



Representation of Visible Minorities in the Canadian Criminal Justice System

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Representation of Visible Minorities in the Canadian Criminal Justice System

This fact sheet is based on available published literature on visible minorities and their representation in the Canadian criminal justice system. The information represents adults and youth among police, court, correctional service and conditional release statistics. Information regarding visible minorities in the criminal justice system is also gathered from academic and peer reviewed journal articles, where available, and from the General Social Survey (GSS). For the purpose of comparison, population data from the 2006 Canadian Census are included to provide context on the representation of visible minorities and non-visible minorities in the criminal justice system as compared to the representation of these ethnic/racial groups in the Canadian population.

Note that caution should be made when comparing criminal justice data on visible minority groups to population data as definitions of visible minorities or ethnic or racial groups may vary. The terms used to identify visible minority groups and non-visible minority groups in the research are retained in this document and definitions for each group are noted, where available. Most research studies rely on the federal Employment Equity Act for a definition of 'visible minority', which is: 'persons, other than Aboriginal peoples, who are non-Caucasian in race or non-White in colour'. Alternatively, a 'non-visible minority' is typically defined as all those who are White or Caucasian, as well as Aboriginal people. As population estimates are based on one point in time in 2006 and may differ to the timeframe used for the prevalence rates in criminal justice data, comparisons between the two should be made with caution.

Also note that the collection and reporting of visible minority status of a criminal accused or offender varies across the Canadian criminal justice system. Currently, there are no national surveys that collect and report an accused or offender's ethnic or racial background, with the exception of the federal correctional system. As such, data in this fact sheet are heavily weighted towards federal correctional data for visible minorities, from the Correctional Service of Canada and the Parole Board of Canada. Data for other areas of the criminal justice system are often unavailable or limited.

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Highlights

- A study of the 2004 GSS data in Canada showed that visible minorities experienced comparable rates of victimization for violent crimes to non-visible minorities, for both sexes. Although the overall rates were similar for both sexes, rates of physical assault for female visible minorities were much lower than rates for female non-visible minorities (36 compared with 61 per 1,000 population).
- A 2003/2004 research study by Wortley recorded information about police stops by the City of Kingston Police and found that visible minority residents of Kingston were over-represented in their frequency of stops by police and experienced police bias. Black males were stopped by police about three times more often than White or Chinese males.
- A Toronto study by Kellough and Wortley (2002) found that Black accused were less likely to plead guilty when remanded in pre-trial custody compared to those from other racial backgrounds (70.4% versus 84.6% respectively).
- Analysis of Ontario admissions to custody in 1992/93 found that Blacks were admitted at five times the rate of adults described as White, while Aboriginals were three times more likely to be admitted to custody. Asians were admitted at half the rate of White adults.
- Mirroring their representation in the general Canadian population according to the 2006 Census (16%), the overall proportion of visible minority offenders admitted to the Correctional Service of Canada (CSC), excluding Aboriginal people, was 17% in 2011.
- Although the overall representation of visible minorities in the federal offender population was comparable to their representation in the Canadian population, there were some differences by visible minority group. A 2004 study of visible minorities in federal correctional services found that, in comparison to their proportion in the Canadian population, Caucasian and Asian offenders are under-represented in federal correctional services, while Black offenders are disproportionately over-represented.
- Visible minorities were twice as likely to be assessed as a low low-risk to re-offend compared to Caucasian offenders (14% versus 7%).
- Between 2006/2007 and 2010/2011, successful completion rates on federal full parole were highest for Asian offenders (between 86% and 95%), followed by those for Black offenders (73% and 81%), White offenders (68% to 74%) and Aboriginal offenders (between 53% and 73%)¹.

Visible minority representation in Canada's population²

- The federal Employment Equity Act defines visible minorities as 'persons, other than Aboriginal peoples, who are non-Caucasian in race or non-White in colour'. According to the 2006 Census from Statistics Canada, approximately 5,068,090 people, or roughly 16% of the Canadian population, identified themselves as a visible minority in 2006.
- More than half of all visible minorities live in Ontario (54.2%) while one-fifth live in British Columbia (20%).
- Census data also show that most visible minorities were landed immigrants (66%) while 30% were Canadian-born and nearly 4% were non-permanent residents (including holders of work or study permits and refugee claimants).

Visible minority groups

- According to the 2006 Census from Statistics Canada, Asians were the most common visible minority group, accounting for 10% of all Canadians. Among those identifying as Asian, South Asians were the most common visible minority at 4% of all Canadians, followed by those who identified themselves as Chinese (4%). Approximately 3% of all Canadians reported to the Census as Black, while 3% identified as being an 'Other' visible minority, such as Arab, Latin American or other visible minority group. Approximately 4% of Canadians identified as being Aboriginal.³

Age and sex of visible minorities

- The visible minority population is generally younger on average than non-visible minorities in Canada⁴. While 30% of the non-visible minority population was under 24 years old, 38% of the visible minority population was under the age of 24.
- Males represented a slightly higher proportion of visible minorities than females (51% and 49% respectively) in 2006, while the reverse was true for the overall Canadian population where 51% of the population was female⁵.

Population projections for visible minorities

- Between 2001 and 2006, the visible minority population increased at a much faster rate than the total population in Canada. The rate of growth for visible minorities during this time was 27%, five times faster than the 5% increase for the population as a whole.⁶
- According to Statistics Canada, by 2031, visible minority groups could represent between 29% and 32% of all Canadians, essentially doubling the population of visible minorities over a 25-year period while the non-visible minority population should increase by 12% over the same period. These differences are largely due to sustained immigration, slightly higher fertility and a younger age structure among visible minorities (median age of 33 compared to 40 years for the rest of the population), resulting in more births and fewer deaths.⁷

Visible minorities among victims of crimes⁸

- According to results from the 2004 General Social Survey (GSS) on victimization, 29% of visible minorities experienced at least one incident of victimization in the 12 months preceding the survey. This figure was similar to that for non-visible minorities (28%) and was unchanged from what was found in 1999.
- Visible minorities were twice as likely as non-visible minorities to have reported that they had experienced discrimination (28% compared to 13%) according to the 2004 GSS. Overall, 81% of visible minorities who felt that they had experienced discrimination believed that it was because of their race or ethnic origin.
- According to the 2009 GSS, rates of violent victimization were lower for people who identified as a visible minority than for non-visible minorities (76 incidents versus 124 per 1,000 population age 15 years and older).

- Results from the previous GSS five years earlier, in 2004, found that victimization rates among visible minorities were comparable to those of non-visible minorities for both sexes and were not deemed to be significantly different (98 incidents per 1,000 population versus 107 per 1,000 population)⁹.
- The same 2009 study illustrated that visible minority status was not found to be associated with higher levels of spousal violence: self-reported spousal violence rates were 5% for visible minorities and 6% for non-visible minorities.
- According to research by Dowden and Brennan on hate crimes in Canada, the most common primary motivation among all hate crimes reported to police in 2010 was race or ethnicity of an individual. Hate crimes motivated by race or ethnicity accounted for just over half of all incidents in 2010 (51%), resulting in a rate for hate crime due to race or ethnicity of 2.09 per 100,000 in the Canadian population.

Visible minority victim groups

- Visible minority victimization research from the 2004 GSS found that when the birthplaces of the visible minority population were examined, Canadian-born visible minorities experienced higher victimization rates than both immigrant visible minorities and non-visible minorities. This difference could be partly explained by the fact that a higher proportion of Canadian-born visible minorities were aged 15-to-24 and single compared to visible minorities born abroad and non-visible minorities, characteristics that are typically linked to higher offending and victimization patterns.
- Similarly, the same study also noted that when all factors were held constant, being both a visible minority and an immigrant reduced the odds of being victims of a violent crime by about 40%.
- Among the various visible minority groups, Blacks and Latin Americans were the most likely to report having experienced discrimination, (36% for both groups).
 - Among the other groups, 30% of Koreans, 29% of South Asians, 28% of Chinese, 26% of Japanese, 25% of Filipinos and 19% of Arabs/West Asians and Southeast Asians believed that they had experienced discrimination at least once in the five years preceding the survey in 2004.
- Research on hate crimes in Canada found that Blacks were the most commonly targeted racial group among all hate crimes reported to police. They were victims in 4 in 10 cases that were racially motivated.

Age of visible minority victims

- While victimization rates were similar for visible minorities and non-visible minorities between the ages of 15 and 24, visible minorities in the older age groups (25-to-34 years and 35 years and over) experienced lower victimization rates than their non-visible minority counterparts, according to the 2004 GSS.
- Similarly, although overall rates of violent victimization are comparable between visible minorities and non-visible minorities, when violent victimization rates for specific age groups were examined, there were differences between visible and non-visible minorities.

Visible minorities aged 25 years and over experienced rates of violent victimization that were markedly lower than those of non-visible minorities in the same age group.

Sex of visible minority victims

- A study of the 2004 GSS data in Canada showed that visible minorities experienced comparable rates of victimization for violent crimes to non-visible minorities, for both sexes.
 - Although the overall rates were similar for both sexes, rates of physical assault for female visible minorities were much lower than rates for female non-visible minorities (36 compared with 61 per 1,000 population).
- According to the 2009 GSS, visible minorities, regardless of gender, more often reported experiencing discrimination or unfair treatment than non-visible minorities. Specifically, 14% of visible minorities felt that they had experienced discrimination or unfair treatment in the last five years when dealing with the police or the courts, compared to 8% of non-visible minorities.

Victimization characteristics for visible minority victims

- Data from the 2004 GSS show that many of the characteristics of violent incidents involving visible minority victims are similar to those of non-visible minority victims.
 - For example, only one-third of violent incidents involving both visible minority and non-visible minority victims were reported to the police. The relationship between the victim and the offender was similar for both visible minority and non-visible minority victims.
- In 48% of violent incidents committed against visible minorities and 44% of those committed against non-visible minorities, the perpetrator was a stranger. Conversely, the perpetrator was known to the victim, either as a family member, friend or acquaintance or other in 52% of incidents against visible minorities and 56% of incidents involving non-visible minorities. However, when incidents of spousal abuse were included, the perpetrator was known to the victim in 61% of incidents against visible minorities and 74% of incidents against non-visible minorities.
- The same research found that 70% of violent incidents committed against visible minorities occurred in a public place such as in the street or in a commercial or institutional establishment, while 24% occurred in a private residence, most often the victim's residence. These proportions were similar to those of non-visible minority victims.

Visible minorities and police contact¹⁰

- A 2003/2004 research study by Wortley recorded information about police stops by the City of Kingston Police and found that visible minority residents of Kingston were over-represented in their frequency of stops by police and experienced police bias^{11 12}.
- A 2011 study of police and visible minority youth (aged 12 to 17) in Toronto found that high-risk visible minority groups¹³ were nearly three times more likely to have had contact with police in

the past year than other youth. The authors were unable to explain the disproportion, leading to the hypothesis that disproportionate contact among visible minorities is due to racially discriminatory policing.¹⁴

Visible minority groups

- Wortley's research on Kingston police stops suggested that Black male residents of Kingston were slightly more likely to be arrested or charged during police stops than people from other racial groups and Black over-representation was greater for pedestrian stops than for vehicle stops.^{15, 16}
- Wortley also found that Black males were stopped by police about three times more often than White or Chinese males. Similar findings for police searches were observed, as 12% of the Black males reported being searched by police in the past two years, compared to 3% of the Chinese and White groups.
- The same research of Kingston police stops found that Aboriginal people were over-represented in pedestrian stops but under-represented in vehicle stops. This over-representation in police stops was not found when examining those individuals who were stopped more than once. All other racial minorities (e.g., Asians) were less likely to be stopped by the Kingston police than Whites.
- A study of 1,522 respondents (Black, Chinese and White) conducted in Toronto in 2007 showed that after controlling for all other relevant variables, a Black racial background was a strong predictor of police stops and search activities.¹⁷
- From a sample of 3,393 high school students in Toronto in 2000, Tanner and Wortley found that Black students were much more likely to report being stopped by police than White students or than any other visible minority groups, even when controlling for other variables, such as social class, use of drugs/alcohol, age, sex, gang membership and deviant behaviour.¹⁸

Age of visible minorities¹⁹

- Black male residents of Kingston between the ages of 15 and 24 years were more than three times more likely to be stopped and questioned by the Kingston police than people from other racial backgrounds in the same age group.

Visible minorities and police use of force²⁰

- A 2007 study on police use of force in Ontario between 2000 and 2006 showed that while Blacks represented only 3.6% of Ontario's population, they accounted for 12% of all Special Investigation Unit (SIU) cases, 16% of investigations into police use of force and 27% of investigations into police shootings.
- Overall, Blacks were more than three times more likely to appear in an SIU investigation than their representation in the general population of Ontario would predict.

- The pattern of results was similar for investigations in Toronto only as Blacks in Toronto were nearly four times more likely to appear in an SIU investigation than their representation in the general Toronto population.
- While Aboriginal people were also over-represented among SIU investigations – albeit less so than Blacks – Asians, South Asians, West Asians and people from other racial minority backgrounds were significantly under-represented. In fact, the SIU case rate for White Ontario residents was more than twice the rate for Asians and South Asians.
- Regarding investigations where deaths or injuries resulted from police use of force, Black civilians were more than five times more likely to become involved in a SIU use of force investigation than their White counterparts. Similarly, Aboriginal civilians were more than six times more likely than Whites to become involved in a SIU use of force investigation.
- According to the SIU data, Aboriginal residents of Ontario were also over-represented in police shootings, although not to the same extent as Blacks. While Aboriginal people represented only 2% of the provincial population, they represented 7% of all civilians involved in SIU shooting investigations.

Police contact with visible minority females²¹

- Wortley's 2007 study on the use of police force found that racial differences in the SIU case rate, in general, appeared to be greater within the male population than within the female population. However, among females involved in SIU investigations, the Black female SIU rate (3.7 per 100,000) was two times greater than the White female SIU rate (1.7 per 100,000) and the Aboriginal female SIU rate (12.4 per 100,000) was seven times greater than the White female rate.
- According to research on Kingston police stops, the individual stop rate of Kingston residents for Black women (7% of the Black female population) was comparable to the rates for White men (7%) and was the same or higher than the rates for all Aboriginal (5%), South Asian (6%) and Asian men and women (4% and 2% respectively). Only Black, West Asian and Hispanic males (21%, 11% and 8% respectively) were more frequently stopped than Black women.²²

Visible minorities in criminal court statistics

- Race, ethnicity or visible minority status of the accused is not collected by any Canadian Centre for Justice Statistics (CCJS) survey.
- Research by Kong and Beattie identified some of the challenges to collect comprehensive data related to race and ethnicity for both visible minorities and Aboriginal people within the justice system.²³
- The absence of accused characteristics such as Aboriginal Identity and visible minority status is particularly notable for courts statistics. Various surveys from the CCJS from Statistics Canada, such as the Integrated Criminal Court Survey (ICCS), the Adult Criminal Court Survey (ACCS) and the Youth Court Survey (YCS), are unable to report information on the race or ethnicity of accused. Although the collection of Aboriginal Identity has been added to the newer Integrated Criminal Court Survey (ICCS), consultations with all jurisdictions regarding the development of

the new integrated survey revealed that the vast majority of jurisdictions do not collect this information in their existing court information systems and have no current plans to do so because this information is not considered necessary for the purposes of court administration.

- A Toronto study by Kellough and Wortley (2002) demonstrated that even after controlling for legally relevant factors (e.g., whether or not an accused had a permanent address, the number of charges, the presence of certain types of criminal record), race contributed significantly to the decision of whether an accused person received a pre-trial detention order. Indeed, Black accused were one and a half times more likely to be detained than those from other racial backgrounds.²⁴
- The same researchers also found that Black accused were less likely to plead guilty when remanded in pre-trial custody compared to those from other racial backgrounds (70% versus 85% respectively).
- Also, of those held in pre-trial custody, Black accused were twice as likely to have their charges dropped compared to those in other racial backgrounds (17% versus 8 %).

Visible minorities in provincial/territorial correctional systems²⁵

- Data on visible minorities within the provincial/territorial system are scarce as race, ethnicity, and visible minority status is often not recorded and/or reported at this level.
- One of the only reports among all provinces to include information on race or visible minority status for offenders was the Report of the Commission on Systemic Racism in the Ontario Criminal Justice system, published in 1995.
 - Analysis of Ontario admissions to custody in 1992/93 found that Blacks were admitted at five times the rate of adults described as White, while Aboriginals were three times more likely to be admitted to custody. Asians were admitted at half the rate of White adults.
 - Custodial admission rates in Ontario in 1992/93 showed that the racial inequality was greater for Black women than Black men. Black men were admitted to an Ontario prison at a rate of just over five times that of White men while the admission rate for Black women was almost seven times that of White women.

Visible minorities and federal correctional services

- Mirroring their representation in the general Canadian population according to the 2006 Census (16%), the overall proportion of visible minority offenders admitted to the Correctional Service of Canada (CSC), excluding Aboriginal people, was 17% in 2011. Visible minorities in federal correctional services are typically defined as all offenders who are not Caucasian or Aboriginal, including Black, Asian, Latin American, or any other ethnicity or race.²⁶
- The number of visible minorities under federal supervision grew between 2007/2008 and 2011/2012 while there was decline in the Caucasian population during the same time.²⁷ Specifically, Caucasian offenders accounted for 6% fewer offenders while Aboriginal offenders and Black offenders each accounted for a 2% greater share of all offenders in 2011/2012. Asian offenders represented a 1% larger share by the end of the five-year period.

- Research on the representation of visible minority offenders by region found that visible minority offenders were disproportionately represented in both institutions and the community in the Ontario and Quebec regions, were slightly over-represented in institutions in the Atlantic region but were not over-represented in the Prairie and Pacific regions in either the institutions or the community.

Visible minority groups among federal offenders

- A 2004 study of visible minorities in federal correctional services found that, in comparison to their proportion in the Canadian population, Caucasian and Asian offenders are under-represented in federal correctional services, while Black offenders are disproportionately over-represented. Specifically, while Blacks accounted for 2% of the Canadian population, they represented 6% of incarcerated offenders and 7% of those under community supervision. In contrast, Asians accounted for 8% of the population in Canada, but only 2% of incarcerated offenders and 4% of those serving time in the community.²⁸
- Among all offenders admitted to federal custody or community supervision in 2011/2012, Blacks accounted for the largest proportion of visible minorities (9%) followed by South East Asians (2%) and Arab/West Asian (1%). Much of the growth in the representation of visible minorities in the federal correctional population since 2007/2008 can be explained by increases in the proportion of Black offenders (+2 %) while the overall representation of Caucasians decreased by nearly six percentage points.²⁹
- Cabana and Ruddell found that in 2007/2008 and 2008/2009, the representation of Caucasian (67%) and Black offenders (6%) among those who waived, postponed or withdrew their parole hearing was comparable to their representation in the institutional populations, 66% and 7% respectively. Aboriginal offenders represented one-fifth (20%) of all offenders in the institutional population but accounted for 22% of offenders with at least one waiver, postponement or withdrawal of a parole hearing.³⁰

Offence profiles of visible minorities in federal corrections

- A 2004 report profiling visible minorities in federal corrections noted that a larger proportion of visible minority than Caucasian offenders were incarcerated for drug-related offences, but smaller proportions of visible minorities were incarcerated for other offences, such as property offences and sex-related offences compared to Caucasian offenders.
 - Representation of visible minorities varied by group affiliation. Specifically, compared to the representation for all offenders, Black offenders were over-represented among those incarcerated for robbery, while a larger proportion of Asian offenders were incarcerated for drug-related offences.³¹
- A 2011 profile of homicide, sex, robbery and drug offenders in federal corrections found that Caucasian offenders accounted for a declining proportion of these types of offenders between 1998 and 2008 (-2 percentage points) while the proportion of Black offenders increased by 1 percentage point and Aboriginal offenders accounted for 4% more offenders during the same time period.³²

- The same study found that there was a larger proportion of Asiatic homicide offenders and smaller proportion of Black homicide offenders relative to their representation of all federal offenders.³³
- Black offenders accounted for a smaller proportion of all sexual offenders relative to their representation of all federal offenders while there were somewhat larger proportions of Caucasian and Black drug offenders relative to their representation of all federal offenders.
- Among all federal offenders convicted of criminal organization offences, 83% were Caucasian, representing a greater share of criminal organization offenders than in the general offender population, while 6% were African- Canadian, 5% were Aboriginal and 6% were Asian, Latin American or Other ethnicity.³⁴

Age and sex of visible minorities among federal offenders³⁵

- A 2004 offender profile found that the vast majority of federally-sentenced offenders were male, for both visible minorities and Caucasian minorities.
- Although, no significant differences were found in gender among incarcerated offenders (98% of Caucasian and 97% of visible minority offenders were male) significant differences were noted among those serving time in the community. In total, 96% of Caucasian offenders serving time in the community were male, compared with 92% of visible minority offenders.
- The same research found that visible minority females accounted for a larger proportion of all females serving time in the community compared to visible minority male offenders (30% versus 18%).
- Additionally, visible minorities were younger than Caucasian offenders, as 71% were under 35 years of age compared to 54% of Caucasians.
- A more recent profile of all federal offenders who were released in fiscal year 2005-2006 found that Caucasians accounted for 70% of all male offenders while 19% of all male offenders were Aboriginal and the remaining 11% were a visible minority, or were of unknown ethnicity. ³⁶
- Among female federal offenders who were released in 2005/2006:
 - 57% were Caucasian, while 27% were Aboriginal and 16% of female offenders were a visible minority, or were of unknown ethnicity.
- Research on federally-sentenced female drug offenders found significant differences in the ethnicities of women, with a greater proportion of the women in the drug offence group being Black compared to their representation among non-drug offenders (21% versus 5%) while Caucasian or Aboriginal offenders were more commonly- represented among non-drug offenders.³⁷
- Among female drug offenders in the study: a much greater proportion of the women in the importing/exporting group were Black (50%) relative to their counterparts in the trafficking group, while fewer of those with importing/exporting offences were Caucasian (33%) or Aboriginal (2%), and 15 % were unknown or other ethnicity.
 - The reverse was true among those whose most serious offence was trafficking/possession for the purposes of trafficking: only 5% of these offenders were Black compared to Caucasian (59%) or Aboriginal (25%) and 11% were unknown or of another ethnicity.³⁸

Other socio-demographic and visible minority federal offender characteristics³⁹

- Data from a 2004 profile of visible minority federal offenders found that federally-incarcerated visible minorities were more educated than Caucasian offenders, as only 39% had less than a grade 10 education compared to 47% of the Caucasian cohort.
- The same research found visible minority offenders were less likely to be unemployed at the time of admission to a federal institution (62%), compared to the Caucasian offenders (67%).
- Federally-incarcerated visible minorities were less likely than Caucasian offenders to have an adult criminal conviction (73% versus 86%), federal term of incarceration (18% versus 37%) and provincial term of incarceration (53% versus 74%).
- Visible minorities were twice as likely to be assessed as a low low-risk to re-offend compared to Caucasian offenders (14% versus 7%).
- Visible minority offenders were more likely to be released on full parole compared to Caucasian offenders, (63% versus 51%), and less likely to be released on statutory release (25% versus 36%). These differences in release type may reflect the less extensive criminal history, fewer previous failures in community supervision, segregation, escape, and conditional release and lower risk to reoffend for visible minority offenders. No differences were found for those released on day parole.⁴⁰
- A recent CSC study of foreign-born offenders found that visible minority foreign-born offenders were younger, more likely to be married and less likely to have completed high school than White foreign-born offenders.⁴¹

Conditional release statistics of visible minority federal offenders⁴²

- In 2010/2011, visible minorities (excluding Aboriginal people) on federal conditional release accounted for a proportion that was similar to their representation in the Canadian population, at approximately 17% of all offenders.
- As a proportion of the federal offender population, Aboriginal and Black offenders were more likely to be incarcerated than on conditional release in 2011/2012, whereas White and Asian offenders were more likely to be on conditional release.
- Over the five-year period between 2007/2008 and 2011/2012, the federal conditional release population increased slightly for Aboriginal offenders and increased or remained stable for all other races, except White offenders which declined. The incarcerated population during the same time period demonstrated similar trends.
- Over the last five years, Aboriginal offenders, in comparison with other groups, were the least likely to be released on some form of conditional release. Black and Aboriginal offenders were more likely than other groups to be released at warrant expiry, or the date their criminal sentence officially ends, as imposed by the courts at the time of sentencing.⁴³
- White offenders (69%) were the most likely to be granted federal day parole over the last five-year period (69%), followed by Aboriginal (66%) and Asian offenders (65%), while Black offenders were the least likely (58%).
- Between 2007/2008 and 2011/2012, Asian offenders had the highest five-year average grant rate for federal full parole (23%), followed by White offenders (21%). Aboriginal offenders had the lowest grant rates for federal full parole (15%), followed closely by the low rate for Black offenders (15%).
- In contrast, Aboriginal offenders were the most likely to be released on statutory release compared with other group. Asian offenders were the least likely to be released by statutory

release followed by those of an 'Other' ethnicity and Black offenders. This in turn points to the reverse relationship for releases on day and full parole:

- Asian, Other and Black offenders were more likely to be released on day and full parole, while Aboriginal offenders were among those who were the least likely to be granted or directed to either type of parole. The likelihood of statutory release for White offenders fell between the proportion for visible minority groups and Aboriginal offenders.
- Over the same time period, Aboriginal offenders served 41% of their sentence prior to their first release on federal full parole, a stable rate over the last five years. White offenders served 39% of their sentence before their first federal full parole release, Asian offenders served 35% and Black offenders served 37%.
- In 2010/2011, most offenders supervised for a Long Term Supervision Order (LTSO) were White (68%), followed by Aboriginal (23%), Other (4 %), Black (3%) and Asian (2%).⁴⁴

Outcome statistics of visible minority federal offenders⁴⁵

- Between 2007/2008 and 2011/2012, successful completion rates on federal day parole were lowest for Aboriginal offenders (between 75.5% and 85.1%). In contrast, successful completion rates were higher for Asian offenders (between 93.8% and 95.7%), Black offenders (83.9% and 90.7%), and White offenders (81.1% and 88.8%).⁴⁶
- Similar results were found regarding the successful completion rates on federal day parole: the highest rates were found for Asian offenders (between 84.9% and 90.3%) followed by Black offenders (77.3% to 82.6%), White offenders (70.4% to 78.4%) while Aboriginal offenders reporting having the lowest rates (between 55.1% and 72.6%). Aboriginal offenders were also the least likely among all groups to successfully complete their statutory release supervision periods (between 49.9% and 54.7%).
- Among all offenders who completed their custodial sentences either on full parole, statutory release or were released at warrant expiry, Aboriginal offenders, were the most likely to be readmitted on a new federal sentence, and visible minority offenders were the least likely. The rate of readmission ten to fifteen years after sentence completion for offenders released on full parole (for sentences completed between 1996/97 and 2000/01), on average, was highest for Aboriginal offenders (12.2%), significantly higher than the rate for Black offenders (5.6%), Asian offenders (7.0%) and White offenders (9.8%).
- Recent research from the Correctional Service of Canada on the effectiveness of federal correctional programs found that offenders who participated in programs were less likely to recidivate than non-participants, regardless of ethnic background.⁴⁷
 - The same CSC research also found that the highest rates of recidivism were found for Aboriginal offenders (45 per 100 person years), followed by Caucasian (40 per 100 person years), Black (22 per 100 person years), and Other offenders (13 per 100 person years).⁴⁸

Endnotes

1 Successful completion of conditional release (day parole, full parole and statutory release) is defined as the end of a supervision period without a return to prison for a breach of conditions or for a new offence.

2 The population group question on the census is used to derive counts for the visible minority population in Canada, as defined by the Employment Equity Act (1986). The Employment Equity Act defines visible minorities as 'persons, other than Aboriginal peoples, who are non-Caucasian in race or non-White in colour'. Statistics Canada. 2006 Census of Population, visible minorities tables by province and territory (97-562-XWE2006002): <http://www12.statcan.ca/census-recensement/2006/dp-pd/hlt/97-562/pages/page.cfm?Lang=E&Geo=PR&Code=01&Table=1&Data=Count&StartRec=1&Sort=2&Display=Page>

3 Statistics Canada. 2006 Census of Population, visible minorities tables by province and territory (97-562-XWE2006002): <http://www12.statcan.ca/census-recensement/2006/dp-pd/hlt/97-562/pages/page.cfm?Lang=E&Geo=PR&Code=01&Table=1&Data=Count&StartRec=1&Sort=2&Display=Page>; For Aboriginal population: <http://www12.statcan.ca/census-recensement/2006/dp-pd/hlt/97-558/pages/page.cfm?Lang=E&Geo=PR&Code=01&Table=1&Data=Dist&Sex=1&Age=1&StartRec=1&Sort=2&Display=Page>

4 As discussed in footnote 1, non-visible minorities include all persons who are Caucasian or White in colour, as well as Aboriginal peoples. For more information, see: Statistics Canada. 2006 Census of Population: Summary tables: <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/demo50a-eng.htm>

5 Statistics Canada, 2006 Census of Population, Statistics Canada catalogue no. catalogue no. 97-562-XCB2006007: <http://www12.statcan.gc.ca/census-recensement/2006/dp-pd/tbt/Rp-eng.cfm?LANG=E&APATH=3&DETAIL=0&DIM=0&FL=A&FREE=0&GC=0&GID=0&GK=0&GRP=1&PID=92334&PRID=0&PTYPE=88971,97154&S=0&SHOWALL=0&SUB=0&Temporal=2006&THEME=80&VID=0&VNAMEE=&VNAMEF= AND http://www12.statcan.gc.ca/census-recensement/2006/dp-pd/tbt/Rp-eng.cfm?TABID=3&LANG=E&A=R&APATH=3&DETAIL=0&DIM=0&FL=A&FREE=0&GC=01&GID=614135&GK=1&GRP=1&O=D&PID=88977&PRID=0&PTYPE=88971,97154&S=0&SHOWALL=0&SUB=0&Temporal=2006&THEME=66&VID=0&VNAMEE=&VNAMEF=&D1=0&D2=0&D3=0&D4=0&D5=0&D6=0>

6 See Canada's Ethnocultural Mosaic, 2006 Census: Findings, at <http://www12.statcan.ca/census-recensement/2006/as-sa/97-562/index-eng.cfm>

7 Statistics Canada. (2010). Projection of the Diversity of the Canadian Population, 2006-2031 (Catalogue no. 91-551-X): <http://www.statcan.gc.ca/pub/91-551-x/91-551-x2010001-eng.pdf>

8 Data in this section come from the following reports which focus on victimization and discrimination: For the 2004 General Social Survey (GSS) results, see Perreault, Samuel. (2004). Visible minorities and Victimization. Canadian Centre for Justice Statistics: Statistics Canada Catalogue no 85F0033MIE- no.15. Ottawa; for the 2009 General Social Survey (GSS), see Perreault, Samuel and Shannon Brennan. (2010). Criminal victimization in Canada, 2009. Canadian Centre for Justice Statistics: Statistics Canada 85-002-

X, Vol. 30, no.1. Ottawa; and for police-reported hate crime statistics, see Dowden, Caren and Shannon Brennan. (2012). Juristat: Police-Reported Hate Crimes in Canada, 2010. Statistics Canada Catalogue no 85-002-X. Ottawa. Although data on the visible minority status of victims was collected in the survey, these data have not been released for the 2009 year and are only available for the 2004 year.

9 Note that due to small numbers, comparisons should be made with caution.

10 Data on the race or ethnicity of the accused is often not collected by police for all criminal incidents including homicide. As such, these data are not reported by the Canadian Centre for Justice Statistics, Statistics Canada.

11 Closs, William J., Paul McKenna. (2006). Profiling a Problem in Canadian Police Leadership: the Kingston Police Data Collection Project. Canadian Public Administration: <http://www.thefreelibrary.com/Profiling+a+problem+in+Canadian+police+leadership%3A+the+Kingston-a0148481419>

12 See Wortley, Scot. (2006). Bias Free Policing: The Kingston Data Collection Project, Preliminary Results (for the Centre of Excellence for Research on Immigration and Settlement (CERIS)).

13 This group includes Arab, West Asian, Native, Aboriginal and Black.

14 Fitzgerald, Robin and Peter Carrington. (2011). Disproportionate Minority Contact in Canada: Police and Visible Minority Youth. Canadian Journal of Criminology and Criminal Justice, 53 (4): 449-486.

15 Closs, William J., Paul McKenna. (2006). Profiling a Problem in Canadian Police Leadership: the Kingston Police Data Collection Project. Canadian Public Administration: <http://www.thefreelibrary.com/Profiling+a+problem+in+Canadian+police+leadership%3A+the+Kingston-a0148481419>

16 See Wortley, Scot. (2006). Bias Free Policing: The Kingston Data Collection Project, Preliminary Results (for the Centre of Excellence for Research on Immigration and Settlement (CERIS)).

17 Wortley, Scot and Akwasi Owusu-Bempah. (2011). The Usual Suspects: Police Stop and Search Practices in Canada. Policing and Society, 21 (4): 395-407.

18 Tanner, Julian and Scot Wortley. (2000). The Toronto Youth Crime and Victimization Survey: Overview Report. Toronto: Centre of Criminology, University of Toronto.

19 See Wortley, Scot. (2006). Bias Free Policing: The Kingston Data Collection Project, Preliminary Results (for the Centre of Excellence for Research on Immigration and Settlement (CERIS)).

20 Unless otherwise note, all data in this section can be found in: Wortley, Scot. (2007). Police Use of Force in Ontario: An Examination of Data from the Special Investigations Unit: Final Report. Research Project Conducted on Behalf of the African Canadian Legal Clinic for the Ipperwash Inquiry

21 Unless otherwise noted, all data in this section can be found in: Wortley, Scot. (2007). Police Use of Force in Ontario: An Examination of Data from the Special Investigations Unit: Final Report. Research Project Conducted on Behalf of the African Canadian Legal Clinic for the Ipperwash Inquiry

22 Similar to Census definitions, 'Western Asian' includes persons from, for example, Iran and Afghanistan while South Asian includes persons from, for example, Pakistan and Sri Lanka. For more

information, see: Wortley, Scot. (2006). Bias Free Policing: The Kingston Data Collection Project, Preliminary Results (for the Centre of Excellence for Research on Immigration and Settlement (CERIS)).

23 Kong, Rebecca and Karen Beattie. (2005). Collecting Data on Aboriginal people in the Criminal Justice system: Methods and Challenges. Canadian Centre for Justice Statistics, Statistics Canada Catalogue no 85-564-XIE: Ottawa.; Millar, Paul and Akwasi Owusu-Bempah. (2011). Whitewashing Criminal Justice in Canada: Preventing Research through Data Suppression. Canadian Journal of Law and Society, 26 (3): 653-61.

24 Kellough, Gail and Scot Wortley (2002). Remand for Bail: Bail Decisions and Plea Bargaining as Commensurate Decisions. British Journal of Criminology, 42, 186-210.

25 In Canada, responsibility for corrections is divided between the federal and provincial/territorial governments. The Correctional Service of Canada is responsible for offenders serving sentences of two years or longer (including life sentences). The provinces and territories are responsible for offenders sentenced to terms of less than two years. Ontario Commission on Systemic Racism in the Ontario Criminal Justice system Report of the Commission on Systemic Racism in the Ontario Criminal Justice system. [Toronto]: Queen's Printer for Ontario, 1995.

<http://www.ontla.on.ca/library/repository/mon/25005/185733.pdf>

26 Public Safety Canada. (2011). Corrections and Conditional Release Statistical Overview 2011:

<http://www.publicsafety.gc.ca/res/cor/rep/fl/2011-ccrso-eng.pdf>

27 Includes all federal offenders under community supervision and in custodial institutions. For more information, see: Public Safety Canada. (2013). Corrections and Conditional Release Statistical Overview 2012: <http://www.publicsafety.gc.ca/res/cor/rep/2012-ccrso-eng.aspx#c11>

28 Aboriginal offenders are excluded from the study. For more information, see: Trevethan, Shelley and Christopher Rastin. (2004). A Profile of Visible Minority Offenders in the Federal Canadian Correctional System: http://publications.gc.ca/collections/collection_2010/scc-csc/PS83-3-144-eng.pdf

29 For more information, see: Public Safety Canada. (2013). Corrections and Conditional Release Statistical Overview 2012: <http://www.publicsafety.gc.ca/res/cor/rep/2012-ccrso-eng.aspx#c11>

30 A waiver, postponement or withdrawal of a parole hearing review occurs when an offender is eligible for review but does not appear before the Board on the scheduled hearing date. These can occur as a result of an offender's decision not to appear before the Board or when the National Parole Board chooses to delay an offender's review (e.g., adjournment or administrative adjournment). For more information, see: Cabana and Ruddell. <http://www.csc-scc.gc.ca/text/rsrch/reports/r224/r224-eng.shtml#Toc276029184>

31 Aboriginal offenders are excluded from the study. For more information, see: Trevethan, Shelley and Christopher Rastin. (2004). A Profile of Visible Minority Offenders in the Federal Canadian Correctional System: http://publications.gc.ca/collections/collection_2010/scc-csc/PS83-3-144-eng.pdf

32 Axford, Marsha (2011). Homicide, Sex, Robbery and Drug Offenders in Federal Corrections: An End-of-2008 Review. Correctional Service of Canada No R-234: Ottawa.

33 Terminology and definitions used to identify visible minority groups and non-visible minority groups in the research are retained in this document.

34 Stys, Yvonne. (2010). Conditional Release of Federal Offenders Convicted of Criminal Organization Offences. . Correctional Service of Canada №R-227: Ottawa.

35 Unless otherwise note, the research findings for this section can be found in: Trevethan, Shelley and Christopher Rastin. (2004). A Profile of Visible Minority Offenders in the Federal Canadian Correctional System: http://publications.gc.ca/collections/collection_2010/scc-csc/PS83-3-144-eng.pdf

36 Derkzen and Gilleno. <http://www.csc-scc.gc.ca/text/rsrch/reports/r205/r205-eng.shtml#Toc227566007>

37 Gobeil, Renée (2009). Profile of Federally-Sentenced Women Drug Offenders. Correctional Service of Canada № R-204: Ottawa. <http://www.csc-scc.gc.ca/text/rsrch/reports/r204/r204-eng.pdf>

38 *Ibid.*

39 Unless otherwise note, the research findings for this section can be found in: Trevethan, Shelley and Christopher Rastin. (2004). A Profile of Visible Minority Offenders in the Federal Canadian Correctional System: http://publications.gc.ca/collections/collection_2010/scc-csc/PS83-3-144-eng.pdf

40 Conditional release is a form of community supervision that allows an offender to serve part of a prison sentence in the community. Examples include: full parole (most offenders are eligible at 1/3 of their sentence, or seven years, whichever is less), day parole (most offenders are eligible six months before their full parole eligibility date), or statutory release (a release into the community for the last third of a federal (two years or more) sentence, where applicable for some offenders (life sentences are excluded from Statutory Release)).

41 Zakaria, Dianne. (2011). Is Ethnicity of Foreign-Born Status Relevant? Research Snippet number 11-2. Correctional Service of Canada: Ottawa.

42 Conditional release is a form of community supervision that allows an offender to serve part of a prison sentence in the community. Examples include full parole, day parole or statutory release, a release into the community for the last third of a federal (two years or more) sentence, where applicable for some offenders (life sentences are excluded from Statutory Release). Data in this section come from the following annual report: Parole Board of Canada. (2013). Performance Monitoring Report 2011/2012: http://pbc-clcc.gc.ca/rprts/pmr/pmr_2011_2012/index-eng.shtml

43 A Warrant Expiry Date (WED) is the date a criminal sentence officially ends, as imposed by the courts at the time of sentencing. Offenders who reach Warrant Expiry after completing their entire sentence are no longer under the jurisdiction of Correctional Service Canada (CSC). Readmission to a federal sentence is defined as a new federal sentence as a result of a new criminal conviction following WED.

44 A Long Term Supervision Order (LTSO) is a community supervision order imposed by the court that commences when the offender has finished serving all sentences for offences for which he or she had been convicted. The period of supervision to which the offender is subject at any time must not total more than ten years.

45 Data in this section come from the following annual report: Parole Board of Canada. (2013). Performance Monitoring Report 2011/2012: http://pbc-clcc.gc.ca/rprts/pmr/pmr_2011_2012/index-eng.shtml

46 Successful completion of conditional release (day parole, full parole and statutory release) is defined as the end of a supervision period without a return to prison for a breach of conditions or for a new offence.

47 Usher, A. & Stewart, L. (2011). The effectiveness of correctional programs with diverse offenders: A meta-analytic study. Research Report R 246. Ottawa, ON., Correctional Service of Canada.

48 *Ibid.* The rate of readmission to custody was calculated for each ethnic group based on the concept of person-years. In this case, a person-year is defined as one person in the community for one year. The total numbers of offenders returning to custody both for any reason (conditional release violation or new offence) and for a new offence only were calculated. In this case, new offences included returns to both federal and provincial custody. This was subsequently divided by the total number of person-years spent in the community post-release for each ethnic group. The authors note that readmission base rates for offenders in each ethnic group category may be an over-estimation of given that the sample would be comprised of offenders who are higher risk than offenders who are not referred to programs (CSC has a policy of referring offenders to program only if they are assessed as at least a moderate risk to reoffend). Other offenders include Arab/West Indian, Asiatic, East Indian, Hispanic, Chinese, Filipino, Japanese, Korean, Latin American, South Asian, South East Asian, or other ethnic affiliation.