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Affiliations

This research will supplement a minor paper in the Housing, Homelessness and the Law Seminar (Law 498) taught by Sarah Buhler and Anna Lund.

SIS Purpose & Authority¹

SIS is a program of last resort to provide financial assistance to meet basic needs while taking steps to transition to self-sufficiency. *The Saskatchewan Assistance Act* provides for the granting of benefits to persons in need and authorizes the SIS program as an income-tested program.

Housing Precarity & Social Assistance

- Social assistance benefits struggle to keep up to the actual cost of living, “forcing many people to choose between meeting basic needs or paying rent”¹⁰
- Rental housing providers are wary to rent to SIS clients because of the inadequacy of SIS payments¹²
- Landlords cannot legally refuse to rent to someone because that person receives public assistance,¹⁴ but the inadequacy of benefits significantly restricts rental opportunities and disqualifies renters for a vast majority of available rental properties¹³

Housing Precarity & Women in the Criminal Justice System

- Indigenous women are more likely to be incarcerated than non-Indigenous women, and the incarceration of Indigenous women is caused by factors including housing insecurity, homelessness, and poverty¹⁶
- Homelessness increases the chances of being incarcerated, and being incarcerated increases the chances of being homeless⁹
- The stigma associated with incarcerated women’s history makes it challenging to find housing, even when they can afford it⁷
- For women that are still incarcerated, phoning potential employers or landlords from a prison phone can lead to upfront discrimination or bias⁷

¹ Government of Saskatchewan, “Saskatchewan Income Support Program Policy Manual” (2023), online: https://pubsaskdev.blob.core.windows.net/pubsask-prod/112381/SIS%252BPolicy%252BManual_February%252B2023.pdf.
² Regina Anti-Poverty Ministry, “Grave concern with Saskatchewan Income Support (SIS) Program: Letters to the SK government” (2021), online: <https://livingskiesrc.ca/wp-content/uploads/2021/11/RAPM-SISCutsConcerns-ActionCall-Nov2021.pdf>.
³ Stephen Gaetz and Bill O’Grady, “Homelessness, Incarceration, and the Challenge of Effective Discharge Planning: A Canadian Case” (2009), online: <https://homelesshub.ca/sites/default/files/7.3%20Gaetz%20and%20O%27Grady%20%20Homelessness%20%20and%20Discharge%20Planning.pdf>.
⁴ Lucy A. Williams, “The Legal Construction of Poverty: Gender, Work, and the Social Contracts” (2011) 22:3 Stellenbosch L Rev 463.
⁵ Government of Saskatchewan, “Saskatchewan Income Support Questions and Answers” (2019), online: <https://pubsaskdev.blob.core.windows.net/pubsask-prod/114732/SIS-QAs%252BAug%252B2021.pdf>.
⁶ Thia James, “Transitional housing key to adjusting to life after corrections, can be hard to find and get to” *The Star Phoenix* (2019), online: <https://thestarphoenix.com/news/local-news/transitional-supports->.
⁷ Isobel M. Findlay et al., “Through the Eyes of Women: What a Co-operative Can Mean in Supporting Women During Confinement and Integration” (2013), online: <https://usaskstudies.coop/documents/social-economy-reports-and-newsletters-through-eyes-of-women.pdf>.
⁸ Jessie Anton, “Sask. Landlord Association warns of ‘alarming trend’ in evictions of low-income renters” *CBC News* (2022), online: <https://www.cbc.ca/news/canada/saskatchewan/landlord-association-low-income-renters-evictions-1.6655914>.
⁹ Institute for the Prevention of Crime, “Homelessness, Victimization and Crime: Knowledge and Actionable Recommendations” (2006), online: <https://www.publicsafety.gc.ca/brr/archives/cmcs-plng/cn35305-eng.pdf>.
¹⁰ Sarah Buhler & Catriona Kaiser-Derrick, “Home, Precarious Home: A Year of Housing Law Advocacy at a Saskatoon Legal Clinic” (2020) 32 JL & Soc Policy 45.
¹¹ Terry Skolnik, “Criminal Justice Reform: A Transformative Agenda” (2022) 59:3 Alta L Rev 631.
¹² Saskatchewan Landlord Association, “Position Paper: Saskatchewan Income Support (SIS) Program” (2020), online: <https://saskatchewanlandlordassociation.ca/wp-content/uploads/2020/12/SIS-Position-Paper.pdf>.
¹³ CMHC, “Rental Market Report: January 2023 Edition” (2023), online: <https://assets.cmhc-schl.gc.ca/sites/cmhc/professional/housing-markets-data-and-research/market-reports/rental-market-report-2022-en.pdf?rev=f8ebfd2-961f-4589-8ae2-fac01d1aeadc>.
¹⁴ Saskatchewan Human Rights Commission, “Access and Equality for Renters in Receipt of Public Assistance: A Report to Stakeholders” (2018), online: https://saskatchewanhumanrights.ca/wp-content/uploads/2020/03/SHRC_RIRPA_web.pdf.
¹⁵ Office of the Correctional Investigator, “Proportion of Indigenous Women in Federal Custody Nears 50%: Correctional Investigator Issues Statement” (2021), online: *Government of Canada* <https://www.oci-bec.gc.ca/cnt/comm/press/press20211217-eng.aspx>.
¹⁶ Katilin Schwan et al., “The State of Women’s Housing Need & Homelessness in Canada: Literature Review” (2020), online: *Canadian Observatory on Homelessness Press* <https://womenshomelessness.ca/wp-content/uploads/State-of-Womens-Homelessness-Literature-Review.pdf>.

The Link Between Housing Precarity & the Saskatchewan Income Support Program for Women in the Criminal Justice System

Women in the criminal justice system are negatively impacted by the Saskatchewan Income Support (SIS) program and struggle with increased housing precarity as a result.

Overview of SIS

- SIS began accepting clients in 2019, fully replacing the Saskatchewan Assistance Program (SAP) and Transitional Employment Allowance (TEA) in August 2021¹
- Advocates assert that benefits are reduced under SIS, compared to SAP and TEA²
- In Saskatoon and Regina, a single person receives **\$600 for rent and utilities, and \$380 for a basic allowance** to cover other expenses (food, clothing, travel, personal and household items) per month²

SIS & Renting in Saskatchewan

- Average rental price for a one bedroom was \$1,026 in Saskatoon and \$988 in Regina in 2022¹³
- In 2022, households in the lowest income group in could only afford 7% of rental properties¹³
- SIS benefits are paid directly to clients, and are only paid directly to landlords or utility providers in “exceptional circumstances”²
- SIS aims to increase financial independence, but often puts clients at greater risk of eviction¹²

SIS & Incarceration

- Benefits are automatically suspended after 30 days of incarceration,¹ and can result in eviction of incarcerated tenants due to non-payment of rent
- An application for SIS is made only 10 days before release¹ and release planning resources are limited³
- Inmates in prison on remand receive less assistance with release planning, often being released without any plan³
- Eligibility for SIS is not confirmed until after release,⁶ creating challenges in finding stable housing without confirmation of income
- Individuals in Community Training Residence (CTR) are also ineligible for SIS,¹ despite paying rent for accommodations if working part time or full time

Housing Precarity, SIS & Women in the Criminal Justice System

- Women are the most impoverished group in Canada, and recent research shows greater levels of poverty amongst racialized and Indigenous women.¹⁶ Indigenous women also have a higher rate of homelessness than non-Indigenous women,⁹ and almost 50% of incarcerated women in Canada are Indigenous (while only representing 5% of the total population of women in Canada)¹⁵
- Research has shown that most incarcerated women interviewed relied on government assistance before incarceration,⁷ reiterating the relationship between housing precarity, homelessness, poverty, and the criminal justice system¹⁶
- Housing precarity is a predictor of ongoing involvement in the criminal justice system, yet women are consistently released without discharge plans, especially when on remand,¹¹ and lack the adequate support to maintain suitable housing, increasing the risk of future involvement in the criminal justice system¹⁰
- Scholars have argued that our societies have historically helped to keep people in poverty, rather than escape it.⁴ SIS is described as “legislated poverty” because annual benefits are far below the poverty line²
- The provincial government heavily relies on community organizations to support individuals approaching release, helping set up income assistance benefits, housing, and other basic needs⁷
- Transitional housing is difficult to find in Saskatchewan,⁶ and individuals are often released without adequate plans in place.³ Homelessness on release is caused by multiple factors, including inaccessible or inadequate social assistance, lack of supports, and discrimination by landlords based on race, gender, and receipt of social assistance¹⁶
- Women involved in the criminal justice system are statistically more likely to require income assistance,⁷ and the SIS program appears to be perpetuating rates of homelessness due to inadequate benefits, inaccessible application methods, and timing of confirmation of benefits. As a result, women in the criminal justice system are at a greater risk of housing precarity and SIS poses additional challenges in obtaining housing, creating barriers to reintegrating into society

Next steps

- Better connections between social services and correctional institutions can aid in applying for social assistance prior to release. Other supports, such as transportation and proper clothing, are largely unavailable.³ Effective release planning is integral to women re-entering the community, decreases future interaction with the criminal justice system, and improves housing stability¹⁶
- The option for SIS payments to be made directly to landlords at the time of application, rather than meeting eligibility criteria and self-advocating for direct payment, can reduce housing precarity as rent payments are prioritized¹²
- Organizations have called on the provincial government to modify SIS to provide more adequate benefits that reflect accurate housing costs, allowing more rental options that are affordable to SIS clients, and reducing rates of housing precarity among those receiving social assistance²