with Law, will continue to monitor bylaw utilization and its impacts on the provision of safe and inclusive access to recreation facilities and libraries.

## **RISKS**

Over time, the impacts and functionality of the bylaws are likely to change.

The use of self-reported survey data and the short time interval between the passing of the bylaws and the data collection period limits the validity and reliability of the findings in this report. Data on the broader public perception of the Bylaw were not included in the scope of this report due to time constraints.

The Safe and Inclusive Access Bylaw only addresses "specified protests", which means other protests can occur closer to the entrance of facilities. Some individuals have questioned why the Safe and Inclusive Access Bylaw does not prohibit the presence of supporters of the 2SLGBTQIA+ community within the 100-metre access zone. The intent of the Bylaw is to ensure safe and inclusive access to facilities and applies to everyone equally, meaning that no one can partake in a "specified protest" within the 100-metre access zone. "Specified protest" is defined as expressing disapproval or objection to an idea or action related to one of the protected human rights grounds; these include race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. To date, the presence of individuals expressing support for the 2SLGBTQIA+ community have not met the definition of "specified protest" within the Bylaw. The City's Bylaw Enforcement Officers, who hold provincial Peace Officer appointments, are not subject to the direction of elected officials and make charging decisions without political interference.

Administration will continue to monitor the utilization of the Bylaw and, as necessary, return to Council with any recommended amendments.

## **ATTACHMENTS**

1. Background and Previous Council Direction
2. Protest Trends
3. Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
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**Community Services Report to  
Regular Meeting of Council  
2023 April 25**

**ISC: UNRESTRICTED  
C2023-0371  
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Jill Floen	City Solicitor & General Counsel	Consult
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<sup>1</sup> 'Specified protest' as per the Safe and Inclusive Access Bylaw (17M2023) means an expression of objection or disapproval towards an idea or action related to race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation by any means, including graphic, verbal, or written means, but does not include messaging at an event scheduled by a recreation facility.