

**I have been charged with violating the *Safe Streets Act*. What can I do?**

If you have been charged under the *Safe Streets Act*, you can call one of these organizations for assistance.

*Law Students Legal Advice Program*  
604-822-5791 (Lower Mainland)

*Law Centre*  
250-385-1221 (Victoria)

*Access Justice*  
604-878-7400 (Lower Mainland)  
1-877-762-6664 (Rest of BC)

*Salvation Army clinics*  
604-296-3816 (Lower Mainland)

For information about the law, you can also call *LawLINE*:  
604-408-2172 (Lower Mainland)  
1-866-577-2525 (Rest of BC)

**I have been wrongly treated by a security guard. What can I do?**

If you believe you have been wrongly treated by a uniformed security guard, you can make a formal complaint. Your complaint must be in writing and should contain as much detail as possible about the incident. Send your complaint to:

PISA Compliance Section  
Security Programs Division, Ministry of Public Safety and Solicitor General  
PO Box 9217 Stn Prov Govt  
Victoria, BC V8W 9J1

If you need help with your letter of complaint, you can contact the BC Civil Liberties Association (see below).

To report a criminal offence, like assault, contact the police.

**If someone tells me to stop panhandling, what should I do?**

Each situation is different and you should use your common sense. If a person is disrespecting your right to panhandle, stay calm, and try to remember everything that happens.

If someone tells you to stop panhandling, ask:

- "What part of the *Safe Streets Act* am I violating?"
- "Do you have the authority to enforce the *Safe Streets Act*?"

If you have questions, or if you feel your rights are being violated, contact the BC Civil Liberties Association.

BCCLA 604-687-2919

This brochure was prepared in October 2005 by the BC Public Interest Advocacy Centre, the BC Civil Liberties Association, and the Legal Services Society.

[www.bcpiac.com](http://www.bcpiac.com) The British Columbia Public Interest Advocacy Centre 

[www.bccla.org](http://www.bccla.org)  **BCCLA**  
Fighting for Freedom Since 1962  
B.C. Civil Liberties Association

[www.lss.bc.ca](http://www.lss.bc.ca)  **Legal Services Society**  
British Columbia  
[www.lss.bc.ca](http://www.lss.bc.ca)

# SAFE STREETS ACT

**This brochure contains information about your rights under this law.**

**The *Safe Streets Act* is a new provincial law. It applies everywhere in British Columbia.**

**The *Safe Streets Act* affects many people, including panhandlers, squeegee kids, street vendors and charity fundraisers.**

▶ **Does the *Safe Streets Act* make panhandling illegal?**

**NO.** Panhandling is a legal activity. You have the right to panhandle, as long as you do not cause people to fear for their safety, or panhandle in certain locations.

**The *Safe Streets Act* prohibits two kinds of “soliciting”:**

1. **“Aggressive solicitation”**
2. **Solicitation in certain locations where there is a “captive audience”**

▶ **What does “solicit” mean?**

Under the *Safe Streets Act*, “soliciting” means communicating with another person for the purpose of receiving money or something else of value. It does not matter whether or not you are giving something in exchange.

Soliciting includes:

- asking for spare change
- playing music in exchange for money
- washing windshields in exchange for money
- selling newspapers on the street
- asking for donations to a charity
- asking for cigarettes

▶ **What is “aggressive solicitation”?**

Under the *Safe Streets Act*, it is illegal to solicit in an aggressive way.

Solicitation is aggressive if it would cause a reasonable person to fear for their safety.

Soliciting is aggressive if it involves any of these things:

- obstructing someone’s path
- using abusive language
- following a person
- continuing to solicit from a person after they have said no or ignored you
- a group of two or more approaching someone

▶ **What is “captive audience solicitation”?**

Under the *Safe Streets Act*, it is illegal to solicit near certain locations where there is a “captive audience.”

It is illegal to solicit within 5 metres of any of these things:

- bank machine
- pay phone
- public toilet
- bus stop
- person getting in or out of their car in a parking lot

You can solicit within 5 metres of a bank machine if you have the owner’s permission.

▶ **Can I wash windshields on the street?**

Under the *Safe Streets Act*, it is illegal to solicit a person who is in a stopped or parked car. This means that you cannot squeegee windshields of cars that are stopped at intersections.

▶ **If I break the law under the *Safe Streets Act*, what are the penalties?**

If you are charged under the *Safe Streets Act*, the police can give you a ticket ranging from \$86 to \$115.

You could also be arrested or given a notice that you must appear in court. If you are found guilty, a judge can impose more serious penalties, including jail. But it is unlikely that this would happen for a first offence under the *Safe Streets Act*.

▶ **Who can enforce the *Safe Streets Act*?**

The police are the only people who can enforce the law. Private security guards and Downtown Ambassadors have no authority to enforce the *Safe Streets Act*. They have no authority to tell you to move along if you are on public property.