

**COURT OF APPEAL FOR ONTARIO**

**B E T W E E N:**

**KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH,  
MARIO MUSCATO, SHAWN ARNOLD, CASSANDRA JORDAN, JULIA LAUZON, AMMY  
LEWIS, ASHLEY MACDONALD, COREY MONAHAN, MISTY MARSHALL, SHERRI  
OGDEN, JAHMAL PIERRE, and LINSLEY GREAVES**

Appellants

- and -

**CITY OF HAMILTON**

Respondent

**APPELLANTS' APPEAL BOOK AND COMPENDIUM – VOLUME 12**

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**AND TO:**

**Ministry of the Attorney General – Constitutional Law Branch**  
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**TAB 161**

**ONTARIO SUPERIOR COURT OF JUSTICE**

B E T W E E N:

**KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH, MARIO  
MUSCATO, SHAWN ARNOLD, BRADLEY CALDWELL, CHRISTINE  
DELOREY, GLENN GNATUK, TAYLOR GOGO- HORNER, CASSANDRA  
JORDAN, JULIA LAUZON, AMMY LEWIS, ASHLEY MACDONALD,  
COREY MONAHAN, MISTY MARSHALL, SHERRI OGDEN, JAHMAL  
PIERRE, LINSLEY GREAVES and PATRICK WARD**

Applicants

-and-

**CITY OF HAMILTON**

Respondent

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**AFFIDAVIT OF RACHEL LAMONT****SWORN JUNE 7, 2024**

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**I, Doctor Rachel Lamont, of the City of Hamilton in the Province of Ontario, AFFIRM****AND STATE:**

1. I have personal knowledge with respect to the facts and reports set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.

2. I am a physician with the Shelter Health Network (SHN) and the Hamilton Social Medicine Response Team (HAMSMaRT). These organizations provide medical care to individuals affected by homelessness or housing precarity. I have worked with SHN since May 2022. I also joined HAMSMaRT in September 2021.
3. I met with Kristen Heegsma prior to the time that the report was prepared, attached as Exhibit 'A' and I endorse the contents therein.
4. I met with Darrin Marchand prior to the time that the report was prepared, attached as Exhibit 'B' and I endorse the contents therein.
5. I met with Shawn Arnold prior to the time that the report was prepared, attached as Exhibit 'C' and I endorse the contents therein.
6. I met with Cory Monahan prior to the time that the report was prepared, attached as Exhibit 'D' and I endorse the contents therein.
7. I met with Ammy Lewis prior to the time that the report was prepared, attached as Exhibit 'E' and I endorse the contents therein.
8. I met with Sherri Ogden prior to the time that the report was prepared, attached as Exhibit 'F' and I endorse the contents therein.
9. I met with Jahmal (Jammy) Pierre prior to the time that the report was prepared, attached as Exhibit 'G' and I endorse the contents therein.
10. I met with Linsley Greaves prior to the time that the report was prepared, attached as Exhibit 'H' and I endorse the contents therein.

Affirmed remotely by Dr. Rachel Lamont stated as being located in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth, before me at the Town of New Tecumseth in the Region of Simcoe on June 7, 2024, in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely.



\_\_\_\_\_  
Commissioner for Taking Affidavits  
**Michelle Sutherland LSO#:70159T**

.....



\_\_\_\_\_  
Dr. Rachel Lamont

This is Exhibit 'A' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be 'M. S. Q.' with a stylized flourish.

EXHIBIT 'A'





DEPARTMENT  
OF PSYCHIATRY  
AND BEHAVIOURAL  
NEUROSCIENCES



June 20, 2023

ATTN: Sharon Crowe

RE: Heegsma, Kristen DOB: 1990-10-20

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

I have been Ms. Heegsma's treating psychiatrist since November 2021 and can confirm that she has diagnoses of Post-Traumatic Stress Disorder (PTSD), Borderline Personality Disorder, Generalized Anxiety Disorder, Depression, and Opioid and Stimulant use disorders (severe).

When I first met with Ms. Heegsma, another physician providing care to her had expressed significant concern for mental health and referred her to me. Ms. Heegsma had just been evicted from a tent in Corktown neighbourhood by the City of Hamilton. She had been repeatedly evicted from encampments previously. Following this particular eviction, she experienced an exacerbation of PTSD symptoms as well as severe suicidal ideation and described feeling the most desperate she had in her entire life. Additionally, because her tent had been destroyed, she was sleeping on a park bench in the days following the encampment eviction. Despite daily attempts to get into shelter, there were no spaces available. A few days after the eviction from her tent in Corktown neighbourhood and while she was sleeping on the park bench, she was the victim of a violent sexual assault. This caused additional severe worsening of her mental health conditions and substance use. She also had her belongings stolen repeatedly.

Ms. Heegsma has since spent brief amounts of time in shelter and in YWCA transitional housing, though has also been asked to leave those spaces due to her complex health needs and those services being unable to offer the required level of support. She has thus continued to spend most of her time living outside. When she is living in a tent and surrounded by community, there is notable improvement in her sense of personal safety, and we are able to initiate treatment for her conditions, and members of our team are able to reliably locate Ms. Heegsma for follow-up. Unfortunately, she is unable to remain in one place for very long due to ongoing pressure from By-Law officers and Police to move repeatedly. While Ms. Heegsma has identified goals of working toward stabilization of her mental health and substance use, her ongoing experiences of being unhoused and focus on day-to-day survival have made it very difficult for the focus of any appointments to move beyond trying to help her find ways to have her most basic survival needs met. As a result, her mental health conditions and substance use disorders have remained under-treated and continue to cause her immense suffering.



DEPARTMENT  
OF PSYCHIATRY  
AND BEHAVIOURAL  
NEUROSCIENCES



~~It is my opinion that repeated encampment evictions, and in particular the encampment eviction in November 2021 and subsequent sexual assault, have been a major contributor to the ongoing instability in Ms. Heegmsa's mental health and worsening of her substance use disorders over the past three years. This has been exacerbated by the ongoing lack of available, suitable shelter spaces or permanent housing options.~~

Please feel free to contact me should any further information be required.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Lamont".

Dr. Rachel Lamont, MD, FRCPC  
Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network  
Assistant Professor  
Department of Psychiatry and Behavioural Neurosciences  
McMaster University  
Email: [lamonr@mcmaster.ca](mailto:lamonr@mcmaster.ca)  
Phone: 1-833-426-7678  
Fax: 1-833-563-2210

This is Exhibit 'B' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be 'UNSAQ' with a large loop at the end.

EXHIBIT 'B'

Dec 14, 2023

ATTN: Sharon Crowe

RE: Darrin Marchand (DOB Oct 15 1966)

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

I have known Mr. Marchand since May 2023 and can confirm that he has diagnoses of Psychosis (substance-induced vs. schizophrenia), and opioid and stimulant use disorders (severe).

Mr. Marchand has shared his story with me, dating back prior to my involvement with him. He has endured numerous traumas in his life which impact the way he views himself, regulates his emotions, and relates to other people. In the summer of 2021, he was evicted from an encampment along Strachan St in Hamilton and again from an encampment on Rebecca St during that summer. Following this, he gave up on trying to stay in a tent and slept outside in the open. He describes feeling a sense of hopelessness and despair following these encampment evictions, and that his substance use escalated. For Mr. Marchand, there is a direct link between his substance use (particularly that of stimulants) and symptoms of psychosis. As his substance use escalated and mental health declined further, he continued on a downward trajectory in terms of his wellbeing. Additionally, while sleeping out in the open in Dec 2021, he was shot by a gun in the shoulder, which has contributed to additional ongoing trauma symptoms. Mr. Marchand said that he felt much more secure in a tent with community who looked out for each other, something that is not possible when sleeping alone outside, as he had resorted to doing because of repeated evictions.

RE: Darrin Marchand (DOB Oct 15 1966)

Mr. Marchand shared that he has avoided living in encampment because of the toll eviction has taken on his well being. He said he feels like he is losing his mind because he cannot function living outside; he has been repeatedly kicked out of and service-restricted from shelters in the city. At present, he contemplates suicide regularly because he cannot stay in shelter, he cannot stay in a tent, and staying outside is becoming unbearable. He cannot sleep for long for fear of being assaulted or having his possessions stolen, leading to profound sleep deprivation. This sleep deprivation has further destabilized his mental health condition as well as contributed to escalation in substance use. The last time Mr. Marchand was housed was in 2017.

~~It is my opinion that repeated encampment evictions have been a major contributor to the deterioration in Mr. Marchand's mental health and worsening of his substance use disorders over the past 3 years.~~

Please feel free to contact me should any further information be required.

Sincerely,



Dr. Rachel Lamont, MD, FRCPC  
Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network  
Assistant Professor  
Department of Psychiatry and Behavioural Neurosciences  
McMaster University  
Email: [lamonr@mcmaster.ca](mailto:lamonr@mcmaster.ca)  
Phone: 1-833-426-7678  
Fax: 1-833-563-2210

This is Exhibit 'C' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be "UNSAQ" with a stylized flourish at the end.

EXHIBIT 'C'

Dec 21, 2023

ATTN: Sharon Crowe

RE: Shawn Arnold (DOB July 23, 1969)

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

Mr. Arnold has a diagnosis of Opioid Use Disorder (severe). Mr. Arnold has been living outside since January 2023. Prior to this, he was housed for two years, but the building in which he lived burned down and he has since has been living outside. He is on ODSP. He has not been accessing the shelter system as he does not feel safe there.

Mr. Arnold shared with me that he first achieved some stability while allowed to remain in an encampment at JC Beemer which allowed him to access nearby supports and ultimately find housing approximately 2.5 years ago.

He is staying outside in a tent now, though did not wish to have his location shared for fear it could lead to eviction. He is connected with another person there who is also living outside, that he trusts to watch over these things from time to time. Workers from the city have come and spoken to him to tell him he cannot stay on the property he is currently on. He has a housing worker at Wesley but finds it difficult to connect with her. He is concerned about eviction and about leaving his possessions to access services and thus misses many commitments and appointments, which has been having a deleterious impact on his ability to stay connected with supports.

Mr. Arnold has shared that being allowed to stay in an encampment in the past without threat of eviction (JC Beemer 2.5 years ago) was a major stabilizing force in helping him connect with needed resources, ultimately leading to a period of sustained housing for two years. Now, he is again outside and facing the threat of eviction from his encampment, which has been hindering his ability to connect with needed supports, and has thus been having a deleterious impact on his health including escalating opioid use and numerous unintentional overdoses.

RE: Shawn Arnold (DOB July 23, 1969)

~~It is my opinion that the threat of encampment eviction at present is a major contributor to Mr. Arnold's difficulty in connecting with needed supports including a housing worker and medical and substance use care, thereby increasing his risk of serious health harms including unintentional overdose. Allowing him to remain in place was a major contributor to his finding and being housed 2.5 years ago.~~

Please feel free to contact me should any further information be required.

Sincerely,



Dr. Rachel Lamont, MD, FRCPC  
Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network  
Assistant Professor  
Department of Psychiatry and Behavioural Neurosciences  
McMaster University  
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Phone: 1-833-426-7678  
Fax: 1-833-563-2210



This is Exhibit 'D' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be 'UNSAQ' or similar, written in a cursive style.

**EXHIBIT 'D'**



DEPARTMENT  
OF PSYCHIATRY  
AND BEHAVIOURAL  
NEUROSCIENCES



April 9, 2024

ATTN: Sharon Crowe

RE: Cory Monahan (DOB 1976-04-26)

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

I confirm that Mr. Monahan has diagnoses of ADHD, Fetal Alcohol Syndrome, and Opioid and Stimulant use disorders (severe). He also has an extensive history of trauma in his life dating back to his early childhood years which have impacted his development.

Mr. Monahan shared his story with me, prior to my involvement in his care. He has always struggled with impulse control and mood swings secondary to his conditions of ADHD, FASD, and the impact of developmental trauma. He was evicted approximately 4 years ago from an apartment. He briefly stayed at a Budget Inn and then moved to Gage Park to an encampment in late 2020. He has since experienced numerous encampment evictions, firstly when his camp in Gage Park was "bulldozed", as per his description, in winter 2020. He was traumatized by this experience because he lost all of his possessions and then felt extremely desperate because he had nowhere to go. He then went to stay at Salvation Army Booth Centre and was subsequently service restricted from that shelter after an altercation with another resident and sent to the street in the middle of winter in early 2021. He then set up a camp across the street from The Hub. He recalls during this time that his drug use escalated significantly, his mood plummeted, and he describes "losing control of everything", because he felt like he no longer had anything to lose and was in constant fear that he would lose his tent and belongings again. He said this did in fact happen, and his tent and belongings set up across from the Hub were torn down and disposed of. He then stayed at Salvation Army again briefly and went on to set up camp outside Wesley Day Centre in 2021 and then behind Hutches in a forested area as well as near the tugboat at Pier 4 in the ensuing years. He describes being forced to move by the city from each location and with each move, having many of his belongings lost or thrown out. Most recently, he was moved by city workers from the opening of the Cootes Paradise trail opening to another path off Bayfront. He described the new location as being "where the wind is most strong" which made for a difficult camp set-up and very cold nights. After he had not been to his site for 2 days, he returned and everything was once again torn down and thrown out.

~~Given ongoing mental health symptoms, high levels of substance use, and lack of appropriate housing options for Mr. Monahan, as well as the constant threat of being forced to move, he continues to live outside in a very precarious state. This has led to profound sleep deprivation, which further exacerbates his underlying mental health conditions and substance use. He has~~



DEPARTMENT  
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had at least 4 unintentional overdoses since 2020 and reports having none prior to this time, which coincides with an escalation in substance use following encampment evictions.

~~It is my opinion that repeated encampment evictions have been a major contributor to the profound deterioration in Mr. Monahan's mood, as well as worsening impulse control difficulties, substance use disorders, and resultant overdoses. This is due to the profound stress caused by the constant threat of encampment eviction, the impact of eviction itself including loss of beloved possessions, and the state of absolute desperation that encampment evictions have plummeted Mr. Monahan into.~~

Please feel free to contact me should any further information be required.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Lamont".

Dr. Rachel Lamont, MD, FRCPC  
Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network  
Assistant Professor  
Department of Psychiatry and Behavioural Neurosciences  
McMaster University  
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This is Exhibit 'E' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be "UNSAQ" with a large loop at the end.

EXHIBIT 'E'

October 5, 2023

ATTN: Sharon Crowe

RE: Lewis, Ammy (1978-07-04)

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

I have been Ms. Lewis' treating psychiatrist since October 2021 and can confirm that she has diagnoses of Post-Traumatic Stress Disorder (PTSD), Borderline Personality Disorder, Generalized Anxiety Disorder, Depression, and Opioid and Stimulant use disorders (severe).

Ms. Lewis was referred to me in October 2021 by another physician providing care to her, who noted significant concern for her mental health. Ms. Lewis had recently been released from a federal penitentiary and had returned to Hamilton in late 2020. She was briefly housed after her release, though reports having suffered sexual assault from her landlord and she left that residence. Ms. Lewis lived outside for the latter part of 2021 and most of 2022 in a tent with her dog. She was evicted by the city from a tent in November 2021 which led her to have to return to an abusive living situation, causing considerable decline in her mental health. She then returned to living outside because of the harm of that situation. Ms. Lewis suffered chronic severe suicidal ideation, an exacerbation of symptoms of Post-Traumatic Stress Disorder and Depression, and worsening of her substance use disorders while living outside. She would regularly report to me her intense fear of having her tent taken down and belongings stolen. She was unable to go to shelter because of her dog, as her dog was her main source of support and companionship.

~~It is my opinion that encampment evictions and the threat thereof repeated threat have been major contributors to the ongoing instability in Ms. Lewis' mental health and worsening of her substance use disorders from 2021-2022. Due to considerable support from our team and outside agencies, Ms. Lewis was able to secure housing in 2023.~~



DEPARTMENT  
OF PSYCHIATRY  
AND BEHAVIOURAL  
NEUROSCIENCES



Please feel free to contact me should any further information be required.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Lamont".

Dr. Rachel Lamont, MD, FRCPC

Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network

Assistant Professor

Department of Psychiatry and Behavioural Neurosciences

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This is Exhibit 'F' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be 'UNSAQ' with a large loop at the end.

EXHIBIT 'F'



DEPARTMENT  
OF PSYCHIATRY  
AND BEHAVIOURAL  
NEUROSCIENCES



Feb 22, 2024

ATTN: Sharon Crowe

RE: Sherri Ogden, DOB July 31, 1993

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

Ms. Ogden is a 30 year old Indigenous woman who is presently unhoused and living outside. She is supported by ODSP. I can confirm that Ms. Ogden has diagnoses of Complex Post-Traumatic Stress Disorder (c-PTSD), Major Depressive Disorder, Attention Deficit Hyperactivity Disorder (ADHD), Opioid Use Disorder, and Stimulant Use Disorder. She has been on medication for depression for many years, prescribed by her family physician.

Ms. Ogden has been experiencing homelessness in the Hamilton area for over 5 years. It was after she became unhoused that she began using street drugs. Due to a lack of shelter space and lack of supportive environments for Ms. Ogden to stay, she has been forced to live outside for prolonged periods. Because of the chaotic nature of her daily life, she has difficulty recalling specific dates and locations of where she has stayed outside. She has however repeatedly experienced forced displacement from encampments on numerous occasions including being forced to move from behind City Hall in 2023. Most of her belongings were thrown out under the city's direction after that particular eviction, including her tent, and also on many other occasions in her past. Each time she loses her possessions and is forced to move, Ms. Ogden reports increasing feelings of hopelessness with worsening depressive and trauma symptoms, which in turn cause her to use increasing amounts of substances. While Ms. Ogden used to find safety and comfort living in a tent amongst others in community, she has given up attempting to do so and now sleeps outside without shelter. She has had numerous community agencies offer her support; each time she begins to build connections, she is forced to move and has difficulty re-engaging with supports because they have difficulty locating her.

Because she ~~is forced to~~ sleeps outside, Ms. Ogden gets very little sleep and uses large amounts of stimulants to try to stay awake to protect both herself and her belongings. Sleep deprivation and stimulant use further exacerbate her underlying mental health conditions of depression, ADHD, and complex PTSD.





DEPARTMENT  
OF PSYCHIATRY  
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~~It is my opinion that encampment evictions and the repeated threat thereof have been major contributors to the ongoing instability in Ms. Ogden's mental health and worsening of her substance use disorders.~~

Please feel free to contact me should any further information be required.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Lamont".

Dr. Rachel Lamont, MD, FRCPC  
Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network  
Assistant Professor  
Department of Psychiatry and Behavioural Neurosciences  
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Fax: 1-833-563-2210

This is Exhibit 'G' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be "UNDA" followed by a stylized flourish.

EXHIBIT 'G'

May 11, 2023

ATTN: Sharon Crowe

RE: Jahmal (Jammy) Pierre, DOB Dec 20, 1989

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

I have known Ms. Pierre since fall 2021 and can confirm that she has diagnoses of PostTraumatic Stress Disorder (PTSD), generalized anxiety disorder, depression, and opioid and stimulant use disorders (severe).

Ms. Pierre has shared her story with me, prior to my involvement with her. In March 2019, she was evicted from her apartment at 881 King St and had nowhere to go, as she had a dog, and shelters do not accept pets. Her income is through OW and thus did not have enough to cover rent for a new apartment. Thus, she went and bought a tent for herself and her dog. Due to repeated evictions from the city over the course of several months in 2019, she had to move her tent once every few days. At one point, several months into living outside, her tent was taken down and thrown out as part of a city-led encampment eviction, while she was away at a store. She had left her dog in the tent and her dog was gone when she returned.

~~Individuals suffering from complex mental health conditions and substance use disorders, in particular individuals who have suffered repeated traumatic events, commonly experience a marked decline in their mental health and substance use following repeated traumatic events.~~

Ms. Pierre describes the repeated forced movement of her belongings and particularly the loss of her dog as highly traumatic. Following this, she suffered worsening PTSD symptoms, depressive symptoms, and anxiety disorder symptoms. As is common with individuals who have comorbid substance use disorders, the worsening of her mental health conditions drove increased substance use. She has subsequently suffered multiple overdoses from the toxic street drug supply, which include an ICU admission in August 2020 as well as ER visit in November 2020.

Given ongoing severe mental health symptoms, high levels of substance use, and lack of appropriate housing options for Ms. Pierre, ~~as well as the constant threat of being forced to move,~~ she continues to spend most of her time living outside, and has largely given up on trying to set up a tent because of the trauma that repeated evictions cause. She is thus living rough, and ~~forced to~~ stay awake for prolonged periods to protect her personal safety. This has led to

profound sleep deprivation, which further exacerbates her underlying mental health conditions and substance use. She has had brief times in shelter and in the YWCA but has also been asked to leave those spaces due to her complex health needs and those services being unable to offer the required level of support.

~~It is my opinion that repeated encampment evictions have been a major contributor to the profound deterioration in Ms. Pierre's mental health and worsening of her substance use disorders over the past four years. This is due to the profound stress caused by the constant threat of encampment eviction, the impact of eviction itself, encampment eviction causing the loss of a beloved pet, and the resultant need to live outside without the protection a tent can afford, causing extreme sleep deprivation, which further exacerbates symptoms of her mental health conditions.~~

Please feel free to contact me should any further information be required.

Sincerely,



Dr. Rachel Lamont, MD, FRCPC  
Psychiatrist, Hamilton Social Medicine Response Team and Shelter Health Network  
Assistant Professor  
Department of Psychiatry and Behavioural Neurosciences  
McMaster University  
Email: [lamonr@mcmaster.ca](mailto:lamonr@mcmaster.ca)  
Phone: 1-833-426-7678  
Fax: 1-833-563-2210

This is Exhibit 'H' referred to in the affidavit of Dr. Rachel Lamont affirmed before me  
this 7th day of June, 2024.

A handwritten signature in black ink, appearing to be 'UNSAQ' with a large loop at the end.

EXHIBIT 'H'

Jan 30, 2024

ATTN: Sharon Crowe

RE: Greaves, Linsley DOB: 1969-10-23

I am a psychiatrist with both the Hamilton Social Medicine Response Team and the Shelter Health Network in Hamilton, Ontario. Both services provide health care to people who are unhoused or precariously housed.

Linsley Greaves ("Jay") has sought care from HamSmart since December 2022. He has diagnoses of Stimulant Use Disorder as well as Stimulant-Induced psychosis.

Mr. Greaves has been experiencing homelessness since 2021 after being evicted from his apartment. Due to negative experiences in shelter as well as shelter capacity limits, he was often forced to live outside for prolonged periods. While living outside, Mr. Greaves developed a strong community, particularly while living in the Woodlands encampment in late 2021/early 2022 for many months. In early 2022, he has shared with me that he was evicted from the encampment by the city after being told by city workers that "the city wants their parks back". As part of this process, all of Mr. Greaves' belongings and tent were taken by city workers. He was given a phone number to call and told he had 3 days to claim his belongings. Mr. Greaves did not have his own phone. He called the number offered using other individuals' phones but always received a voicemail and had no call-back number to give. As such, he was never able to collect his belongings and all were thrown out, as far as he is aware. He was subsequently forced to sleep outside without any protection from the elements in early 2022, and suffered frostbite of his lower limbs ~~as a result~~. This went unattended for many months and he ultimately became very ill and required a below-knee amputation of his left leg and amputation of several toes on his right foot in December 2022.

As mentioned, Mr. Greaves also has a diagnosis of Stimulant Use Disorder, severe. He identifies that his stimulant use also escalated after the encampment eviction at Woodlands in early 2022 because he needed to force himself to stay awake for prolonged periods when living outside, unprotected from the elements and without the community he had developed at Woodlands. The increased stimulant use resulted in profound sleep deprivation and an increase in paranoid delusions and auditory hallucinations; this has subsequently impacted his mood and impulse control, creating a vicious cycle of increased use as a means of survival causing exacerbation of mental health symptoms.

RE: Greaves, Linsley DOB: 1969-10-23

Mr. Greaves now suffers immensely as a result of the loss of his lower left leg. He feels deeply ashamed of this and has not been to visit his mother or daughter in Toronto since his amputation, because he is embarrassed that this has happened and does not want to upset them. As a result, Mr. Greaves feels increasingly isolated and grieves the nature of the relationship he once had with his family that is no longer. He describes feeling a sense of despair about where his life has come to.

Further, Mr. Greaves described a number of other encampment evictions he had faced both near Wesley Centre as well as on Ferguson St. near the train station, though he was less sure of the timelines of these evictions. He identified that now he feels there is nowhere to go because he constantly faces the threat of being told to move and losing his belongings if he does set up a new tent, and shelters are often full.

~~It is my opinion that repeated encampment evictions, and in particular the encampment eviction in early 2022 from Woodlands Park and subsequent experience of frostbite leading to tissue death and amputation have been a major contributor to the ongoing instability in Mr. Greave's substance use disorder and symptoms of psychosis, as well as ongoing immense psychological and emotional suffering secondary to limb loss and resultant isolation from family. This has been exacerbated by the ongoing lack of available, suitable shelter spaces or permanent housing options.~~

Please feel free to contact me should any further information be required.

Sincerely,



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*Heegsma et al*  
Applicants

*-and-*

CITY of HAMILTON  
Respondents

Court File No. CV-21-00077187-0000

*Ontario*  
**Superior Court of Justice**

PROCEEDING COMMENCED AT HAMILTON

**Affidavit of Dr. Lamont dated June 7, 2024**

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*Heegsma et al*  
Appellants (Applicants)

*-and-*

**CITY of HAMILTON**  
Respondent (Respondent)

Court File No.COA-25-CV-0166

*Ontario*  
**Court of Appeal**

**APPEAL BOOK - VOLUME 12**

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