

————— **Research Brief** —————

**Selected Annotated Bibliography:
Aboriginal Justice and Corrections Research**

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Aboriginal Justice Implementation Commission (2001). *Aboriginal Justice Implementation Commission final report*.

- CANADA: Outlines the work of the Aboriginal Justice Implementation Commission established in 1999 by the Manitoba government. Mandated to review and propose methods of implementing recommendations that the Manitoba government is accountable as detailed in the 1991 report of the Aboriginal Justice Inquiry. The report includes 5 sections: introduction; Aboriginal rights and Aboriginal relations; community and restorative justice; crime prevention through community development; and, concluding thoughts. Recommends the establishment of an Aboriginal Justice Commission and a Roundtable on Aboriginal Issues.

Alderson-Gill & Associates (1996). *Study of linkages between public legal education and information, legal aid and native courtworker programs*. Report prepared for Department of Justice.

- CANADA: Consultations with public legal education, legal aid and native courtworker programs to examine linkages in services.

Anand, S. (2000). "The sentencing of Aboriginal offenders, continued confusion and persisting problems: A comment on the decision in R. v. Gladue". *Canadian Journal of Criminology*, 42(3), 412-420.

- CANADA: R. v. Gladue (1999) is the first case in which the Supreme Court has interpreted s.718.2(e) of the Criminal Code. The procedures and duties imposed by this decision govern the sentencing of all adult Aboriginal offenders in Canada. Article points out the troubling aspects of Gladue and suggests an alternative interpretation of s.718.2(e) that better addresses the problem of Aboriginal offenders' over-representation in prisons while simultaneously encouraging the increased use of restorative community-based sentencing options for them. **Issues:** s.718.2(e) must be read and considered in the context of the entire section and in light of Part XXIII of the Criminal Code; particular attention to the circumstances of Aboriginal offenders has to be subject to the fundamental principle of proportionality; and sentencing innovation can stop the disproportionately harsh sentences to which Aboriginal offenders are currently being subjected. Concludes that if the Supreme Court had adopted the author's approach, real guidance, consistent with established principles of statutory interpretation, would have been provided to lower courts with an approach on how to sentence Aboriginal offenders.

Atkinson, L. (1996). "Detaining Aboriginal juveniles as a last resort: Variations from the theme". *Trends and Issues in Crime and Criminal Justice*, No. 64, Australian Institute of Criminology, Canberra.

- AUSTRALIA: Comparative analysis of Indigenous and non-Indigenous juveniles (10–17 years old) held in custody. At 21 times more likely to be held in custody in 1996, versus 17 times more likely in 1993, Indigenous youth are increasingly over-represented in the juvenile justice system. As of June 30, 1996, Indigenous youth comprised 2.6% of the youth population in Australia and represented 36% of all juveniles in detention (61% in Queensland, 58% in Western Australia (WA), and 30% in New South Wales (NSW)). 87% of detained Indigenous youth and 68% of detained non-Indigenous youth were held in Queensland, WA, and NSW. An Indigenous youth was more likely to be detained than a non-Indigenous youth by 41 times in Queensland, 32 times in WA, and 21 times in NSW. Along with the narrowing of the gap between sentenced and remanded youth, the commitment to the principle and practice of detention as a last resort is questioned. Attempts to divert youth from the juvenile justice system, including detention, impact differentially on Indigenous and non-Indigenous youth, with a net effect of further

concentrating Indigenous youth in the system. Results are presented by jurisdiction, age group, and gender.

Auger, D.J., Doob, A.N., Auger, R.P., & Driben, P. (1992). "Crime and control in three Nishnawbe-Aski nation communities: An exploratory investigation". *Canadian Journal of Criminology*, 34(3-4), 317-338.

- CANADA: Community-based participatory research project to explore crimes and problems of disorder in three Nishnawbe reserves in Ontario (Clear Lake, Castle Dam and Deep River). Included: interviews with 80 community members, data from police reports and court records. Estimates of how frequently various forms of disorder occurred varied between communities. They also varied in whether these problems should be dealt with by the community itself or by the police and courts. Majority thought the community should deal with the problems. Police reports on the types of occurrences also varied across communities and across time. Majority of the communities think that the current system is not serving them well and should be replaced by an Aboriginal legal system. However, some communities lack social control mechanisms and require outside assistance. The solution has to be tailored to fit and be flexible.

Bachman, R. (1991). An analysis of American Indian homicide: A test of social disorganization and economic deprivation at the reservation county level. *Journal of Research in Crime and Delinquency*, 28(4), 456-471.

- USA: Multivariate analysis of American Indian homicide at the reservation county level. Tests indicators of social disorganization and economic deprivation, controlling for age and American Indian status. Analysis were performed on 114 counties that were all or partially located on reservation land. Two-indicator Social Disorganization Index was constructed to measure the degree of instability in reservation communities (indicators: percentage of female-headed American Indian families with no husband and where children under the age of 18 years are present; percentage of American Indians who did not live on current reservations in 1979 or 1980). Index to measure the extent of economic deprivation on reservation communities (percentage of American Indian families below the Social Security Administration's defined poverty level; percentage of American Indians unemployed; percentage of American Indians aged 16-19 years not enrolled in school and not high school graduates). Examined homicide rates between 1980-87. Results indicate that both social disorganization and economic deprivation contribute to high levels of lethal violence in reservation communities.

Barlow, K. (2002). My gift to my people: Case study describing the impacts and benefits of the Cape Dorset NU Project: "Healing and harmony in our families". Prepared for the Board of Directors, Aboriginal Healing Foundation. AHF Project Number: CT-411-NT/32-NT.

- CANADA: Describes the Cape Dorset project entitled "Healing and Harmony in Our Families". Objectives: provide healing and training to individuals who are committed to personal healing and who will support healing within their family and the community at large; develop and implement a healing strategy that will include training workshops for healers and caregivers, community awareness workshops, healing circles or gatherings for women, teens, Elders and men; and plan and deliver healing camps on the land at least once a year for targeted groups, including youth, women, men, Elders and families. Outlines potential indicators of change including Aboriginal Healing Foundation (AHF) chosen social indicators: physical abuse; sexual abuse; incarceration rates; suicide; and children in care. The Baffin region shows the highest male suicide rate in Nunavut at 133.9 per 100,000. Conclusions: short-term outcomes suggest that progress is being made in a number of areas: increased skill and capacity of caregivers to support healing within their family and community; increased capacity to effectively manage individual and

family crisis; strong, effective Community Healing Team; overcoming powerlessness and hopelessness; and increased sense of pride in culture and spirituality as it relates to healing.

Barnes, G.E. (1985). "Canadian Indian health: A needs assessment project". *Canadian Journal of Native Studies*, 5(1), 47-73.

- CANADA: Discusses health indicators utilized in comparing Aboriginal and non-Aboriginal health status have been: life expectancy and mortality rates (Aboriginal lower), infant mortality (Aboriginal higher), specific disease incidence and prevalence rates (TB, dysentery, hepatitis), hospitalization (Aboriginals use hospitals 2.5 times more than national population), and incidence of accidental and violent deaths (higher among Aboriginals). Health needs of Manitoba Indians were assessed using: surveys of social and health indicators and analyses of these with such factors as hospitalization rates; and questionnaires administered to key informants from 34 communities. Health problems were judged to be most serious by Indian respondents living in the most acculturated community, Winnipeg. Suggest that acculturation may provide a mixed blessing for Aboriginal people - although some of the advances of western civilization (e.g., immunization) may be beneficial, other advances may be of questionable benefit and may place Aboriginal people at greater health risk.

Barsh, R.L. (1994). "Canada's Aboriginal peoples: Social integration or disintegration?" *Canadian Journal of Native Studies*, 14(1), 1-46.

- CANADA: Although Canada ranks highest in the world on the United Nations "Human Development Index," Aboriginal Canadians rank much lower. Reviews current statistical data to demonstrate inequalities and to suggest the extent of negative feedback among poverty, health and social structure. Examines: Aboriginal population (size, growth, age structure, geographic distribution, migration and urbanization); resource endowments; income and occupations (labour force, unemployment, occupations and wage parity, trends in growth and poverty); health status (infant mortality, adult mortality and morbidity, infectious diseases, health and changing lifestyles, access to health facilities, housing and water supply, environmental hazards); linguistic and cultural integrity; schooling; family break-up, childcare and adoption; chemical dependencies and mental illness; violence against self and others; criminalization; government services and transfer payments; political rights and empowerment. Conclusion notes some of the implications for social development policy.

Basky, G. (1999). "Gene defect driving diabetes epidemic on Ontario reserve". *Canadian Medical Association Journal*, 160(12), 1692.

- CANADA: Discusses a gene mutation in Aboriginal people living on a reserve in Northern Ontario that has catapulted the community's rate of non-insulin-dependent diabetes to the third highest in the world. In earlier days, there was a survival benefit to this mechanism, but now it results in obesity leading to complications like high blood pressure and diabetes.

Beauvais, F. (1992a). "Comparison of drug use rates for reservation Indian, non-reservation Indian and anglo youth". *American Indian and Alaska Native Mental Health Research*, 5(1), 13-29.

- USA: Rates of drug use and involvement were compared for three groups: Indian youth living on reservations, Indian youth living off reservations and Anglo youth. A consistent pattern emerged, showing the lowest rates of use among Anglo youth, higher rates among non-reservation Indian youth, and the highest rates among Indian youth on reservations. Rates of tobacco use, both smoked and smokeless, and marijuana use are especially high for Indian youth. Indian youth also show a pattern of earlier initiation to drug use.

Gender differences reveal slightly higher rates of use for males, although the differences are not great enough to suggest that prevention efforts for males should have a higher priority.

Beauvais, F. (1992b). "Trends in Indian adolescent drug and alcohol use". *American Indian and Alaska Native Mental Health Research*, 5(1), 1-12.

- USA: Trends in overall drug use among Indian and non-Indian youth have followed similar patterns, increasing from 1975 to the early 1980s and, for the most-used drugs, declining since then. At every point in time more reservation Indian youth are involved with drugs than non-Indian youth. Rates for cocaine and hallucinogen use by Indian youth increase until 1990. The decline in overall drug use has occurred because a considerable number of moderate users have shifted to non-use. There has been no decrease in the proportion of high-risk users; since 1980, it has stayed between 17% and 20%. Societal changes and prevention programs are reaching casual drug users but not those susceptible to heavy drug involvement.

Beavon, D., & Norris, M. (1999). *Dimensions of geographic mobility and churn in social cohesion: The case of Aboriginal peoples*. Strategic Research, Department of Indian Affairs and Northern Development.

- CANADA: Presentation which examines the theory that because of the attachment Aboriginal people have to the land and their home communities, their attachment to urban cities will be tenuous resulting in weak social cohesion bonds, high rates of churn, and extensive social problems. Mobility rates from 1991-96 show that 38% of Aboriginal people from reserves moved compared to 66% off-reserve and 43% for the Canadian population, with the majority of movers, Aboriginal and non-Aboriginal alike, between 15 and 35 year of age. Of a total of 87,400 Aboriginal migrants, 62% move off-reserve to off-reserve with the main reasons for moving split relatively evenly between family, housing, and employment. In contrast, the 9% that moved to a reserve overwhelmingly did so for family reasons (about 44%) and of the 25% that moved off a reserve primarily did so for family (about 34%) followed by education (about 27%) and housing (about 25%). Saskatoon saw the majority of movement (both in and out), followed by Calgary. However, of the top 10 Canadian cities, only Saskatoon, Thunder Bay, and Ottawa-Hull saw a positive net migration. Uses Winnipeg as a case study of churn. Factors related to urban churn include the high state of flux of Aboriginal population, housing issues, poverty levels, and labour force issues. Concludes that the current housing crisis and shortage of job opportunities in Aboriginal communities, combined with the growth of the working age population, will likely generate increasing pressures to migrate from reserves.

Bell, A., & Crutcher, N. (2002). "Health issues facing Aboriginal offenders". *FORUM on Corrections Research*, 14(2), Correctional Service of Canada.

- CANADA: Describes the health issues facing Aboriginal people in Canada generally and how this may impact specifically on Aboriginal offenders. Points to the need for research on the health of Aboriginal offenders.

Bennet, N. (2000). "Improving partnerships with Aboriginal communities". *Forum on Corrections Research*, 12(1), 5-6.

- CANADA: Describes CCRA sections 81, 84, 84.1; and how CSC corporate commitments take into account Aboriginal offenders.

Bennett, S.K., & Subia BigFoot-Sipes, D. (1991). "American Indian and white college student preferences for counselor characteristics". *Journal of Counseling Psychology*, 38(4), 440-445.

- USA: Compared counsellor preferences among American Indian (n=73) and white (n=81) college students when facing academic or personal problems. Results: both white and American Indian students preferred counsellors with similar attitudes and values as themselves. Similar ethnicity was more important for American Indians than white students, particularly those with a stronger sense of involvement with American Indian culture. Dissimilar characteristics selected more frequently for academic problems, similar attributes preferred for personal problems.

Benson, G.F. (1991). Developing crime prevention strategies in Aboriginal communities. *Solicitor General of Canada, No. 1991-12, Cat. JS4-1/1991-12*.

- CANADA: Handbook to provide police practitioners with a guide to using the problem-oriented policing approach in Aboriginal communities. Approach provides: one means by which the police and the Aboriginal communities can work together to identify and address problems, while respecting the limitations that are placed on both by legal, cultural, and socio-economic factors; and a means to identify sources of information and other factors which may assist the development of crime reduction strategies in Aboriginal communities. Intended for use by Aboriginal and non-Aboriginal officers serving Aboriginal communities. Includes two sections: a summary description of the problem-oriented policing approach to crime reduction; and a guide to the application of the approach in reducing crime in Aboriginal communities, including its processes, procedures and strategies. Details four stages: defining and identifying problems; analysis of problems; developing a response to the problem; and implementing and evaluating responses. Objective: to help foster a better understanding of Aboriginal communities and the issues that affect crime-related problems in those communities.

Bergob, M.J. (1993). *Inventory of Aboriginal data holdings of Statistics Canada*. Target Groups Project, Housing Family and Social Statistics Division, Statistics Canada.

- CANADA: Guide to sources of data on Aboriginal people collected at Statistics Canada. Describes comprehensive data sources, such as Census and post-censal Aboriginal Peoples Survey, as well as more topic-specific data sources.

Bernier, R. (1997). *The dimensions of wage inequality among Aboriginal peoples*. Report No. 109, Business and Labour Market Analysis, Statistics Canada.

- CANADA: Confirms wage gap between Canadian workers as a whole and those of Aboriginal origins. Also found greater disparity in the distribution of wages among Aboriginal people than among Canadian workers as a whole, even after allowing for demographic differences. Results show that North American Indians living on reserves are the most disadvantaged Aboriginal group because their earnings are substantially lower than those of the other groups.

Berry, J.W. (1999). "Aboriginal cultural identity". *Canadian Journal of Native Studies*, 19(1), 1-36.

- CANADA: Paper draws upon concepts, data and analyses in one report commissioned by the Royal Commission on Aboriginal Peoples. Argues that intercultural contact between Aboriginal and non-Aboriginal peoples in Canada has initiated a process of acculturation (at both the cultural and psychological levels) during which Aboriginal peoples have experienced cultural disruption, leading to reduced well-being and identity confusion and loss. The key to re-establishing a sense of well being and a secure cultural identity resides

in restructuring the relationships between these two communities. Discusses concept of cultural identity; reviews process and consequences of intercultural contact; provides a summary of the main findings; and discusses their implication for policy and programs. **Method:** individuals in 10 learning circles from a variety of communities comprised of 10 to 12 persons each (116 participated). **Findings:** National survey data show a fairly high degree of behavioural expression, which varies substantially across groups. Can be interpreted as showing major behavioural cultural identity loss with degree of Euro-Canadian contact: Language use (total adult population) - 64% Indian On-Reserve, 23% Indian Off-Reserve, 17% Métis and 75% Inuit were able to use their Aboriginal language. Similar result for children: 44%, 9%, 5%, and 67%, respectively. Pattern is repeated in Participation in traditional Aboriginal activities (food, dress, music and crafts) - adult participation rates were 65%, 45%, 40% and 74%; child participation rates were 57%, 39%, 29% and 70%, respectively. Behavioural expression - moderately high level of behavioural expression existed: two scores across the 10 groups were 4.80 and 5.98 out of 7.0. Self-esteem - overall rating of self-esteem was very positive with a mean of 6.42. Aboriginal Identity - desire for maintenance of one's Aboriginal identity was rated at 6.41. Identity Confusion - identity confusion was evident in 37 participants out of 114. Events and experiences that influenced participants' identity: positive experiences with the land, traditional culture, social relations and family; and negative experiences with addictions, prejudice, residential schools and government institutions. **Conclusions:** cultural identity issues are clearly important to participants, and at the level of self-perception, participants have a very clear view of themselves as Aboriginal persons. Need to eliminate current domination by Euro-Canadian culture and heal wounds of past domination.

Bewley, A.R. (1995). "Re-membering spirituality: Use of sacred ritual in psychotherapy". In J. Ochshorn and E. Cole (eds.) *Women's spirituality, women's lives* (pp. 201-213). Keene, NH: Haworth Press Inc.

- USA: Discusses the value and process of reimbuing therapeutic ritual with the sacred. Addresses three themes: ritual in family therapy; themes in feminist theology; and women's spirituality. Rituals work with symbols that can be powerful on the subconscious mind. Sacred ritual can serve to heal, empower, and change consciousness and behaviour. The role of the therapist is to help the client reconnect with an understanding and experience of the sacred that works for her and to implement that experiences into the therapeutic setting.

Birkenmayer, A.C., & Jolly, S. (1981). *The Native inmate in Ontario*. Ministry of Correctional Services Ontario.

- CANADA: Report examines problems faced by Aboriginal persons serving time in the Ontario correctional system. Sample of 66 females and 447 males - survey provides a profile of the offenders and problems they say they are facing.

Bittle, S., & Quann, N.L., Hattem, T., & Muise, D. (2002). *A one-day snapshot of Aboriginal youth in custody across Canada*. Research and Statistics Division, Department of Justice Canada.

- CANADA: One-day snapshot of all Aboriginal youth in provincial and territorial custody (open, secure, remand) on May 10, 2000 (n=1,144). Provides information on: where Aboriginal youth lived prior to being charged or committing their offence; where they were charged or committed their offence; and where they plan to relocate upon release. Found: 75% First Nations, 16% Métis, 3% Inuit, and 2% Inuvait; 82% male; 94% spoke English; 42% in secure custody, 40% in open custody, 27% on remand; 48% incarcerated for a property offence and 37% a crime against a person; 53% lived in a city during the 2 years preceding the current admission, 23% on reserve, 21% in a town and 1% in an Inuit community; 57% committed the offence in a city, 23% in a town and 17% on a reserve

and 1% in an Inuit community; 54% plan to relocate to a city upon release, 21% to a reserve, 20% to a town and 1% to an Inuit community.

Blagg, H. (1997). "A just measure of shame? Aboriginal youth and conferencing in Australia". *British Journal of Criminology*, 37(4), 481-506.

- AUSTRALIA: Explores limitations of reintegrative shaming and family group conferencing as practiced in Australia. Current practices represent a shaming ceremony rather than a strategy of empowerment - questions the viability of shaming as a solution to Aboriginal over-representation. Wagga model adopted from Maori experiences imposes a westernized interpretation of Maori justice reform and crime is reduced to a positivistic and behavioural level. Practice of Wagga model has led to increased extension of police powers and discretion over Aboriginal youth. Addresses issue - to what extent can police represent neutral territory to Aboriginals with a history of exclusion and marginalization? Doubtful that Aboriginals are part of the "community" as defined in police-led reintegration ceremonies and Aboriginal cultures may not operate within a shaming paradigm of social control as practiced in conferences. The use of shaming ceremonies as a solution to Aboriginal crime assumes Aboriginal cultures understand the concept of shaming, incorporate social status in their lifestyle, and operate under the same patterns of authority and socialization as practiced in Western/European societies. Shaming ceremonies impose non-indigenous practices on Aboriginal peoples rather than reinforcing universal cultural values. No guarantee that a conference system will reduce recidivism or produce more victim satisfaction. Explains the practice of, and model behind, Juvenile Justice Teams in Western Australia, including difficulties in involving Aboriginal youth and their families in the conference process.

Blanchette, K., Verbrugge, P., & Wichmann, C. (2002). *The Custody Rating Scale, initial security placement, and women offenders*. Research Report R-127, Correctional Service of Canada.

- CANADA: Examines the Custody Rating Scale (CRS) for Aboriginal women. Found that the over-representation of Aboriginal women at higher levels of initial security level designation is attributable to pre-admission characteristics (severity of offences, incident history, alcohol abuse) on CRS items. The CRS demonstrated predictive validity for Aboriginal women offenders. Classification over-rides did not appear to play a role in the disproportionate number of Aboriginal women offenders in higher security.

Boe, R. (2000). "Aboriginal inmates: Demographic trends and projections". *Forum on Corrections Research*, 12(1), 7-9.

- CANADA: Examines research on Aboriginal offenders in the Canadian federal correctional system and Aboriginal people in the general Canadian population. Findings reveal that Aboriginal people are much younger and growing at a faster rate than the general Canadian population. There also appears to be an increase in the concentration of Aboriginal peoples in larger cities. Aboriginal people in federal inmates were found to over-represented, especially as you move from east to west across Canada. The Prairie provinces had the largest over-representation.

Bonta, J. (1989). "Native inmates: Institutional response, risk, and needs". *Canadian Journal of Criminology*, 31(1), 49-62.

- CANADA: Examines response of the criminal justice system to Aboriginal offenders and recidivism factors (risk and need factors). A standard risk/needs assessment instrument (LSI) was given to Aboriginal and non-Aboriginal inmates (n= 52 Aboriginal, 74 non-Aboriginal). Offenders were classified regarding security level (minimum, medium and maximum), transferred to the appropriate facility and followed-up for one year. No significant difference in sentencing between Aboriginal and non-Aboriginal nor did the

courts show racial bias in making halfway house and treatment recommendations. No difference in the actual length of confinement for each group and alcohol and/or drug abuse problems as assessed by LSI and collateral information predicted parole outcomes for Aboriginal but not for non-Aboriginal. The LSI total score predicted misconduct, parole violation and re-incarceration for both groups. Within one year post-release, almost half were re-incarcerated for new offences or parole violations and rates were almost identical for Aboriginal versus non-Aboriginal offenders. When re-incarcerated, non-Aboriginal offenders were convicted of more offences than Aboriginal offenders.

Bonta, J., Harman, W.G., Hann, R.G., & Cormier, R.B. (1996). "The prediction of recidivism among federally sentenced offenders: A re-validation of the SIR scale". *Canadian Journal of Criminology*, 38, 61-79.

- CANADA: Examines the Statistical Information on Recidivism (SIR) scale used to predict recidivism. Focus of this study is to re-validate the reliability of the SIR in predicting violent recidivism. Sample were 3,267 federal male inmates released during 1983-84 - 86% Caucasian and 9% Aboriginal. Nearly half of the inmates were released on full parole and the other half on mandatory supervision. The SIR continued to demonstrate stable predictive ability for general recidivism. Violent recidivism was predicted using the SIR but previous studies found higher predictive value using the Statistical Risk Appraisal Guide (SRAG). Although the breakdown of offenders was included in the description of the participants, further analysis of difference and/or similarities between Caucasian and Aboriginal offenders was not provided.

Bonta, J., LaPrairie, C., & Wallace-Capretta, S. (1997). Risk prediction and re-offending: Aboriginal and non-Aboriginal offenders. *Canadian Journal of Criminology*, 39(2), 127-144.

- CANADA: Focuses on factors related to Aboriginal offender recidivism through analysis of an actuarial risk scale with particular attention paid to different groups of Aboriginal peoples. Randomly sampled probationers from Manitoba between 1986 to 1991 (included males and females) and followed-up for three years from termination of probation (n= 513 non-Aboriginal and 390 Aboriginal offenders). Aboriginal sample was further divided into Métis, "treaty-on" and "treaty-off". Results indicated that Aboriginal offenders differed from non-Aboriginal offenders on almost all the personal demographic and criminal history variables. Aboriginal offenders were more likely to be unemployed, less educated, and more likely to have prior convictions, probation breaches and convictions for a violent crime. Among the Aboriginal sub-groups, "treaty-off" probationers had the highest unemployment rates. Both "treaty-off" and Métis offenders when compared to "treaty-on" offenders had more extensive histories of prior convictions, probation breaches and were more likely to have committed a property offence. Within three years of completing community supervision, more than half of the probationers were re-convicted of a new offence or technical violation and Aboriginal offenders re-offended at a higher rate than non-Aboriginal offenders. "Treaty" offenders had a significantly higher re-offending rate than Métis. Scores on the Manitoba risk-needs assessment instrument were significantly related to recidivism for Aboriginal and non-Aboriginal offenders with the exception of family/marital, mental ability and academic/vocational measures. Conclude that Manitoba Risk/Needs Scale is valid in predicting re-offending among offenders and that the similarities between Aboriginal and non-Aboriginal offenders is greater than previously thought.

Bonta, J., Lipinski, S., & Martin, M. (1992). "The characteristics of Aboriginal recidivists". *Canadian Journal of Criminology*, 34(3-4), 517-521.

- CANADA: Examined re-offending from a federal database established by the Solicitor General of Canada - information from 282 male Aboriginal offenders. Property-related crimes were the most frequent reason for being incarcerated followed by person-related offences. Overall recidivism rate was 66% and only five variables showed any predictive validity: offence type, prior convictions, prior incarcerations, age at first conviction, and sentence length. Aboriginal offenders who served shorter sentences were more likely to recidivate than those who served longer ones. However, when the five variables were subject to a multiple regression analysis, it produced a multiple R of only .32 that would render a decision-making failure error rate unacceptably high.

Brady, M., Dawe, S., & Richmond, R. (1998). "Expanding knowledge among Aboriginal service providers on treatment options for excessive alcohol use". *Drug and Alcohol Review*, 17, 69-76.

- AUSTRALIA: Approaches to the prevention of alcohol problems among Aboriginal people in Australia have tended to emphasize primary and tertiary prevention, while neglecting secondary prevention or early intervention. Report presents findings on the use of secondary (brief) interventions from 29 agencies providing services to Aboriginal people. Aboriginal people see themselves as either drinkers (usually heavy drinkers) or abstainers. New South Wales town survey found 20% versus 10% of Aboriginal men and women were categorized as "responsible drinkers" (60% of men and 43% of women who drank). Secondary prevention, in the form of one-to-one advice given in general practice or hospital settings is effective in reducing alcohol consumption among excessive drinkers. **Method:** Interviewed 178 agencies throughout Australia on strategies to teach clients to control their drinking (Dawe & Richmond). Twenty-nine provided a service primarily for Aboriginal people: 18 were Aboriginal-controlled organizations; 10 were state/territory services; and one was a non-governmental Christian agency. Categorized agencies based on an affirmative response to the question "Do you offer advice about controlled drinking?". **Results:** Fifteen offered a program based solely on abstinence goals. Fourteen offered a range of treatment options including referral to residential rehabilitation centres, harm minimization information and controlled drinking as a treatment goal. Of the state-run (and one non-governmental Christian) agencies, nine of 11 offered a range of treatments while only 5 of 18 community-controlled agencies offered a similar range. This difference is statistically significant. Aboriginal community-controlled agencies were more likely to offer a limited range of treatment options (primarily abstinence-oriented). **Conclusion:** Harm minimization is already actively pursued in numerous Aboriginal prevention programs such as night patrols, sobering-up shelters and curbs on supply. Motivating individuals to consider their drinking before its impact becomes destructive need not be associated with either abstention or controlled drinking – that decision is up to the client.

Brant, C. (1993). Communication patterns in Indians: Verbal and non-verbal. *Annals of Sex Research*, 6, 259-269.

- CANADA: Mental health professionals assessing Aboriginal offenders find them passive, difficult to assess and not forthcoming. The behaviour, which reflects the influence of Aboriginal culture, is frequently misinterpreted by clinicians unfamiliar with the culture as evidence of psychopathology, deviousness, dishonesty and deliberate attempts to misinform the assessor. In fact, the Aboriginal person is behaving according to a complicated set of rules and expectations of his own culture, which make him present in such a fashion that his behaviour is misinterpreted as dishonest. Article discusses verbal and non-verbal communication patterns in Aboriginals in assessment situations. Misinterpretations of behaviour can lead to misperceived errors in diagnosis, formulation, and treatment. Aboriginal rules of behaviour identified (non-interference, lack of

competitiveness, emotional restraint, sharing principle, Indian time, rarely show gratitude or approval, and Indian protocol). Shyness is addressed from a biological, psychological and social perspective. Incidence of shyness approaches 80% to 90% in Aboriginal population. Hypothesis links self-medicating with alcohol to alleviate shyness and the high rate of alcoholism in the Aboriginal population. Alcoholism requires treatment in order to treat the incidence of sexual assault in the Aboriginal population.

Brant, C. (1990). Native ethics and rules of behaviour. *Canadian Journal of Psychiatry, 35*, 534-539.

- CANADA: Psychiatrists assessing Aboriginal children and adolescents often find them passive, difficult to assess and not forthcoming. This behaviour, which actually reflects the influence of Aboriginal culture, is often misinterpreted by clinicians as evidence of psychopathology. Article discusses Aboriginal Canadian's cultural heritage to provide context to help mental health professionals understand and deal with Aboriginal patients with greater sensitivity and accuracy. Observations compiled during 24 years of medical practice and association with the Iroquoian groups of southern Ontario and Quebec, Ojibway of southern Ontario and Swampy Cree of James and Hudson's Bay. Presents patterns of conflict suppression, conflict projection and the humiliating superego in their historical and cultural perspective. Practices originated as techniques of ensuring group unity and cohesion essential for survival in a hostile environment. Aboriginals established conflict suppression through practice of 8 principles (non-interference, non-competitiveness, emotional restraint, sharing, Aboriginal concept of time, Aboriginal attitude towards gratitude and approval, Aboriginal protocol). Traditional Aboriginal ethics and rules of behaviour as practiced in child rearing will continue to have significant implications for Aboriginal mental health.

Broadhurst, R. (1997). "Aborigines and crime in Australia". In M. Tonry (ed.) *Ethnicity, crime, and immigration: Comparative and cross-national perspectives*, Volume 21 (pp. 407-468). Chicago: University of Chicago Press.

- AUSTRALIA: Overview of current state of crime and imprisonment in Australia relative to different experiences of Aborigines. Statistics for Western Australia: Aborigines are 16 times more likely to be victims of homicide and 6.5 times more likely to report crimes against the person to police than non-Aborigines. Aborigines are 9.2 times more likely to be arrested, 6.2 times more likely to be imprisoned by lower courts, 23.7 times more likely to be imprisoned as an adult, and 48 times more likely to be imprisoned as juveniles than non-Aborigines. Increased overrepresentation from arrest to imprisonment appears largely a function of high levels of recidivism among Aborigines: 88% male Aborigines compared to 52% of non-Aborigines rearrested and 75% Aborigines compared to 43% of non-Aboriginal males return to prison at least once. States with a high Aboriginal "cultural strength" and socio-economic "stress" index are most punitive. "Cultural strength", "stress", and "imprisonment" are highly correlated and associated with those States with the most "frontier" characteristics.

Broadhurst, R.G., & Maller, R.A. (1992). "The recidivism of sex offenders in the Western Australian prison population". *British Journal of Criminology, 32*(1), 54-80.

- AUSTRALIA: Examined the degree to which known sex offenders can be characterized as 'specialists'. Subjects were derived from a computerized prisoner record for all prisoners released for the first time from Western Australian prisons from 1975 to 1987. Total of 560 male offenders were identified (imprisoned for sex offences as their major offence at any stage of their recorded 'careers'). The general characteristics of these offenders did not differ markedly from those of the general prison population. Results indicated that the probability of recidivism (defined as return to prison for any offence) was about 75% for

Aborigines and 45% for non-aborigines. Furthermore, recidivist sex offenders tended to engage in 'general' re-offending rather than 'specialists' in offence preferences.

Broadhurst, R.G. & Maller, R.A. (1990). "The recidivism of prisoners released for the first time: Reconsidering the effectiveness question". *Australian and New Zealand Journal of Criminology*, 23, 88-104.

- AUSTRALIA: Describes recidivism rates of offenders (N=16,381) incarcerated in Western Australian prisons between 1975 to 1987. Male Aboriginal offenders (76%) had higher rates of recidivism than non-Aboriginal offenders (45%). Recidivism rates for female Aboriginal offenders (69%) were higher than non-Aboriginal (36%) females. Younger prisoners had a much higher probability of re-offending in both Aboriginal and non-Aboriginal populations. However, the Aboriginal population was much younger than the non-Aboriginal population (39% versus 18%). For non-Aboriginal offenders, lower rates of recidivism were associated with more schooling and employment qualifications. The number of Aboriginal offenders with more than ten years of schooling was too small to determine a reliable and valid recidivism rate. About 19% of non-Aboriginal and 8% of Aboriginal offenders were employed at the time of arrest. Longer prison sentences were associated with lower recidivism rates for non-Aboriginals, but not for Aborigines. Seriousness of offence did not appear to be related to Aboriginal offender recidivism, with the possible exception of drinking and driving, which had lower rates. Finally, negative behaviour in the prison did not significantly affect the probability of recidivism.

Brodeur, J.P., & Leguerrier, Y. (1991). *Justice for the Cree: Policing and alternative dispute resolution*. The Grand Council of the Crees (of Quebec). Cree Regional Authority.

- CANADA: Part of a larger body of research, "Justice for the Cree". Explores the need to reform the justice system for the 9 James Bay Cree communities in Northern Quebec. Literature review outlines general justice, crime, and policing issues, reviews current policing procedures and attitudes in Cree communities through interviews with Cree constables and non-Cree justice personnel, and discusses alternative approaches to the resolution of disputes and sentencing. Concludes that reform is required and proposes a model which involves: the principles of public/community informal justice and integration of justice/community services; having police act as catalysts for the community; cooperation among all Aboriginal groups to establish structures, bodies, and institutions that may be outside the reach of any one small Aboriginal community; and, a period of transition to allow Aboriginal communities to develop the expertise and material resources which they currently possess in varied degrees.

Campbell, A. (1989). *Vancouver police department/native Indian liaison program: Analysis of the manually collected data base*. Prepared for Vancouver Police Department.

- CANADA: Analyzed existing manually collected data that were available from the Vancouver Police/Native Liaison Program.

Campbell Research Associates (1994). *Evaluation of the Nishnawbe-Aski Legal Services Corporation: Final Report*. Submitted to the Evaluation Steering Committee, Nishnawbe-Aski Legal Services Corporation, Ministry of the Attorney General of Ontario, Ontario Legal Aid Plan, Department of Justice Canada.

- CANADA: Evaluation of the Nishnawbe-Aski Legal Service Corporation (NALSC) following its first three years of providing legal services, paralegal services, public legal education and law reform to 48 fly-in/road access Nishnawbe-Aski communities in Northern Ontario.

Reviews background on the development of the NALSC and provides detailed analysis and recommendations pertaining to all NALSC operations, management practices and service provision. While a cost-effectiveness analysis was not possible, the evaluation examines allocation and distribution of costs among service activities. Concludes that the justice needs of the target population are best served by the multi-service model in place, noting significant accomplishments of the NALSC over its brief existence. Recommendations address issues related to improvements in operations, growth and expansion of service, and the need for strategic planning.

Canadian Centre for Justice Statistics (2001). *Aboriginal peoples in Canada. Statistics Profile Series, Statistics Canada, Catalogue No. 85F0033MIE.*

- CANADA: Provides descriptive socio-demographic and criminal justice characteristics associated with Aboriginal people. Data drawn from 1996 Census, General Social Survey, Alternative Measures Survey, Youth Custody and Community Services Survey, Adult Corrections Survey.

Canadian Centre for Justice Statistics (2000). *Aboriginal peoples in Canada. CCJS Diversity Group Profile Series, Statistics Canada.*

- CANADA: Provides data on Aboriginal people. Includes: population; regional distribution; urban/rural; age; family status; educational attainment; language; employment; income; victimization; satisfaction with police, courts, prison, parole; alternative measures; custody; demographics.

Canadian Centre for Justice Statistics (1998). "An overview of data on Aboriginal peoples". *Bulletin.*

- CANADA: Graphical overview of socio-economic conditions of Aboriginal peoples in Canada using data from Statistics Canada and the Canadian Centre for Justice Statistics sources.

Canadian Criminal Justice Association (2000). *Aboriginal peoples and the criminal justice system.*

- CANADA: Reviews historical and socio-economic conditions that altered the Aboriginal way of life and contributed to high levels of Aboriginal incarceration. Examines Aboriginal peoples' concerns with present judicial system and reviews several Aboriginal justice programs. Explains how those factors contributed to disproportionate levels of Aboriginal incarceration, poverty, unemployment, alcohol abuse, domestic violence, and to the absence of stable business infrastructures. Aboriginal people make up approximately 3% of the Canadian population and 16% of Canada's offender population. Federal, provincial and territorial governments attempt to make the justice system more responsive and culturally sensitive to Aboriginal needs and to reduce the rate of Aboriginal incarceration. Resolution of many Aboriginal struggles with the judiciary could result from returning the mechanisms of control back to First Nation communities. Report poses 17 issues for further consideration and discussion.

Carcach, C., Grant, A., & Conroy, R. (1999). "Australian corrections: The imprisonment of indigenous people". *Trends and Issues in Crime and Criminal Justice*, No. 137, Australian Institute of Criminology, Canberra.

- AUSTRALIA: According to the Royal Commission into Aboriginal Deaths in Custody, the disproportionate level of Aboriginal deaths in custody in the 1980's was a result of their disproportionate level of incarceration, rather than systematic patterns of force or deliberate violence on the part of police or prison officers. Using data from National Prison Census, the report examines trends and characteristics of Aboriginal and Torres Strait Islander prisoners from 1988 to 1998 (trends, major features of prison population,

characteristics). Findings: indigenous prison population has grown faster than non-Indigenous. Disproportionate involvement has been explained by differences in levels and patterns of offending compared to other Australians; and lifestyle differences (social and economic disadvantaged).

Chaimowitz, G. (2000). "Aboriginal mental health moving forward". *Canadian Journal of Psychiatry*, 45(7), 605-607.

- CANADA: Given that Canada's population would suggest a need for more than 100 psychiatrists of Aboriginal ancestry, it is safe to say that for many years psychiatric services will be provided to Aboriginal peoples by non-Aboriginal psychiatrists. To remedy this, recruitment strategies will need to address historical imbalances and understand the factors behind the under-representation of minority groups within our ranks. Diversity within Canada's Aboriginal peoples - First Nations, Inuit and Métis - would be diminished by a unidimensional approach. Aboriginal concepts of problem-solving, reparative justice and healing can contribute a great deal to our own set of experiences and knowledge base.

Chandler, M. (1995). *Review of the Mackenzie court workers services*.

- CANADA: Review of the Mackenzie court workers services in terms of current structure and function, effectiveness of those structures and recommendations. Found organization was in disarray (staff turnovers, loss of clear vision). Also found organization was carrying an administrative burden disproportionate to its size. Recommends forming multiple legal services clinics.

Clairmont, D. (1992). *Native justice in Nova Scotia - Volume I - Executive summary of a report submitted to the Tripartite forum on Nova Scotia*. Atlantic Institute of Criminology.

- CANADA: Needs assessment of Mi'kmaq community of Nova Scotia. Involved consultations with Mi'kmaq to examine views and experiences of with the court and policing systems. Recommended greater emphasis on community policing and cultural awareness of the police. Also recommended that efforts to recruit Aboriginal peoples, especially women, be increased.

Clairmont, D., & Linden, R. (1998). *Developing and evaluating justice projects in Aboriginal communities: A review of the literature*. Solicitor General of Canada.

- CANADA: Annotated bibliography of Aboriginal justice issues and initiatives, including circle sentencing, adult diversion programs, alternative dispute resolution and conferencing. Focuses on evaluations, manuals and programs. Relevant restorative justice materials include papers on circle sentencing, restorative justice, diversionary conferences in Australia, and changing directions in criminal justice. Describes specific programs such as the Four Circles of Hollow Water, Family Group Decision-Making Project in Newfoundland and report by the Church Council on Justice and Corrections which is a story-based compendium of 100 justice initiatives. Major themes from the literature include the need to prepare for project implementation, selecting the right staff, networking with mainstream criminal justice personnel, equity in carrying out a program, involving the community at large, communicating about a program's goals and objectives, and reporting on assessments.

Clark, S. (1989). *Sentencing patterns and sentencing options relating to Aboriginal offenders*. A report prepared for the Department of Justice Canada.

- CANADA: Examines databases and theoretical/methodological approaches to sentencing with respect to Aboriginal/non-Aboriginal sentencing disparity and sentencing options for Aboriginal offenders. Moyer (1987) indicates that between 1962-84, there are no

differences by race or gender in the outcome of preliminary hearings. The conviction rate for violent crimes in the 1960's and '70s for Aboriginal and non-Aboriginal males was approximately the same. However, non-Aboriginal women (27%) were more likely than their Aboriginal (4%) counterparts to be determined insane at trial. By the late 1970s, only 10% of non-Aboriginal and 2% of Aboriginal women were determined insane. In 1976-80, Aboriginal people were much less likely to be convicted of first (3% vs. 13%) or second (16 vs. 33%) degree murder and much more likely to be convicted of manslaughter (76% vs. 46%) with substantial difference in sentencing. Almost one-half (47%) of non-Aboriginals vs. 20% of Aboriginals received life imprisonment. About 50% of Aboriginals received sentences of less than 5 years, compared to 23% of non-Aboriginals. Non-Aboriginal women received especially light sentences (29% on probation, suspended sentence, etc.) compared to 10% of Aboriginal women and less than 2% of men. While Moyer suggests that there is little discrimination in the criminal justice processing of adult Aboriginal offenders, an overall review of the literature indicates that relatively little is known about comparative Aboriginal/non-Aboriginal sentencing in Canada due to both an inconsistent methodological approach and incomplete data. Likewise, little is known with respect to sentencing options. There are relatively few universal sentencing option programs to which Aboriginal people have easy access, even fewer geared specifically to them, and with some exceptions, most have not undergone rigorous assessment. Much individual community programming remains unidentified with no systematic assessment. Gaps in existing knowledge are discussed and a research agenda is identified for both sentencing patterns and options.

Cook, P. (1994). *Developmental study report on tribal policing for the Carrier-Chilcotin Justice Council*. Submitted to the Carrier-Chilcotin Justice Council and the Nenqay Deni Yajelhtig Law Centre, Alexis Creek, British Columbia.

- CANADA: Needs analysis on the future of policing for seven communities west of the Fraser River by the people of the Carrier-Chilcotin: Toosey, Stone, Redstone, Alexandria, Anaham, Nemiah Valley and Ulkatcho. Gathered information from community representatives to identify policing needs and key issues in policing for communities. Four broad groups of respondents included: members from the community; officials, Chiefs, Band Councillors and Band Managers; RCMP and Tribal Police academy trainees; and other professionals. Identified principles for the First Nation controlled Police Service. Concludes that the Carrier-Chilcotin people support Tribal Policing that is accountable and responsible to the community in order to preserve the culture of the people.

Cormier, R.B. (1997). "Yes, SIR! A stable risk prediction tool". *Forum on Corrections Research*, 9(1), 3-7.

- CANADA: Describes research on SIR scale. Substantial body of research confirming the ability of the SIR Scale to differentiate between high and low risk cases among federal offenders. Limitations: prediction of violence; its use with female, Aboriginal and sex offenders; and its static nature. Haan and Harman reported large deviations at the high-risk end for Aboriginal offenders. However a subsequent analysis with a larger sample of Aboriginal male offenders showed a closer correspondence between SIR score and recidivism outcome. However, given the small amount of research examining the SIR Scale with Aboriginal offenders and considering the gaps in our knowledge of cross-cultural assessment, there is need for caution in this area.

Correctional Service Canada (2002). "Focusing on Aboriginal issues ". *FORUM on Corrections Research*, 14(3).

- CANADA: Special issue on Aboriginal corrections, including perspectives on Aboriginal issues, profiles of Aboriginal offenders, program descriptions, and reintegration of Aboriginal offenders.

Correctional Service of Canada (2001). *Healing lodges for Aboriginal federal offenders*. Prepared by the Aboriginal Issues Branch.

- CANADA: Description of all healing lodges: Okimaw Ohci Healing Lodge for Women (Sask); Pê Sâkâstêw Centre (Alta); Prince Albert Grand Council Spiritual Healing Lodge (Sask); Stan Daniels Healing Centre (Alta); Elbow Lake Transition (BC); Ochichakkosipi Healing Lodge (Man); Willow Cree Healing Lodge Natawihokamik (Sask); Waseskun Healing Centre (Que); Somba Ke' Healing Lodge (NWT); Spiritual Lodge at Stony Mountain Institution (Man).

Correctional Service Canada (2000a). "Aboriginal people in corrections". *FORUM on Corrections Research*, 12(1).

- CANADA: Special issue on Aboriginal corrections, including profiles of Aboriginal offenders, program descriptions, international perspectives, and restorative justice.

Correctional Service of Canada (2000b). *National overview of programs, services and issues related to Aboriginal offenders*. A report prepared by the Aboriginal Issues Sub-Committee to the Heads of Corrections.

- CANADA: Aboriginal offenders are 8½ times more likely to be incarcerated than non-Aboriginal offenders. Aboriginal communities and organizations, governments and agencies must work together to ensure Aboriginal offenders are successfully reintegrated into society. Describes programs and services in each province, territory and Correctional Service Canada and discusses issues affecting the healing process of Aboriginal offenders. There is a broad array of programs and services germane to Aboriginal offenders from the community level to the courts to correctional facilities. Major issues include: differing world views prevents mutual cooperation; research and information is scarce; mistrust stemming from historical conflict; overwhelming nature of issues inhibits awareness and understanding; correctional staff attitudes, beliefs and approaches often don't support Aboriginal approaches; inadequate resources for programs and services; poor socio-economic conditions paralyzes Aboriginal community; building capacity within communities requires greater focus; no involvement equals no commitment from Aboriginal community to provide solutions; will to break jurisdictional log-jams is weak within bureaucracy.

Correctional Service of Canada (1997). *Okimaw Ohci Healing Lodge*. Prepared by the Aboriginal Issues Branch.

- CANADA: Description of Okimaw Ohci Healing Lodge. Includes: why a healing lodge; physical structure; programs; typical day; community involvement; elder services; mediation/conflict resolution; mother/child program; an innovative model; vision; role statement.

Couture, J.E. (2002). *Aboriginal healing, assessments, programs, training: Some principles*. Prepared for Aboriginal Issues, Correctional Services of Canada.

- CANADA: Critique of an Elder Questionnaire (in circulation in the Prairie region) and guide to the management of staff relationships with Elder advisors in the development of expanding services to Aboriginal inmates. Defines primary features of Elder/healer behaviour. Recommendations: analyze the expectations of Healers' performance in order to provide an "appropriate response" to Aboriginal inmate needs; examine underpinning, structural relationships between Elder/healers and staff at all levels; develop Elder assessment instruments; acknowledge factors responsible for national, regional and contemporary Aboriginal differences; strike a new Task Force for melding Aboriginal and non-Aboriginal talent and competence and enter into a standing dialogue with appropriately selected Elders; and consult with appropriate traditional people. Conclusion:

Ponder the nature of the process of healing and draw out and address the operational implications. Consult well.

Couture, J.E. (1997). *Aboriginal behavioral trauma: Towards a taxonomy*. Saskatoon, Saskatchewan: Correctional Service of Canada.

- CANADA: Examines psychological assessments of Aboriginal peoples, with the intent to develop culturally sensitive assessment-related constructs and strategies – geared exclusively at Aboriginal peoples. Examines self-constructs, specifically examining Aboriginal behaviour. Discusses differences between Western society and traditional Aboriginal approaches to a patient-therapist relationship, stating that Western society emphasizes the similarities of patients, while traditional Aboriginal approaches emphasize the need to address the core differences of patients, as well as the differences between the nuclear families of western society, and the extended families of Aboriginal cultures. Discusses “acculturation stress” (effects of a minority cultures original behaviour by the influences of a more dominant second culture), other forms of cultural assimilation, how trauma manifests itself in the form of psychopathology in Aboriginal peoples. Other issues discussed include: behavioural comparisons between Aboriginal and non-Aboriginal peoples, the consequences of self, family and bicultural identity; acculturative stress and its effects; post-contact behaviours, trauma as symptom, complexity of depression, construct and Aboriginal behaviours, powerlessness/hopelessness, self injury/suicide; dangerous/violence and prediction; anger; shame/doubt; religion related behaviours; addiction-related behaviours; victimization, victimizer as victim; anti-social behaviours, hallucinations and delusion.

Couture, J.E. (1997). *Culture and native inmates - an overview: Assessment issues and possibilities*. Correctional Service of Canada. Saskatoon, Saskatchewan.

- CANADA: Overview of assessment practices, specifically regarding cultural sensitivity to the psychological assessment of Aboriginal offenders. Includes commentaries regarding the stories of Aboriginal offenders and contemporary awareness of Aboriginal issues and behaviour. Initiates an investigation and examination of the National Parole Board's attempts at incorporating Aboriginal values and insight into psychological assessment. New assessment methods are examined, including the establishment of test selection, data sources and the Elder method, incorporated into psychological assessment. Inmate behaviour (humour, communication styles, and religious background) is examined in conjunction with culturally sensitive psychometric testing.

Couture, J.E. (1991). *"The role of native elders: Emergent issues"*. In J.W. Friesen (ed.) *The cultural maze: Complex questions on native destiny in western Canada (pp. 201-217)*. Detselig Enterprises.

- CANADA: Presents author's experience with Elders and outlines difficulties in writing about them. Concurs with Gravelly (1987) who says that a true Elder is not classifiable as a “...passive informant on the traditional past...”, but as “...a creative theologian, open to the possibilities of his situation, to new ideas and symbols, and to a dialogue between the traditions”. Highlights and interprets events and underscores importance of a number of Elder teachings and relevance of Elder inner and outer behaviours. Provides overview of the signs of revitalization in the late 1960s and early 1970s (the 1972 Declaration). Outlines issues of both a practical and academic concern: rapid decrease in the number of true Elders; range of kinds of Elders; practical requirements of establishing and maintaining a relationship with Elders; the “knowing” of Elders as problematic to those who were not schooled in oral tradition; to become aware of all as Spirit-bearing, as Spirit-expressing, takes some doing; and Elders have teaching challenges - non-Aboriginals. Concludes: We look to Elders to show us the way.

Couture, J. (1983). *Traditional Aboriginal spirituality and religious practice in federal prisons: An interim statement on policy and procedures*. Draft Report. Edmonton, Alberta.

- CANADA: Examines issues relating to the spirituality of Aboriginal offenders. Included are the characteristics of Aboriginal spirituality and additional components related to these characteristics, such as Elders, gifts, feasting and fasting, prayer, pipes, sweat lodges, religious artefacts, etc. Policy is also assessed in relation to the practice of Aboriginal religious practices in correctional facilities. Primary issues relating to the policy of Aboriginal religious practices in these facilities include the coordination of these religious activities, the possession of religious objects by Aboriginal offenders, the inspection of materials related to the practice of religious activities, and community involvement in these activities.

Cove, J.J. (1992). "Aboriginal over-representation in prisons: What can be learned from Tasmania?" *Australia and New Zealand Journal of Criminology*, 25, 156-168.

- AUSTRALIA: Examines how Aboriginal over-representation has been conceptualized in criminology. When controlling for age, over-representation of male Aborigines is reduced from 10.1x to 7.9x. Combined effect of employment and occupation reduces Aboriginal over-representation from 5.05x to 2.44x. Effect of education is relatively small, reducing over-representation of male Aborigines from 5.05x to 4.78x. Tasmanian case study demonstrates that a large proportion of Aboriginal over-representation can be understood in terms of gender, age and socio-economic status. Rather than seeing social and economic variables as extraneous to Aboriginality, they are better viewed as intrinsic to it.

Crundall, I., & Deacon, K. (1997). "A prison-based alcohol use education program: Evaluation of a pilot study". *Substance Use and Misuse*, 32(6), 767-777.

- AUSTRALIA: Northern Territory prisoners were followed up after release to determine the effect of an alcohol education course on their alcohol consumption, drinking group, disruptive behaviour, criminal activity, family relationships, how they use their time, general health, ability to cope and take responsibility. Measures were obtained from prisoners and key informants, and two groups of prisoners were compared: those who completed the course and others who had not done the course. High level of correspondence was found between measures from key informants and prisoners. Prisoners attending the course showed significant improvements on all dimensions compared to controls.

Dalton, V. (1999). "Australian deaths in custody and custody-related police operations". *Trends and Issues in Crime and Criminal Justice*, No. 153, Australian Institute of Criminology, Canberra.

- AUSTRALIA: Updates information on the number of Aboriginal and non-Aboriginal deaths in police or prison custody over a 20-year period; focuses on the changes that have occurred in 1999 while providing long-term custodial death trends pointing to an over-representation of Aboriginal offenders and Aboriginal deaths in the justice system. At only 2% of the total Australian adult population in 1999, Aboriginal offenders made up 19% of the prison population, while accounting for 22% of prison deaths and 23% of police deaths. The overall number of deaths in police or prison custody decreased by 10 people, while the number of Aboriginal deaths (16) increased to the third highest level on record. Indigenous prison deaths have risen from 12% before the Royal Commission to 18% during the 1990's. Risk of death in 1999 for Indigenous prisoners was approximately 1.2 times (18%) greater than that of non-Indigenous prisoners. Provides statistics for Institutional deaths from 1980-1999; custodial deaths; police custody and related police

operations; demographics; age, cause and manner of death; offences, legal status and bail and deaths since the Royal Commission.

Dalton, V. (1999). "Death and dying in prison in Australia: National overview, 1980-1998". *Journal of Law, Medicine, and Ethics*, 27(3), 269-74.

- AUSTRALIA: Analysis of deaths of Aboriginal offenders while in custody between 1980 and 1998. While Aboriginal deaths in police custody have declined dramatically, deaths while in prison have risen over the last 18 years. Increase has been proportional to the general increase in Aboriginal peoples in prison. However, in year prior to the release of this paper, Aboriginal deaths in custody represented 88% of all custodial deaths. Main causes of death have been suicide and natural causes with suicide being much more common among younger Aboriginal offenders. The most common cause of natural death was heart disease followed by cancer and respiratory disease.

Dalton, V., & Edwards, R. (1999). "Aboriginal deaths in prison 1980 to 1998: National overview". *Trends and Issues in Crime and Criminal Justice*, No. 131, Australian Institute of Criminology, Canberra.

- AUSTRALIA: Comparative analysis of deaths of Aboriginal and non-Aboriginal offenders while in custody between 1980 and 1998, examining figures in the decade preceding and subsequent to the Royal Commission into Aboriginal Deaths in Custody (RCIADIC). While Aboriginal deaths in police custody have declined dramatically, the number of Aboriginal prisoners and deaths in prison have doubled with a peak of 17 deaths in 1995. In the decade after the RCIADIC, 19% of deaths in prison were Aboriginal people, an increase from 12% in the previous decade. Primary causes of death have been natural causes and suicide, with suicide deaths exceeding those from natural causes over the last 4 years of the study. Results are further broken down by jurisdiction, gender, manner of death, age, legal status, and time spent in custody.

DANSYS Consultants Inc. (1990). *Native involvement in the criminal justice system: Measurement priorities*. Draft prepared for the Canadian Centre for Justice Statistics.

- CANADA: Discusses availability of data on native people in the criminal justice system and options for providing data.

Darou, W.G., Kurtness, J., & Hum, A. (2000). The impact of conducting research with a First Nation. *Canadian Journal of Counselling*, 34(1), 43-55.

- CANADA: Examines why Cree were so angered by psychological research done in their community. Describes a project done through a quasi-experiment with an overall view to providing guidelines to reducing reactivity in the community for further research and to provide researchers tools that would allow them to be more respectful of First Nations communities. Sources of reactivity include: rigid protocols; requests for self-disclosure; perceived dishonesty; differential treatment of participants; non-Native researchers; threats to composure; lack of inherent social value for the participants and over-publishing. Sources of reactivity suggest guidelines for researchers (respecting local authority, adapting instruments to the culture, providing feedback to the participants and the community).

Dell, C.A., & Boe, R. (2000). An examination of Aboriginal and Caucasian women offender risk and needs factors. *Research Report R-94, Correctional Service of Canada*.

- CANADA: Profile of Aboriginal and Caucasian federal women offenders. Caucasian women are consistently rated as having lower need levels for all seven need domains

when compared to Aboriginal women, with the greatest difference found in the substance abuse domain. The overall risk domain was similar for the two groups.

Department of Justice Canada (2000). *Final evaluation: Aboriginal justice strategy*. Evaluation Division, Policy Integration and Coordination Section.

- CANADA: As part of the 5-year mandate of the Aboriginal Justice Strategy (AJS), evaluation of the impact and effectiveness of the AJS was undertaken. Primary components of evaluation: Policy Development and Support, Community-Based Program Funding Agreements, and Aboriginal Justice Learning Network. Method: 65 key stakeholders involved in AJLN were interviewed, review of administration and case files, case studies of 10 communities, file reviews, quarterly and annual reports, statistical analysis of the impact of recidivism, statistical figures of population. Results: Aboriginal people are still disproportionately represented in the criminal justice system. Although there has been work done in the past, more work needs to be done in the areas of partnerships, training facilitators, lack of resources and program management.

Department of Justice Canada (1998). *The Aboriginal justice strategy: Report on activities, 1996-97 to 1997-98*.

- CANADA: Overview of AJS programs; Aboriginal Justice Learning Network; Self-government negotiations. Also includes: backgrounder on AJS; and descriptions of Aboriginal Justice Learning Network.

Department of Justice Canada (1994a). *Aboriginal women and justice consultation report*. Prepared for the Department of Justice Canada.

- CANADA: Consultation report between Department of Justice Canada and Aboriginal women. Issues discussed include: policing, self-government and strategies for change, all within the Aboriginal woman context. Three groups of women provided input: First Nations, Inuit, and Métis. First Nations Women recommended that project funding be more accountable and that the community must be more involved, particularly women. Issue of policing was the main concern for Inuit women, with particular emphasis on policing techniques that focus on the value of human life, rather than the protection of property. Policing was also the main focus for Métis women with the importance of instructing officers as to Métis culture and recruiting Métis women into the RCMP and urban forces.

Department of Justice Canada (1991). *Aboriginal people and justice administration: A discussion paper*.

- CANADA: Discussion paper to facilitate dialogue on how to improve the administration of justice as it affects Aboriginal people. Includes: overview of issues (diversity of circumstances and aspirations; crime, violence and conflict with the law; overt and systemic discrimination; perceptions of justice; services and programs; government response; self-government and justice administration); towards a federal policy (federal policy; objectives for justice administration; policy principles); options for action (policing; community crime prevention; legal services; courts and adjudication; sentencing; young offenders; adult corrections).

Department of Justice Canada (1985). *Native Canadians and the criminal justice system: An evaluation assessment and evaluation of the native court workers programme*. Evaluation Unit.

- CANADA: Includes overview of Native Courtworker Program; implementation of program; program rationale; impact of program; and, alternatives.

Dickson-Gilmore, E.J. (1992). "Finding the ways of the ancestors: Cultural change and the invention of tradition in the development of separate legal systems". *Canadian Journal of Criminology*, Jul-Oct, 479-502.

- CANADA: Critique of Eric Hobsbawm's theory of the invention of tradition as it applies to the traditional legal system proposed by the People of the Longhouse of the Kahnawake Mohawk Nation. Noting the compelling challenge faced by many First Nations in recreating traditional legal systems out of a century of government eradication, the paper summarizes the history of early Mohawk dispute resolution, the feud, which gave way to traditionalist Longhouse justice at Kahnawake. The latter represents a blend of dispute resolution and political traditions that respond to the attrition of traditional knowledge while maintaining the integrity of traditional responses to deviance. While both the early feud and the modern Longhouse justice system stem from historically valid traditions, Hobsbawm's theory, which identifies three common forms of tradition invention since the Industrial Revolution, is examined in context. The focus in the case of the Kahnawake Mohawk Nation is the second of the three forms, establishing or legitimizing institutions or relations of authority, given their attempt to establish and legitimate institutions of traditional law. Citing Hobsbawm's assertion that the potential for invention of tradition is likely greatest in historical context – such as that experienced by native North American nations – the paradox of Longhouse justice is noted as the embodiment of custom and genuine tradition that is not fully invented, but part of a movement toward Mohawk self-determination that suggests a degree of invention. Tradition is identified as only one part of a larger reality driving support of native control over native justice, in an environment where the imposition of Canadian law on native nations is increasingly difficult to ignore.

Dockstator, M.S. (1993). *Towards an understanding of Aboriginal self-government: A proposed theoretical model and illustrative factual analysis*. Dissertation: Osgoode Hall Law School, York University, Toronto.

- CANADA: Detailed theoretical model and analysis of the historical interaction between Aboriginal and Western societies in developing what became common perspectives on the institutional arrangements of Aboriginal self-government. The theoretical model - fully based on a range of philosophical teachings from Aboriginal society - identifies five stages of Aboriginal and Western interaction: separation, amalgamation, divergence, dysfunction and negotiation, covering a 500-year period. The historical analysis informs the theoretical model through examination of key policy and legislative moments over a 200-year period. Supported by 115 figures illustrating theoretical principles and historical referents, it is noted that there is little hope of bridging the gap between Aboriginal and Western understandings of self-government until mutual concessions are reached through Stage 5 negotiation as the key factor in overcoming the past dysfunctional relationship.

Doerr, A.D. (1997). "Building new orders of government – the future of Aboriginal self-government". *Canadian Public Administration*, 40(2), 274-289.

- CANADA: The 1996 report of the Royal Commission on Aboriginal Peoples represents the most recent articulation of the need for a complete restructuring of the relationship between Aboriginal and non-Aboriginal peoples. Provides a practical appreciation of selected policy and administrative issues respecting Aboriginal self-government. Examines some of the key elements in the implementation of Aboriginal self-government and provides examples of results achieved to date. Four sections: basic issues (four issues of self-government that reflect a changing world view: inherent right; jurisdictions; land; financing); institution building (degree of influence or control that Aboriginal peoples can exert over the design and operation of those institutions); changing relationships; and future directions (Aboriginal vision is holistic and culturally defined). Conclusion: Aboriginal self-government involves building relationships based on mutual respect that will recognize Aboriginal culture and tradition in the exercise of their governments. Aboriginal

leaders must be empowered to help forge the changes that are needed. Support from non-Aboriginal leaders and groups are essential.

Doob, A.N., Grossman, M.G., & Auger, R.P. (1994). "Aboriginal homicides in Ontario". *Canadian Journal of Criminology*, 36(1), 29-62.

- CANADA: Examines homicides involving Aboriginal people, as victims and suspects. Data consisted of all Ontario homicide cases between 1980 and 1990 including one or more Aboriginal persons as victim or suspect and a 20% random sample of cases not involving Aboriginal victims. Aboriginal people appear to be over-represented as homicide victims and suspects. Found that Aboriginal homicides occurring on-reserve had been committed by Aboriginal people. Furthermore, Aboriginal people living off-reserve tended to be killed by other Aboriginal people. The reported rate of alcohol involvement in homicides was dramatically higher for Aboriginal people both on- and off-reserve than non-Aboriginal people. Reported motives, mainly anger, fights, and various forms of interpersonal disputes appeared to be the basis of the Aboriginal homicides.

Dowden, C., & Blanchette, K. (1999). *An investigation into the characteristics of substance-abusing women offenders: Risk, need and post-release outcome*. Research Report R-81, Correctional Service Canada.

- CANADA: Examined a sample of released federal female offenders to compare substance abusers to non-abusers (Oct. 1 1997 - n=251). Almost half the overall sample had been granted some form of discretionary release (day parole, full parole, statutory release) - but no significant differences between substance abusers and non-abusers on release status. Examined those granted day or full parole - 13 of 14 Aboriginal female offenders on parole were identified as substance abusers compared to 51% of non-Aboriginal female parolees (demonstrates the need for ongoing, culturally specific substance abuse programming for female offenders after release into the community). Female offenders identified as substance abusers have had more criminal involvement than non-abusers. Ninety-two percent of non-abusers released on parole were categorized as lower risk, compared to 55% of substance abusers. A higher proportion of female offenders identified as substance abusers failed on discretionary release (26%) compared with non-abusers (8%). Substance abusing women who didn't participate in a treatment program were more likely to be returned to custody (44%) than those who had participated in some form of substance abuse treatment (10%).

Dufrene, P.M., & Coleman, V.D. (1992). "Counseling native Americans: Guidelines for group process". *Journal for Specialists in Group Work*, 17(4), 229-234.

- USA: Discusses how group counselling professionals can best serve Native Americans using traditional Native American healing and spirituality. Guidelines for group counselling for Native Americans: respect the spiritual dimensions of the Native American culture; group sessions should begin and end with an appropriate Aboriginal prayer; preferable that counselling be conducted by Native American mental health professional (at least should have background knowledge of tribe to be served); no expedient way to learn about Native American culture; western group counselling techniques may or may not be appropriate; blend of traditional and western approaches may be best solution; non-Indian counsellors need to be aware of their own cultural biases when counselling cross-culturally; counsellors must actively seek opportunities for interaction with Native American population.

Duke, K. (1990). *Study on suspensions of federal offenders on conditional release programs in the prairie region for 1987/1988*. Draft report prepared for the National Parole Board, Saskatoon and Ministry Secretariat, Ottawa.

- CANADA: Random sample of Aboriginal (n=170) and non-Aboriginal (n=275) offenders from day parole, full parole and mandatory supervision. Found: higher proportion of Aboriginal inmates have special conditions imposed; when Aboriginal offenders are released with a special condition they are revoked more often than non-Aboriginal offenders; alcohol involvement is a significant problem for Aboriginal offenders; although more Aboriginals are serving time for violent offences they appear to be serving less time than non-Aboriginals.

EKOS Research Associates Inc. (2001). *INAC on-reserve survey: Final report. Submitted to Strategic Planning, Communications Branch, Indian and Northern Affairs Canada, Ottawa, ON.*

- CANADA: Results of a national survey of First Nations on-reserve regarding two key sets of issues: conditions on-reserve; and, optimal methods of communication from the Government of Canada. Examined a variety of issues ranging from governance to quality of life and economic optimism, as well as perceptions of the Government and methods of communications with people living on-reserve. Eligibility requirements for survey: member of an Indian band or First Nation; resident (for at least part of the year) on a reserve in Canada; and, 18 years of age or over. The survey sample, built on selected postal codes, contains 1,427 completed telephone interviews with First Nations residents on-reserve. Questionnaire consisted of approximately 80 items covering: overall outlook; priorities for the Government of Canada; performance of the Government; communications with the Government; conditions on-reserve; *Indian Act*; Aboriginal Day; Internet; and, demographics. Provides key highlights of themes emerging from the survey. Results: very strong dichotomy in attitudes of the First Nations' population living on-reserve based on socio-economic status (SES). Lower SES reserve residents have more positive view while upper SES expressed far more negative views. Further analysis of the results reveal a number of distinct groups which are clustered based on their attitudes towards self-government, their assessment of the Government of Canada, feelings towards their community and their economic outlook. Concludes by identifying issue areas not covered in this first survey and implications for further investigation.

Ellerby, L. (1994). "Community-based treatment of Aboriginal sex offenders: Facing realities and exploring possibilities". *FORUM on Corrections Research*, 6(3), Correctional Service of Canada.

- CANADA: Aboriginal offenders are significantly less likely to complete programs and are more likely to have their parole suspended than non-Aboriginal offenders. There is a need to introduce traditional healing to focus on Aboriginal sex offenders.

Ellerby, L., & Bedard, J. (2000). *Aboriginal peoples collection: Paths to wellness - A gathering of communities addressing sexual offending behaviour*. Solicitor General Canada.

- CANADA: Findings from a 2-day gathering of individuals to discuss the problem of sexual abuse and sexual offending behaviour. Issues included: confronting sexual abuse in Aboriginal communities (facing resistance and moving towards ownership); treatment and healing (attitudes and approaches to addressing sexual offending behaviours); process of healing; ways of teaching and healing; punishment and reintegration (incarceration and community reintegration); challenges and difficulties of incarceration and community reintegration; issues related to individuals supporting the process of treatment and healing; role of women in addressing sexual abuse; unhealthy Elders and healers; dealing with stress and worker burnout.

Ellerby, L., & Ellerby, J. (1998). *Aboriginal peoples collection: Understandings and evaluating the role of elders and traditional healing in sex offender treatment for Aboriginal offenders*. Solicitor General Canada.

- CANADA: Qualitative research to enhance understanding of the role traditional healing plays in sex offender treatment programming. It is important to attend to the needs of Aboriginal sex offenders, given the prevalence of Aboriginal sex offenders within federal corrections. In 1995, 16% of federal sex offenders were Aboriginal. Interviews with Elders, Aboriginal program providers, psychologists, sex offender therapists, and men who participated in both institutional and community-based Aboriginal sex offender programming. Eight primary areas of interest examined: Elders' attitudes towards traditional healing with sex offenders; role of the Elder in sex offender treatment; Elders and therapists working together; traditional approaches to treating sex offenders; Elders views on offender evaluation; strengths and challenges of providing traditional healing sex offender programming; success and need for traditional healing in sex offender treatment; and recommendations for the future. Note that effective measures for Aboriginal sex offender programming uses both traditional approaches and contemporary cognitive-behavioral programs.

Ellerby, L.A., & MacPherson, P. (2002). Exploring the profiles of Aboriginal sex offenders: contrasting Aboriginal and non-Aboriginal sexual offenders to determine unique client characteristics and potential implications for sex offender assessment and treatment strategies. *Research Report R-122, Correctional Service of Canada*.

- CANADA: Profiles of Aboriginal and non-Aboriginal sex offenders involved in the Forensic and Behavioral Management Clinic of the Native Clan Organization. **Method:** developed a database of offenders involved in the program between 1987 and 1999. **Findings:** background - Aboriginal men had more traumatic childhood, substance abuse, lower education and employment, self-disclosed more violent offences as youth and adults for which they weren't charged (no difference regarding convictions). Victims - Aboriginal sex offenders more likely to commit rape, have female victims, Aboriginal victims; non-Aboriginal more likely to commit sex offences against children (incest), have male and female victims, non-Aboriginal victims, victims with whom they held a non-familial role of trust. Offence characteristics - Aboriginals said offence wouldn't have occurred without being intoxicated, gave victims drugs/alcohol, more likely to physically assault; non-Aboriginals gave gifts, pornography, tricked them. Treatment - treatment completion higher for non-Aboriginals prior to culturally-appropriate program. However, this difference disappeared once culturally-appropriate program was implemented. Both Aboriginal and non-Aboriginal sex offenders involved in the program sexually re-offended less frequently than a matched comparison group.

Ellison, J. (1987). 1986 Census: Final population and dwelling counts for Indian reserves and settlements. Census Operations Division, Statistics Canada.

- CANADA: Tables summarizing 1986 Census population and dwelling counts for Indian reserves and settlements.

Epprecht, N. (2000). "Programs for Aboriginal offenders: A national survey". *Forum on Corrections Research*, 12(1), 45-47.

- CANADA: Results of a treatment survey or best practices survey for each correctional program. Thirteen federal programs were identified (e.g., Society of Aboriginal Addictions Recovery program; Aboriginal Alpine Wellness Program; Aboriginal Healing Program). Provincial - Newfoundland, Manitoba and Saskatchewan submitted information on Aboriginal-specific programming (10 programs). Other provinces submitted information on programs that Aboriginal offenders participated in.

Evans, J., Hann, R., & Nuffield, J. (1998). *Crime and corrections in the Northwest Territories*. Government of the Northwest Territories.

- CANADA: Reviews the correctional system of the Northwest Territories. Addresses four sets of issues: statistical description of crime and criminal justice in the North, including a forecasting model designed to be useful for developing correctional policy choices; independent review of corrections in the NWT (including institutional and community corrections); examines community tolerance of crime and community willingness and capacity to assume a greater role in justice and corrections; and, recommendations on how corrections might be organized and delivered now and following the creation of two territories in 1999. Conclusions: NWT correctional system faces serious overcrowding which creates challenges with respect to risk management, security, programming, planning, capital shortfalls and other resourcing issues. New capital upgrades and construction are inevitable if the most basic standards of security and decent care of inmates are to be met. NWT requires a new strategic and operational plan to meet the needs and other challenges presented in this report. Require new forecasting methods and significant improvements to correctional information systems.

Fanning, A. (1999). "Tuberculosis: 1. Introduction". *Canadian Medical Association Journal*, 160(6), 837-840.

- CANADA: Discusses TB control in Canada. Annual rates of TB in Canada reached a plateau in about 1989 (7 per 100,000 population per year). Such low rates suggest stability but in fact hide the continuing high rates in the Aboriginal population (about 70 per 100,000), which contributes 15% of cases, 7 times the expected rate for that group.

Fanning, A., FitzGerald, J.M., & Wang, L. (2000). "Tuberculosis: 13. Control of the disease among Aboriginal people in Canada". *Canadian Medical Association Journal*, 162(3), 351-356.

- CANADA: TB remains a major public health problem for Aboriginal people in Canada. The 1996 annual incidence rates for status Indians were highest in Saskatchewan (105 per 100,000 population) and lowest in Atlantic region (no cases recorded). Incidence rate for status Indians for 1996 (35.8 per 100,000) greatly exceeded that for Canadian-born people of non-Aboriginal descent (less than 2 per 100,000). Reduction in rates will likely be achieved only with improvements in socio-economic status and community involvement in disease management combined with comprehensive medical surveillance and treatment programs.

Faulkner, C. (1989), *Inuit offender study*. Prepared for the Native and Female Offender Program, Correctional Service Canada, Ottawa.

- CANADA: Examined unique needs of Inuit offenders. Included in the study were 48 federally sentenced Inuit offenders, two of which were women. Recommendations from the study focus on Inuit cultural awareness at the institutions and specifically, the language and dietary needs of these offenders. In addition, it was recommended that CSC make use of Native organizations to increase the knowledge of Inuit culture among correctional staff.

Federation of Saskatchewan Indian Nations (1999). *Strategic Plan for First Nations Corrections 2000-2004*. Justice Secretariat.

- CANADA: Outlines the Federation of Saskatchewan Indian Nations' (FSIN) 5-year strategic plan for community-based corrections. Delineates current capacities, issues, information and capacity-building needs and future corrections' initiatives. Consulted with tribal councils and 17 First Nations. Project guided by a tripartite corrections working group consisting of Ministry representatives from Canada (Solicitor General and CSC), Saskatchewan (Justice and Social Services) and FSIN Justice Secretariat. Grouped First Nation communities into three categories: communities with the capacity to develop new, or improve existing, community corrections services; communities that are interested in developing community corrections strategies in the near future, but require additional capacity development; and, communities that are not prepared at this time to proceed with corrections processes, but may be within five years. Includes community action plans and follow-up strategies.

Ferry, J. (2000). No easy answer to high native suicide rates. *Lancet*, 355(9207), 1.

- CANADA: Native people in many developed countries have higher than average suicide rates. But among Canadian Aboriginals the situation is particularly dire. The Innu in Davis Inlet Nfld have suicide rates of 178 per 100,000 people - the overall Canadian rate is 12 per 100,000. In BC, Aboriginal boys and girls and boys aged 10-19 are 8 and 20 times more likely, respectively, to commit suicide than their non-Aboriginal counterparts. The suicide rate in their 20's is even higher. Researchers attribute this to a lack of cultural, economic and political clout.

Finn, A., Trevethan, S., Carrière, G., & Kowalski, M. (1999). "Female inmates, Aboriginal inmates, and inmates serving life sentences: A one day snapshot". *Juristat*, Catalogue no. 85-002, vol. 19 no. 5, Canadian Centre for Justice Statistics.

- CANADA: Used data from a one-day snapshot of inmates in provincial/territorial and federal facilities conducted in 1996. The proportion of Aboriginal inmates in correctional facilities was larger than the proportion of Aboriginal adults in the Canadian population (17% versus 2%). In comparison to non-Aboriginal inmates: Aboriginal inmates were incarcerated for assault more often; were younger, had less education, and were more likely to be unemployed; were considered higher risk to re-offend and had higher needs.

Fraser, L. (1993). "Aboriginal people and the courts". In S. McKillop (ed.) *Aboriginal justice issues: Proceedings of a conference held 23-25 June 1992*. Australian Institute of Criminology Conference Proceedings No. 21, Canberra.

- AUSTRALIA: Presents 3 proposals to inspire greater confidence and respect for, as well as to reduce the hostility of Aboriginal people towards, the current criminal justice system: establish the position of "Aboriginal Assistant to the Court" within the existing Magistrates' Courts Districts in Queensland; allow the firm of solicitors engaged by Aboriginal Legal Service (ALS) to act as agents for the Public Defenders office; alternatively, as in other States, allow ALS to employ barristers to work in their offices to represent Aboriginal people throughout an entire legal proceeding. Includes an outline of the duties of the Aboriginal Assistant to the Court and suggests the establishment of a 3-person Advisory Committee per district to put forward names of potential candidates for the Attorney-General to appoint to the position.

Frideres, J.S. (1988). "The Indian Act". *Native peoples in Canada* (pp. 20-33). Scarborough: Prentice-Hall.

- CANADA: Describes the *Indian Act* as the foremost of the legislative acts that affect Aboriginals in Canada. Provides an historical overview of the *Indian Act*, a chronological history (1755-1966) of the development of the *Act* as well as of the Department of Indian Affairs. The rights of Canadian Indians are determined not only by the *Indian Act*, but also by the *British North American Act* (now the *Constitution Act* of 1982) and by the *Canadian Bill of Rights*. In practice, the *Indian Act* continues to define Indian rights. The *Indian Act* was designed to protect the Aboriginal population and to ensure assimilation. It was administered in the interests of benign rule but its implementation created isolation, control, and enforced poverty. The federal government argues that the *Indian Act* does not attempt to take Aboriginals out of the scope of the ordinary law. Its original aim was to maintain Aboriginal culture and to provide Aboriginals with additional rights and safeguards. However, these rights are not "vested". Much of the protection afforded Aboriginals can be removed at any time under the *Act* by the Governor in Council (Cabinet) or by the Minister of Indian Affairs. The *Act* is particularly important today because within its structure lies the salvation of many Aboriginal groups with land claims. At the time of writing, it is unsure how the existing rights of Aboriginal people acknowledged in the 1982 Constitution will be defined and reconciled with the *Indian Act*.

Gabriel, W. (2001). *The healing voices of Aboriginal women: A case study describing the impacts and benefits of the Centre of Indigenous Sovereignty: "I da wa da di"*. Prepared for the Board of Directors, Aboriginal Healing Foundation. AHF Project RB-268-ON.

- CANADA: Provides an overview of the "I da wa da di" traditional healing project. Main objective: work with Aboriginal women suffering from the legacy of physical and sexual abuse in residential schools including intergenerational impacts. With the use of traditional healing approaches, the program seeks to help women address and begin to resolve the childhood trauma of abuse and growing up in families and communities made dysfunctional by the residential school legacy. These objectives are met through three healing activities: healing circles; fasting retreats; and, healing retreats. Data were collected through personal interviews with 8 people from the project. Threats to the reliability and validity of this case study relate primarily to lack of relevant social indicator data available for Aboriginal women at the provincial level. Conclusions: project is having an impact on Aboriginal women who participated in the healing and training activities. Tracking of participant feedback provides a solid basis for assessing such impacts. Recommends the development of a 12-month follow-up questionnaire to enhance the project's current process for gathering and reporting feedback.

Gfellner, B.M., & Hundleby, J.D. (1991). "Family and peer predictors of substance use among Aboriginal and non-Aboriginal adolescents". *Canadian Journal of Native Studies*, 11(2), 267-294.

- CANADA: Examines drug use patterns and influence of family and peers on substance use behaviours of Aboriginal and non-Aboriginal adolescents in a small urban community. Compared Aboriginal (n=234) and non-Aboriginal (n=3,067) adolescents in terms of: their prevalence rates for the use of alcohol, cigarettes, marijuana, solvents, and inhalants; parent and peer attitudes; drug use; adolescents' perceptions of their family functioning; relations between parent and peer attitudes and drug use; and, family functioning and adolescents' use of drugs. Adolescents were grade 5-12 students from a non-metropolitan city in south-western Manitoba. Adolescents' use of cigarettes, alcohol, marijuana, solvents, and glue over the past 12 months were indexed by 5 items in terms of 8 response alternatives (adapted from Smart & Adlaf, 1989). Family Adaptability and Cohesion Evaluation Scale (FACES III; Olson, Portner & Lavee, 1985) used to assess

family functioning in terms of cohesion and adaptability. Participants were administered the measures during a regular class session by trained testers as part of a larger study. Results: developmental differences were found in Aboriginal adolescents' increased use of substances in comparison to non-Aboriginals. With mothers' education controlled, the findings indicated that more peer than family factors were associated with Aboriginal adolescents' use of substances than with non-Aboriginal adolescents' use of substances. Overall, there were more similarities than differences in the correlations between the predictor variables and substance use among Aboriginal and non-Aboriginal adolescents. Findings indicate the importance of implementing preventative and intervention strategies in elementary school rather than later when increased use of substances begins to occur.

Gladue v. Her Majesty The Queen (1999). 23 C.C.R. (5th) 197.

- CANADA: Supreme Court of Canada case that clarifies the duty of sentencing judges to consider background and system factors in sentencing Aboriginal offenders. The unique circumstances that the court must take into consideration include (but are not limited to): substance abuse, poverty, racism, family or community breakdown, unemployment, low income, and dislocation from an Aboriginal community. Concept of restorative justice must also be considered by the court as well as all other alternatives to incarceration that are available.

Glass, M.H., Bieber, S.L., & Tkachuk, M.J. (1996). "Personality styles and dynamics of Alaska Native and non-native incarcerated men". *Journal of Personality Assessment*, 66(3), 583-603.

- USA: Examines effects of cultural differences on the personality and assessment of Alaska Native male inmates. Participants (46 natives, 21 non-natives) were measured on three scales: MCMI-II (Millon Clinical Multiaxial Inventory), Rorschach, and Acculturation Scale. Acculturation was divided into 4 groups: marginal, assimilated, traditional, and bicultural. Native and non-native groups resembled each other in the crimes that led to their incarceration. The most common crime committed was sexual-related, followed by assault, robbery, and burglary. Seventy-seven percent of non-Natives and 63% of Natives self-reported that they did not have prior felony convictions. Results indicate that Native inmates were either experiencing more, or were more prone to deprecating themselves than were non-native offenders. Alcohol abuse was higher for Native than non-native inmates. Detachment from others, poor judgement, and poor coping abilities were more salient in Native than non-native inmates. Furthermore, Native participants were likely to view themselves as 'damaged' and the victim of aggression that seemed to be fueled by their experiences of past victimization. Native inmates appeared to be more isolated, self-destructive and more distressed with themselves and their behaviour. Bicultural Native inmates seemed to be more prone to identity issues, unstable interpersonal relationships, boundary difficulties and labile emotions. However, the research indicated that being Native was a unifying factor in that regardless of acculturation, they were still more like each other than the non-native inmates. Concluded that incarceration is likely very traumatic for Native offenders and that some of the programs and treatment based on confrontation and group processing would not be effective.

Grant, B.A. & Porporino, F.J. (1992). "Are native offenders treated differently in the granting of temporary absences from federal correctional institutions?" *Canadian Journal of Criminology*, 34(3-4), 525-532.

- CANADA: Examines if Aboriginal offenders received differential treatment in the granting of temporary absences (TA) from federal institutions. Also examined whether Aboriginal offenders were being treated negatively within this correctional program. Analysis was restricted to "escorted" absences as they represent the most common form of temporary release. Examined Aboriginal and non-Aboriginal offenders on-register in federal penitentiaries between 1986/87 and 1990/91. Controlled for violence with the offence and

criminal history, as both would play a large role in decisions to grant temporary absences. On average, there were 46,000 TA's granted each year. Results indicated that Aboriginal offenders receive more than the expected number of compassionate TA's and generally received more than the expected number of family and community contact TA's than would be expected given their representation in the institutional population. Concluded that Aboriginal offenders were not treated negatively, in fact, the evidence suggests that they may have been receiving preferential treatment.

Gray, D., Siggers, S., Sputore, B., & Bourbon, D. (2000). "What works? A review of evaluated alcohol misuse interventions among Aboriginal Australians". *Addiction*, 95(1), 11-22.

- AUSTRALIA: Over recent years, various reports have shown that while fewer Aboriginal than non-Aboriginal Australians drink alcohol, Aboriginal people who do drink are more likely to do so excessively. **Purpose:** To identify which intervention strategies have been effective in reducing excessive consumption of alcohol and related harm among some segments of Australia's Aboriginal population. **Method:** Items dealing with 'alcohol' and 'evaluation' (27) were identified from the comprehensive electronic database on Aboriginal alcohol and other drug issues, maintained by Australia's National Centre for Research into the Prevention of Drug Abuse. From these were selected all reports (14) dealing specifically with evaluation of particular intervention projects. These were grouped and reviewed under the broad categories of treatment, health promotion, education, acute interventions and supply reduction. **Findings:** A broad range of intervention strategies has been employed. Few systematic evaluations have been undertaken and the methodologies employed have been generally insufficient to allow robust generalization. The impact of most interventions appears limited but this may be a function of inadequate resourcing and program support. **Conclusions:** Require a broader range of treatment models and complementary intervention strategies. Interventions are generally inadequate resources. Supply reduction interventions appear to have produced the most tangible results. Over a 2-year period, random sample surveys of residents (n=271) on attitudes towards the supply restrictions were completed. Results: per capita consumption decreased by 19%; there were significant declines in admissions for acute alcohol-related conditions; and, the proportion of offences declined. A pressing need exists for more rigorous evaluation studies in co-operation with Aboriginal community organizations.

Greenfeld, L.A., & Smith, S.K. (1999). *American Indians and crime*. Office of Justice Programs, Bureau of Justice Statistics, U.S. Department of Justice, NCJ 173386.

- USA: Comparative data from 1992-96 on the rates and characteristics of violent crimes experienced by Aboriginal people (not including Hawaiian Natives and Pacific Islanders) and from 1996-98 on Aboriginal people and the criminal justice system in the United States. In July 1998, Aboriginal people accounted for just under 1% of the total US population. They experience more than twice the per capita rates of violence in total and for both males (153 crimes per 1000 people for Aboriginals vs. 60 per 1000 across all races) and females (98 per 1000 for Aboriginals vs. 42 per 1000 for all races). While rates of violence are consistently higher in every age group, nearly one-third of Aboriginal victims of violence are between 18 and 24; about 1 violent crime for every 4 individuals. At least 70% of the victimizations are committed by persons not of the same race, with almost 50% of the offenders under the influence of alcohol. More than 10% of the non-lethal victimizations involved a firearm while murder victims were less likely to be murdered (approx. 30%) with a handgun than victims of all races together (approx. 50%). Aboriginal victims reported crime to the police at the average rate for races. Violent crime arrest rates among Aboriginal adults and Aboriginal youth (under 18) were comparable to white youth. The arrest rate for alcohol-related offences was more than double that of all races. 63,000 Aboriginals (about 4% of the Aboriginal population, 18 or over) are under

the care, custody, or control of the justice system on an average day, with the rate of prison incarceration for Aboriginal about 38% higher than the national rate on a per capital basis.

Griffiths, C.T., & Belleau, C. (1995). "Addressing Aboriginal crime and victimization in Canada: Revitalizing communities, cultures and traditions". In K.M. Hazlehurst (ed.) *Popular justice and community regeneration: Pathways of Indigenous reform* (pp. 165-186). CT: Praeger Publishers.

- CANADA: Addresses resurgence of traditional cultural practices in examining issues of crime and justice in Canadian Aboriginal communities. Outlines differences between the worldview held by Euro-Canadians and Aboriginals and the differing models which are reflected in the two systems of law and justice. Describes four Aboriginal justice initiatives (Teslin Tlingit First Nation community justice initiative in Yukon; circle sentencing; youth justice committees in Northwest Territories; Aboriginal court model in Manitoba) and two initiatives for violent offenders and their victims (Hollow Water in Manitoba; Canim Lake family violence program in British Columbia). Little focus on difficulties encountered by urban Aboriginal peoples: nature and extent of their conflict with the criminal justice system and the potential for developing alternative justice services and programs that might better address their needs. Critical issues confronting Aboriginal communities: adequate protection for vulnerable people (women and female adolescents) and protection of rights of victims within the community. Government-sponsored justice initiatives largely ineffectual in reducing the levels of conflict experienced by Aboriginal people with the criminal justice system or in meeting the needs of Aboriginal victims, offenders and communities. Require substantive criminal justice strategies that provide for community participation. Aboriginal-controlled justice programs and services, premised on Aboriginal culture and traditional practices, hold great promise and can provide models that may be utilized by non-Aboriginal communities.

Griffiths, C.T., & Patenaude, A. (1990). "The use of restitution and community service sentencing in the Canadian north: The prospects and problems of localized corrections". In B. Galaway and J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 145-154). NY: Willow Tree Press, Inc.

- CANADA: Native and Inuit justice systems are based on restoration and reparation. The Anglo-Canadian justice system ignores the potential of these systems to increase self-determinism and reduce social-structural dependence. Community service, restitution, and victim-offender reconciliation are more relevant to individuals and their communities. Certain difficulties have hindered the effectiveness of community corrections programs (i.e., dependence of Indian and Inuit communities on outside government to initiate, fund, and support community corrections programs; conflict between traditional Indian and Inuit notions of conflict resolution and those represented by community service order and restitution programs; and the operational difficulties of developing and maintaining programs). Instead of utilizing the isolation and small size of NWT communities and traditional customs, community service order and restitution programs are designed and delivered by outside agencies. Community-based corrections strategies can only be effective if incorporated into a framework of localized corrections (i.e., communities and residents responsible for victim and offender needs). Principles of localized corrections include: a clear definition of who and what is the community, recognition of the unique needs of the community, decentralization of policy and program decision-making, and direct community input.

Grossman, M.G. (1992). "Two perspectives on Aboriginal female suicides in custody". *Canadian Journal of Criminology*, 34(3/4), 403-416.

- CANADA: Recent inmate suicides by Aboriginal women at Kingston's Prison for Women have brought attention to the situation of the Aboriginal female offender. Two theoretical perspectives which explain the etiology of suicide are identified. Deprivation theory emphasizes the role of the carceral environment while importation theory focuses on individual inmate characteristics. Research evidence relating to the two theories is reviewed. These opposing perspectives are rejected in favour of an interactionist approach which stresses the interplay between environmental forces (e.g., social and physical isolation created by incarceration) and individual risk factors (e.g., economic deprivation and violence existing prior to the inmate's admittance to custody).

Hagey, N., Laroque, G., McBride, C. (1989). *Highlights of Aboriginal conditions 1981-2001, Part 1(demographic trends), Part 2 (social conditions), Part 3 (economic conditions)*. Indian and Northern Affairs Canada.

- CANADA: A survey of the Aboriginal conditions across three areas. Findings indicate that Aboriginal peoples are growing rapidly, and continue to be younger than the Canadian population. In addition, life expectancy among Aboriginal people is lower than the national average with access to health care being a problem. Aboriginal families are also larger, led more by lone parents, and rely more heavily on social assistance than average Canadian families.

Hall, R.L. (1986). "Alcohol treatment in American Indian populations: An indigenous treatment modality compared with traditional approaches". *Annals of the New York Academy of Sciences*, 472, 168-178.

- USA: It has been known for many years that alcoholism poses significant community health problems for American Aboriginal groups. Investigates the use of the sweat lodge as an indigenous treatment modality within established alcoholism treatment programs under contract to the Indian Health Service. **Goal:** Describes characteristics of current programs and investigates the relationship of the sweat lodge to other treatment services which programs provide, as well as to their philosophic, demographic, and geographic features. **Method:** The Indian Health Service's list of 190 contract programs was stratified into 6 regional areas from which a 20% sample was drawn randomly. Representatives of 39 projects in the random sample were interviewed by telephone. Personnel from 5 other projects were interviewed. **Results:** programs that use the sweat lodge are evenly distributed according to tribal emphasis, but those that do not use it are found predominantly in the single tribe category (single-tribe - 64% not present/not encouraged; several-tribe - 13% not present/not encouraged; non-tribal or pan-tribal - 23% not present/not encouraged). Two other program characteristics that were related less strongly to the sweat lodge were the presence of the Native American church in the community and a client population composed of tribally mixed and non-status Aboriginals. Where a Medicine Man was on-site 63% had/encouraged sweat lodge use. Absence of a relationship exists between the sweat lodge and most program characteristics, which indicates the flexibility with which the sweat lodge can be applied. **Conclusion:** sweat lodge may have a major role in the prevention of alcohol abuse and in the creation of a new Aboriginal identity.

Hann, R.G., & Harman, W.G. (1993). Predicting release risk for Aboriginal penitentiary inmates. Prepared for Corrections Branch, Ministry of Solicitor General of Canada, No. 1993-12.

- CANADA: Documents initial stages of developing alternative scoring systems for predicting release risk for Aboriginal penitentiary male and female inmates. Compares alternative risk prediction systems with Nuffield system regarding predictive accuracy and

usefulness. **Chapter 3 - Assessing Nuffield System:** Nuffield scoring system has value for predicting general release risk for Aboriginals. In fact, its predictive accuracy is similar to the predictive accuracy of general release risk for non-Aboriginals. However, there is still considerable potential for developing alternative risk prediction systems that would improve on the performance of the Nuffield system. **Chapter 4 - Alternative Prediction Systems:** developed two new scoring systems designed especially for the prediction of general release risk for Aboriginal penitentiary inmates. One was based on a linear regression analysis, the other on a Burgess scoring method. The new scoring systems require considerably less information to develop risk scores than the Nuffield system. Despite this advantage, a battery of tests showed that the alternative systems perform, at least as well as, and often moderately better than the Nuffield system. **Chapter 5 - Actual Board Decisions:** release risks already play a significant role in Parole Board members' decisions of whether or not to release different groups of inmates to parole; use of Burgess scoring system would likely result in a recommended overall parole release rate for Aboriginals that was considerably higher than the actual parole release rate (would also change which specific individuals would be granted and denied parole); actual parole decisions resulted in a very similar (albeit slightly lower) overall rate of correct decisions; both the statistical methods utilized in this study and the actual parole decisions resulted in predictions of release risk which were accurate in only just over 70% of cases (room for improvement); the best system for predicting risk might in at least some circumstances combine the contributions of both the information provided by a statistical risk scoring system and the additional expertise and experience of parole board members.

Harding, J. (1990). *Strategies to reduce the over-incarceration of Aboriginal people in Canada: A research consultation*. Prairie Justice Research, University of Regina, Aboriginal Justice Series Report No. 1.

- CANADA: Results of a consultation with Métis and Indian groups, federal government departments, university communities, legal aid lawyers, Aboriginal police officers, and judicial representatives to identify areas of research that would contribute to addressing the over-representation of Aboriginals in the Canadian prison population. Participants expressed strong support for community-based participatory research approaches and research which explores alternative justice program emerging from within Aboriginal communities. Specific research themes identified include increased control/intervention by Aboriginals with respect to justice programming, child welfare/youth support, education, human services, and urbanization, impediments to Aboriginal justice, areas of political-legal and social change such as public inquiries, parallel justice systems, constitutional reform and self-government, and Aboriginal culture.

Harding, R.W. (1999). "Prisons are the problem: A re-examination of Aboriginal and non-Aboriginal deaths in custody". *Australian and New Zealand Journal of Criminology*, 32(2), 108-123.

- AUSTRALIA: Discusses Royal Commission into Aboriginal Deaths in Custody (RCIADIC). Suggests that, in the context of prison custody, equal or greater emphasis should be placed on the nature of prison regimes and prisoner management to reduce the number of Aboriginal custodial deaths. Compared custodial deaths for pre-RCIADIC (1980-87) and post-RCIADIC (1988-98). During the post-RCIADIC period, recommendations made by the RCIADIC were implemented at the prison levels, but were primarily concerned with police custody. Results indicated that during the pre-RCIADIC period, 65% of Aboriginal deaths occurred while in police custody. However, during the post-RCIADIC period, 77% of Aboriginal deaths occurred while in prison. Concluded that the problem lies in the prisons. Specific criticisms were leveled at the increasing number of drug-dependent prisoners, prison overcrowding, and poor prison management (related to the prison privatization that has occurred in Western Australia).

Harding, J., & Forgay, B. (1991). *Breaking down the walls: A bibliography on the pursuit of Aboriginal justice*. Prairie Justice Research, University of Regina, Aboriginal Justice Series Report No. 2.

- CANADA: Listing of Canadian material regarding the pursuit of Aboriginal self-government and alternatives to criminal justice. Provides source for literature dealing with: the criminal justice system (including dominant system and Aboriginal people and criminal justice programs for Aboriginal people); various judicial inquiries (e.g., Royal commission on the Donald Marshall, Jr. prosecution, Manitoba Public Inquiry into Administration of Justice and Aboriginal People, various Alberta inquiries, and others); socio-economic issues such as health, education, employment/economic development, women's' issues and initiatives, cultural differences, urbanization, child and family welfare systems, violence, and racism; self-government in Canada, the United States, and other countries exploring territorial and constitutional matter, existing and proposed Aboriginal justice programs, and traditional Aboriginal justice; and self-determination.

Harding, J., & Spencer, B. (1991). *An annotated bibliography of Aboriginal controlled justice programs in Canada*. Prairie Justice Research, University of Regina, Aboriginal Justice Series Report No. 3.

- CANADA: An annotated bibliography, developed in response to a 1990 western Canadian consultation, of Aboriginal controlled justice programs. Reviews literature and outlines general trends in the areas of general justice issues, policing, courts, corrections, and diversionary programs. Concludes that the problem of Aboriginal over-incarceration has progressed to a point where fundamental changes must occur and suggests the establishment of a parallel Aboriginal justice system.

Havemann, P., & Havemann, J. (1995). "Retrieving the 'decent society': Law and order politics in New Zealand 1984-1993". In K.M. Hazelhurst (ed.) *Perceptions of justice: Issues in indigenous and community empowerment*. Brookfield: Avebury.

- NEW ZEALAND: Examines evolution of competing discourses which vie with each other in the process of reshaping the New Zealand state to retrieve a 'decent society' based on free market principles, a small state and a crime control apparatus integrated into the 'community'. Particularly concerned with explicit and implicit discourses in the law, order, and justice platforms of the major parties (Labour/National) in their election campaigns in 1984, 1987 and 1993. Identifies patterns of association between the rise of the Right and law and order. Cohen summarizes their indices (7) of the drift to a repressive state. Matches trends in New Zealand over the 1984-1994 period against these indices. The National and Labour 1993 platforms promoted *gemeinschaft* through 'community' prevention, safer 'communities', 'community' policing, and reintegrating the family into the archipelago of control (Cohen 1985: 118-127).

Havemann, P., & Turner, K. (1994). "The Waitangi tribunal: Theorising its place in the re-design of the New Zealand State". *Australian Journal of Law and Society*, 10, 165-192.

- NEW ZEALAND: Examines role of the Waitangi Tribunal as one element in a counter-hegemonic process constructing the discourse for re-designing the New Zealand state. Views the state, courts, Tribunal, law and justice as platforms of process. The work of the Waitangi Tribunal: is best understood by conceptualizing it as a platform of process upon which a counter-hegemonic struggle over rights is occurring; may be seen as an example of an institution which expresses both a politics of difference and a politics of affinity in the state and society of New Zealand; and is a platform of process for defining the nature and ambit of claims and the principles of which political negotiation to "resolve" them will proceed. Concludes: this article represents a work in progress identifying the nature and

role of the Waitangi Tribunal as a platform of process from which new principles for interpreting the Treaty are emerging. One of the most telling roles of the Tribunal is of "...rendering power visible". Another significant aspect of the ideological work of the Tribunal has been its function as a narrator of the stories of conflict. The ideological work has wrought "revolutionary" change to the juridical political framework in which Maori/Pakeha antagonisms are to be settled.

Hazlehurst, K., & Dunn, A.T. (1988). "Aboriginal criminal justice". *Trends and Issues in Crime and Criminal Justice, No. 13*, Australian Institute of Criminology, Canberra.

- AUSTRALIA: Comparative analysis of Aboriginal and Torres Strait Islanders (TSI) offenders versus non-Aboriginal offenders in prison. In spite of an overall decreasing trend between 1981 and 1986, in 1986, while comprising 1.4% of the total population of Australia, Aboriginals and TSI comprised 14.5% of the Australian prison population. Female rates, generally higher than male, declined more dramatically, averaging 17% over the 5 years. With alcohol-related violence as the most significant feature of serious crime committed by Aboriginals and TSI, they were most likely to be in prison for offensive behaviours and against good order offences, assault, driving and property-related offences, and justice procedures offences and more likely than non-Aboriginals to be imprisoned for these offences (33% vs. 24% for offences against the person, 12% vs. 7% for against good order, and 16% vs. 6% for traffic/vehicle-related offences). Aboriginals comprised a low proportion of prisoners convicted of white-collar offences and premeditated crimes (8% vs. 16% for robbery/extortion and 1.5% vs. 14% for drug-related offences) and no Aboriginals were in prison of prostitution or environmental offences. Aboriginal children are also over-represented at every level in the juvenile justice system: at the extreme ends of the spectrum, juvenile male offenders are 2.5 times more likely to appear before Children's Courts than Children's Aid Panels while non-Aboriginal female offenders are 5 times more likely to be handled by and Aid Panel. Contributing factors to over-representation include judicial and policing issues, gaps between Australian law and Aboriginal customary law, and Aboriginal mistrust of the justice system. Presents options for reducing high incarceration rates, including improved police relations and special cultural training for police, employment of community justice options, creating alternative communication and dispute resolution mechanisms, and overall enhancement of the quality of Aboriginal life.

Heckbert, D., & Turkington, D. (2001). Turning points: A study of the factors related to the successful reintegration of Aboriginal offenders. *Research Report R-112, Correctional Service of Canada*.

- CANADA: Documents success stories of Aboriginal federal offenders who have become law-abiding citizens. **Method:** interviews with 68 Aboriginal ex-offenders who had turned their lives around. **Findings:** majority said their childhood was dysfunctional; in response to early living conditions, many resorted to crime and violence; gradually turned their lives around (factors: controlling alcohol and drug use, family support, being sick and tired of being in trouble); factors for staying out of trouble include personal values and identity, family, staying clean and sober, self-improvement activities and friends; Aboriginal spirituality and cultural activities were major factors in recovery.

Heilbron, C.L., & Julius Guttman, M.A. (2000). "Traditional healing methods with First Nations women in group counselling". *Canadian Journal of Counselling, 34(1)*, 3-13.

- CANADA: Describes a counselling group for First Nations and non-Aboriginal women who are survivors of child sexual abuse, which utilized an Aboriginal healing ceremony. Intent of research: investigate the influence of traditional Aboriginal healing practices and beliefs

in the therapy process for First Nations' women. Three areas were examined for their influence on the group: Aboriginal healing ceremony; Aboriginal beliefs; focus on community. Therapy techniques (silence, restatement and general leads) used as they communicate respect. Challenges non-Aboriginal counsellors to be receptive to alternative views of healing if there is to be any remedy for addressing the serious problems that many First Nations' communities face. Inclusion of traditional ceremony and beliefs into this therapy group for First Nations' women appeared to increase therapeutic effectiveness. Recommends further investigation into the role of ceremonial healing and Aboriginal beliefs in the counselling process.

Helwig, D. (2000). "NWT residents are accident prone, live shorter lives".

Canadian Medical Association Journal, 162(5), 681-683.

- CANADA: Reports on a NWT health status report. Life expectancy for Aboriginal males in NWT is 70 years and 75 years for Aboriginal women (non-Aboriginal males 72 and females 77). Probably due to higher incidence of alcohol use, smoking and infectious diseases such as TB and chlamydia. Findings: 26% of NWT residents were heavy drinkers compared with 9% of Canadians; 25% of NWT women consumed alcohol and 46% smoked during pregnancy; 45% of NWT residents aged 12 or older were smokers compared to 30% of Canadians; teen birth rate was almost triple national average; incidence of TB was 54 per 100,000 person years compared with national rate of 7. Report available at www.hlthss.gov.nt.ca/hstatus.htm.

Hewitt, D., & Auger, D. (1995). Firewatch on Aboriginal adolescent gambling.

Nechi Training, Research & Health Promotions Institute, Edmonton, AB.

- CANADA: Study designed to determine the extent and nature of gambling and problem gambling among a cross-section of Aboriginal youth and to determine the personal, cultural and social factors related to gambling and problem gambling. The following research questions guided the study: what is the extent of gambling involvement among Aboriginal youth; what are the current prevalence rates of problem gambling among Aboriginal youth; and what are the personal, family, social and cultural factors which distinguish problem gamblers from those who do not gamble and from those who gamble without apparent problems? **Methodology:** 961 Aboriginal students enrolled in grades 5 through 12 in 28 schools in Alberta. Participants were surveyed using the South Oaks Gambling Screen – Revised Adolescent (SOGS-RA) developed by Winters, Stinchfield & Fulkerson (1993). **Findings:** 89% of the students had gambled for money in the past year (male 92%, female 86%). Gambling began at the average age of 11. External factors: drinking alcohol – 36% of the students drink alcohol regularly; drinking increased with age but not with gender and the average age was 12; marijuana use – 45% of the students had used marijuana in the past year, prevalence and frequency of use increased with age but not with gender, use was 2.5 times that found in the general Alberta adolescent population; smoking – 48% of the students smoked regularly or once in a while, female 58% and male 39%, smoking began at age 11; active in communities – 83% participated in cultural events, 87% in sports and 56% in other activities; death of friends and family – 40% had friends die within last year and 70% had family members die; and violence and sexual abuse were common experiences – 57% had been hit in anger and 17% had been sexually abused. Problem gamblers, male (65%) and female (35%), were more likely than non-gamblers to have experienced physical abuse and to have had their property damaged or stolen. Were more likely to come from homes where one or both parents gambled. Mother's gambling was a concern (23%), family members committed suicide (15%), to have experienced violence (71%) and sexual abuse (24%), to have had arguments about gambling (46%) and gamble to forget their problems (30%). **Conclusion:** study provides valuable information that can be used at the community level to increase awareness about adolescent gambling problems and to stimulate the development of problem prevention strategies.

Hodgson, M., & Heckbert, D. (1996). "Factors associated with successful reintegration of Aboriginal offenders into the community". *FORUM on Corrections Research*, 8(3), Correctional Service of Canada.

- CANADA: Exploratory study to examine the lifestyles of some Aboriginal offenders who successfully re-entered the community. Documents the positive impact of Aboriginal spirituality and culture on Aboriginal offenders.

Hodgson, M., & Heckbert, D. (1995). *Healing, spirit and recovery: Factors associated with successful integration*. Ottawa: Supply and Services Canada, Solicitor General, Aboriginal Peoples Collection (APC 11 CA).

- CANADA: Interviews with 20 Aboriginal persons who came into serious conflict with the law, served time in Canadian penal institutions, and subsequently turned their lives around. Found most participants had early lives which were painful and difficult. The participants had different experiences of getting into trouble and attached significance to different factors and feelings. For all participants, getting into trouble was associated with extensive use of alcohol and/or drugs. For some, one or more pivotal moments stood out in the events that led to the eventual change in their lives. Sometimes these were associated with a particular person or a realization that life was not working for them. Getting in touch with one's own spirituality was identified as a key to recovery by all participants. This was linked to a sense of life purpose and personal identity. Important influences along the path to successful reintegration included Elders, family, recovering alcoholics, and counsellors or other professionals in the correctional or addictions fields. Other Aboriginal persons are more likely to be seen as able to reach these offenders than are non-Aboriginal persons.

Hogan, E.P., & Barlow, C.A. (2000). "Delivering counsellor training to First Nations: Emerging issues". *Canadian Journal of Counselling*, 34(1), 55-67.

- CANADA: Reports preliminary findings of a review of the outcomes of counsellor training programs on two First Nations communities in Southern Alberta. Documented concerns and issues raised by participants involved in the delivery of post-secondary counsellor training. Data indicated two emergent themes: continuing influence of the past; and, the struggle for cultural survival. Methodological framework was historical case study. Data collection followed multiple methodologies including documents and interviews. Discusses government of Canada and First Nations acknowledged need for healing of residential school experience. No clear definition on what that healing might entail or how it can effectively be addressed. Demonstrates that counsellor training programs were consistent with students' learning aspirations and could provide a bridge to other higher education opportunities. Require curriculum that can effectively incorporate First Nations culture, with traditional concepts of healing and holistic approach to teaching and learning.

Hope, F. (2002). *Kikinahk parenting program*. Prepared for the Board of Directors, Aboriginal Healing Foundation. Project RB-67-SK.

- CANADA: The Kikinahk Parenting Program (KPP) is delivered by the Kikinahk Friendship Centre Inc. of La Ronge, Saskatchewan. Purpose: ensure that families will develop traditional and modern parenting skills and ways of relating that will allow them to be functional and healthy. The program is a blend of traditional parenting models together with opportunities to learn modern expectations of parents. Most participants are young, single parents, mainly women 20-40 years of age. KPP recognizes the following community challenges to be severe (affecting 80% or more of the population): poor local economic conditions, substance abuse, Fetal Alcohol Syndrome (FAS) and Fetal Alcohol Effects (FAE) as well as family violence. Threats to reliability and validity of data: no direct measurement of participants; indirect assessment of key informants heavily weighted; no standardized instrumentation used to assess changes in parenting skill or ability; and,

quantitative information limited to statistics kept by local police and mental health officials. Provides recommendations for team building, project delivery and evaluation.

Hyde, M. (1992). "Servicing Indian reserves: The Amerindian police". *Canadian Journal of Criminology*, 34(3/4), 369-386.

- CANADA: Findings of the Amerindian Police Program research project, a study of police occurrence reports between 1978-83 on 25 Aboriginal reserves in Quebec policed by a semi-autonomous force called the Amerindian Police. Of 17,000 responses to service calls by police, 6,000 were for non-criminal incidents, most frequently for public aid and resulted in referrals to other services such as youth protection, social and health services, probation officers, and psychiatric centres. The overall police/population ratios is 6.7:1,000 for the 25 reserves, compared to 2.2:1,000 for Canada as a whole. There were 1,550 violent, 1,750 property, 4,500 other *Criminal Code*, and 21,000 other statute (primarily liquor and drug) offences overall, with great variation between different bands and a higher overall rate of crime than the general Canadian population. Three-quarters (74%) of offences are committed by adult males, 13% by adult females, 11% by juvenile males, and 2% by juvenile females. Seventy percent of the offenders are under 30 years of age. Alcohol plays a role in 47% of all offences but its status is unknown in 37% of offences. It clearly does not play a role in 13% of offences. Victims of violent offences are most likely to be family members (41%), 26% of which are spouses. Overall, females (58%) are more likely to be victims of violent crimes than males (42%), and private residences are the most frequent locations for violent, property, and other offences. Over 60% of victims are under 40 years of age. The total rate of charging per offence by the Amerindian Police is about 1 in 5 with the mean of charging for property offences the highest at 33%, followed by other statute offences (24%), violent offences (16%), and other *Criminal Code* offences (12%). Some disposition data are also included. Concludes that the dependency on police for services not otherwise available on reserves results in high police to population ratios, increases the likelihood of police interventions, and criminalizes behaviours that would not necessarily be considered criminal if other agencies were involved. The Amerindian Police perform a peace-keeping and service provision role while enforcing the laws of the dominant society and lessening the conflict between bands and the federal and provincial governments over issues of policing.

Hylton, J.H. (2002) *Aboriginal sex offending in Canada*. Prepared for the Aboriginal Healing Foundation. The Aboriginal Healing Foundation Research Series.

- CANADA: Reports on Aboriginal sexual offending in Canada. Examines incidence of Aboriginal sexual offending; reviews trends over recent years; analyzes current prevention, treatment, rehabilitation and healing approaches; and, enumerates gaps in current services. Presents a strategic framework for addressing Aboriginal sexual offending in Canada. Between 20-25% of convicted sexual offenders in Canada are Aboriginal (approximately 150,000). The justice system has often failed to address either the needs of Aboriginal victims or the aspirations of Aboriginal communities. The most meaningful strategies for addressing Aboriginal sexual offending lie beyond the justice system. Identifies the need to invest in community-based solutions, including early intervention programs, crime prevention programs, and restorative justice programs. Meaningful long-term strategies to address Aboriginal sexual offending will require the co-ordinated efforts of many partners.

Hylton, J. (1982). "The native offender in Saskatchewan: Some implications for crime prevention programming". *Canadian Journal of Criminology*, 24(2), 121-131.

- CANADA: Reviews research findings about Aboriginal offenders in Saskatchewan and examines implications for crime prevention programming. In 1976-77, with the Aboriginal population of Saskatchewan at about 10% of the total province, 64% of males and 85% of females admitted to provincial correctional centres were Aboriginal. Of persons released between April and December 1976, 60% of Treaty Indians, 50% of non-status Indians, and 32% of non-Aboriginals recidivated. Male Treaty Indians turning 16 in 1976 had a 70% chance of at least one incarceration by age 25, a non-status Indian or Métis male had a 34% chance, and a non-Aboriginal male had an 8% chance. Sixty percent of offenders had committed minor offences. Less than 10% of all offences were against the person and 50% were related to drinking or driving. Provides data on health conditions, housing, education, and employment and states that the over-representation of Aboriginal people in the justice system is a symptom of inequities in these areas. Concludes that traditionally conceived crime prevention programs are prone to creating a siege mentality and do nothing to address the root causes of crime. Rather, they perpetuate existing inequities which are the causes of crime. Instead, primary prevention, addressing social and economic inequities, will reduce the victimization of Aboriginal people and prevent their involvement in criminal acts.

Jaccoud, M. (1998). "Restoring justice in native communities in Canada". In Walgrave, L. (ed.) *Restorative justice for juveniles: Potentialities, risks and problems for research. A selection of papers presented at the international conference, Leuven, May 12-14, 1997 (pp. 285-299). Leuven: Leuven University Press.*

- CANADA: Discussion of the development of contemporary RJ in native communities. Traditional methods of conflict resolution - unrealistic to speak of a single native traditional justice, but common principles include: importance of re-establishing harmony within the group in case of conflict; flexibility of the social process in regards to conflict resolution and the restoration of social balance; involvement of influent community members seeking a solution and the absence of a specialized institution for dispensing justice. Compares native to state justice system - history of the relationship between the State and the First Nations regarding justice is a history of imposed justice. Describes community holistic circle healing in Hollow Water, Manitoba - developed to find ways to stop the cycle of sexual abuse (discusses 13 steps of program). Since its implementation in 1995, only 2 aggressors have repeated an offence but there are mixed opinion on the benefits of the approach (evaluation by Lajeunesse, 1996). Suggests adopting a double track evaluation: intra-evaluation (direct and indirect effect of the program) and inter-evaluation (comparing effect of official system to those of the program).

Jackson, M. (1989). "Locking up natives in Canada". *University of British Columbia Law Review*, 23(2), 215-300.

- CANADA: Discusses the over-representation of Aboriginal people in corrections. In the late 1980's about 10% of the federal penitentiary population was Aboriginal, compared to about 2% of the population nationally. In western provincial correctional system, over-representation is even worse. For women, figures are even more extreme. Root causes are usually attributed to social and economic conditions within which Aboriginal people grow up and live. However, poverty itself isn't a sufficient explanation - poverty is a product of a particular historical process which has affected native communities and the real fundamental solutions lie in the reversal of that process. Process of colonization is the cause - dispossession and marginalization has carried with it enormous costs of which crime and alcoholism are but two items on a long list (e.g., infant mortality rate, violent

death, care of child welfare system, etc.). Explores alternatives to current system such as Indian tribal courts in US; Aboriginal courts in Australia; village courts in Papua New Guinea; assessment of overseas experience with Aboriginal courts. Discusses Aboriginal justice systems in a Canadian context. Discusses accommodation within the existing structures - native courtworker program; James Bay and Northern Quebec experience; Inumarit of Arctic Bay NWT; Christian Island; pre-trial diversion. Native people in prison - Correctional Law Review (Working Paper No. 7) recommends 2 broad approaches: enactment of legislation to enable Aboriginal people to assume control of correctional processes that affect them; reform of existing correctional legislation in less fundamental ways, where the focus of control remains with the existing correctional systems (Aboriginal offenders as disadvantaged offender group and deserving particular attention).

Jankowski, W.B., & Moazzami, B. (1994). "Size distribution of income and income inequality among the native population of northwestern Ontario". *Canadian Journal of Native Studies*, 14(1), 47-60.

- CANADA: Examines distribution of income among Native males and females in Northwestern Ontario and provides estimates of annual income and degree of income inequality. Their annual income is significantly below national and provincial levels. Degree of income inequality within the Native population is greater than in provincial and national populations. High incidence of low income among the Native population is associated with levels of employment and educational attainment.

Jilek, W.G. (1974). Indian healing power: Indigenous therapeutic practices in the pacific Northwest. *Psychiatric Annals*, 4(9), 13-21.

- CANADA: Overview of Aboriginal therapeutic practices for mental health problems of the Coast Salish Indian population of southern British Columbia and northern Washington. Defines Anomic depression as a psychic, psychophysiological and behavioral syndrome characterized by dysphoric feelings of existential frustration, discouragement, defeat, and lowered self-esteem in the context of cultural and social deprivation. Describes the process of the spirit ceremonial, the prescribed shamanic treatment for persons with "spirit illness". Spirit illness is the tradition-sanctioned label for the depressive symptoms associated with the sociocultural deprivation and identity confusion of anomic depression. Initiation process involves support of participants from the candidates' family and people all over the Coast Salish area, thus strengthening interfamily and intertribal ties. Group therapy aspects provide all participants with support, acceptance, and stimulation by a protective community and direct individual strivings towards collective goals. Recommends combining modern western medicine with traditional American Indian approaches in the Pacific Northwest.

Johnson, M.E., & Lashley, K.H. (1989). "Influence of native-American's cultural commitment on preferences for counselor ethnicity and expectations about counseling". *Journal of Multicultural Counseling and Development*, 17, 115-122.

- USA: Examines effects of Native American undergraduate students' cultural commitment or preference for ethnically-similar counsellors. Assesses relationship of commitment to expectations about counselling. Method: surveyed 55 female and 29 male native Americans (ages 18 to 59). Participants represented 14 different tribes. Used two-part questionnaire to gather demographic information and measure participants' expectancies regarding counselling. Assessed degree of cultural commitment to Aboriginal-American and Anglo-American cultures using four statements. Rated degree of participation in tribal activities and degree of proficiency in tribal language. Four second-order factors calculated: personal commitment, facilitative conditions, counsellor expertise, and nurturance. Results: strong commitment to Native American culture (60%) and weak commitment to Native American culture (40%). Strong commitment to Native American

culture group indicated a greater preference for an ethnically-similar counsellor, and higher expectations for counselling. Study results support need for examining within group differences in minority research.

Johnston, J.C. (2000). "Aboriginal federal offender surveys: A synopsis". *Forum on Corrections Research*, 12(1), 25-27.

- CANADA: Findings from 2 studies of male Aboriginal offenders serving federal sentences (1994, 1997). Overall incarcerated Aboriginal population constitutes a high needs group; also a group that shares a background of physical or sexual abuse, early drug and alcohol use, emotional problems, poor parenting and high educational and employment needs.

Johnston, J.C. (1997). *Aboriginal offender survey: Case files and interview sample*. Prepared for Correctional Service Canada, Research Branch, Report No. R-61.

- CANADA: Survey of nation-wide samples of Aboriginal offenders in federal custody (interviews, file review, CPIC). Findings: Aboriginal offenders' criminal histories were characterized by a prevalence of violent offences. Early drug and alcohol abuse were common, as were behavioural problems, physical and sexual abuse, poverty, parental absence or neglect, attempted suicide. Although Aboriginal offenders' needs were across the board, the highest were of substance abuse and emotional/personal needs. Aboriginal group tended to be higher risk/higher needs population. There exists a significant apprehension on the part of Aboriginal offenders to deal directly with Correctional staff. Aboriginal offenders' constitute a highly spiritual group, mostly placing high value on their traditions and culture. Also a high degree of participation in native cultural activities. There was a common request for culturally-relevant programming. There tends to be a lack of trust and overall acrimony with Correctional staff.

Johnston, J.C. (1994). *Northern Aboriginal offenders in federal custody: A profile*. Prepared for Correctional Service Canada, Research Branch, Report No. R-36.

- CANADA: In-depth survey of approximately half (64) of the northern Aboriginal (56% Inuit with the remainder primarily Dene, Métis, and Chippewan) offenders under federal jurisdiction which shows that their offence patterns mirror the backgrounds from which the offenders emerged. Primarily violent offenders, more than one-half have had at least one conviction for a sexual offence while over 40% have at least 3 convictions on assault charges. First language spoken was divided almost equally between Inuktituk (40%) and English (39%). In addition to reporting high levels of poverty (36%), neglect (39%), and absent parents (36%) during their youth, 84% abused alcohol, 50% abused drugs, 59% were physically abused, and 22% were sexually abused leading to substantial learning, behavioural and emotional problems. The majority (60%) have less than a grade 10 education with either a semi-skilled (47%) or unstable (30%) working situation prior to incarceration. The majority (75%) also participated in traditional activities (craftwork, special ceremonies, etc.) while almost one-half (42%) spent some time living "on the land", averaging about 1/3 of the year. Even though the majority (86%) of offenders received few or no visits from friends and family, 78% have no problems with their institutional performance or have records of very good performance. Seventy percent participate in some sort of institutional program, more than half (52%) of which had very positive attitudes toward the programs. Less than one-half (45%) have never participated in Aboriginal programs, due to either lack of availability or the fact that the programs are focused on Native cultures more from the south. All but 2 of the offenders planned to return to the north upon release. The majority of offenders (67%) fall into the poor or very poor risk categories for recidivism.

Jolly, S. (1997). *Ontario Native Criminal Courtwork Program: Report on the Sault Ste. Marie case audit*. Ministry of the Attorney General.

- CANADA: Discusses findings from a case audit of the Ontario Native Criminal Courtwork Program in Sault Ste. Marie.

Kallies, F., & Gadbois, D. (2002). *Shining Mountains Living Community Services: Case study report on "Tawow Healing Home"*. Prepared for the Board of Directors, Aboriginal Healing Foundation. Project 1397-AB.

- CANADA: Overview of the Tawow Healing Home delivered by the Shining Mountains Living Community Service (SMLCS) of Red Deer, Alberta. Purpose: to provide a culturally-based therapeutic home environment for Aboriginal children/adolescents and their families at risk for involvement with protective services. Describes the Aboriginal community within Red Deer, service delivery, team characteristics, and what the project hopes to achieve in the short- and long-term. Main Goals: to build independence in parenting and self-sufficiency based on significance, power, competence and virtue (the four bases of self-esteem and traditional practices); to intervene prior to invasive involvement of government systems in the family (child welfare, justice); to provide a healing environment which is specific to the unique needs and beliefs of the Aboriginal person by ensuring that direct services are delivered by Aboriginal service providers who assist in rebuilding Aboriginal values, principles and beliefs; and, to provide a non-threatening, voluntary process for family healing and empowerment that promotes the growth of the family as a unit. Challenges: funding; program not equipped to deal with the extra care and attention needed for participants affected by Fetal Alcohol Effects (FAE); and, sustaining survivor involvement.

Keast, R. (1991). "A profile of Aboriginal and Islander prisoners in North Queensland". In S. McKillop (ed.) *Keeping people out of prison: Proceedings of a conference held 27-29 March 1990*. Australian Institute of Criminology Conference Proceedings No. 11, Canberra.

- AUSTRALIA: Profile of Aboriginal and Islander inmates in North Queensland Correctional Centres (prison file records). Comparing prisoners to general Queensland prison population: largest % of both aged 20-40; 75% vs. 60% never married; 71% vs. 83% had at least some secondary education; 55% vs. 47% unemployed; Aboriginal and Islanders from remote communities imprisoned at a rate of at least 14 times that of the general population; 58% vs. 33% committed offences against the person; 44% vs. 47% have aggregate sentence of 2-10 years (belies assumption that Aboriginal are over-represented in short-range sentences); 47% vs. 11% had alcohol as a contributing factor; recidivism – 76% vs. 55% with prior custodial experience. Rather than concentrating on reducing Aboriginal prison population, resources would be better spent by releasing all prisoners who fit a set criteria to community supervision and provide maximum programming opportunities for the remaining prisoners. Also recommend establishment of graduated release hostels; broad interconnecting strategies in the development of community-based responses to sentencing options and crime prevention.

Kent, H. (1999). "Kidney disease rate rising 3 times faster in BC". *Canadian Medical Association Journal*, 161(2), 122.

- CANADA: Kidney dialysis population is rising rapidly in British Columbia. One reason for the increase may be that the prevalence of diabetes, the leading cause of kidney failure, is rising rapidly among Aboriginal and Asian populations.

Kettl, P., & Bixler, E.O. (1993). "Alcohol and suicide in Alaska natives". *American Indian and Alaska Native Mental Health Research*, 5(2), 34-45.

- USA: Retrospective review of hospital records from the Alaska Native Medical Center (controlling for age, sex, and race) for 33 Alaska Native suicide completers who died between 1980-84. Suicide rates for Alaska Natives were twice the national average during the study period. Only significant difference between suicide and control groups was the history of a prior suicide attempt. Alcohol abuse was diagnosed more often than any other psychiatric disorder in the suicide group and appears to be the most important antecedent of suicide in this study.

Kirmayer, L.J. (1994). "Suicide among Canadian Aboriginal peoples". *Transcultural Psychiatric Research Review*, 31(1), 3-58.

- CANADA: Literature review on suicide among Canadian Aboriginal peoples. Suicide rates are substantially higher for Aboriginal people than the general population. Peak age for Aboriginal suicides appears to be 23-25, however, a trend has been observed that indicates that younger Aboriginal may be at greater risk. A second peak occurs in Aboriginal people between 60-65. Suicide attempts are more frequent in females but suicide rates are higher among males. Likely due to the fact that males often choose methods that are deadly. Single males and females have higher suicide rates; separated and divorced Aboriginals or those living alone are also at higher risk. Suicides most often occur in association with heavy alcohol consumption. One of the most troubling findings was that isolation and seclusion of criminals in custody puts them at considerable risk for suicide. Number of other interesting facts presented in this article help to shape a clearer picture of Aboriginal suicide in Canada.

Kirmayer, L.J., Boothroyd, L.J., Laliberté, A., & Simpson, B.L (1999). *Suicide prevention and mental health promotion in First Nations and Inuit communities*. Culture and Mental Health Research Unit, Institute of Community and Family Psychiatry.

- CANADA: Rationale and guidelines for suicide prevention in Aboriginal communities. Suicide prevention must be part of a larger, multi-faceted mental health promotion strategy that is the responsibility of the whole community, band or region. Requires a comprehensive central co-ordinating group to insure no gaps in the system and to avoid duplication of efforts. Outlines primary suicide prevention strategies for Aboriginal communities (training youth as peer counsellors; school curriculum with mental health and cultural heritage components; recreational and sports programs; workshops on life skills, problem solving and communication; parenting skills workshops; support groups for individuals and families at risk; cultural programs for the community; collaboration between community workers in health, social services and education; training in mental health promotion for lay and professional helpers) and intervention services that form part of the prevention strategy (training of primary care providers; regional crisis hotline; crisis centre; immediate crisis intervention; assessment and intervention services for parents of youth at risk). Outlines levels and types of prevention; reviews major risk and protective factors for suicide that inform prevention programs; reviews elements of suicide prevention programs that have shown to be effective; and presents program guidelines and recommendations. Reviewed 29 programs and chose nine as appropriate models for Aboriginal communities who wish to use an existing program (outlined in their Appendix A). Identifies the need for post-intervention services to help family and friends cope with a loss due to suicide. Requires continual systematic evaluation of the prevention strategy and its major elements.

Kirmayer, L.J., Brass, G.M., & Tait, C.L. (2000). "The mental health of Aboriginal peoples: Transformations of identity and community". *Canadian Journal of Psychiatry*, 45(7), 607-617.

- CANADA: Reviews recent research on mental health of First Nations, Métis and Inuit people in Canada and examines the social origins of the high rates of depression, alcoholism, suicide, and violence in many communities. At 4% of the Canadian population, there are approximately 1 million Aboriginal people in Canada with 11 major language groups and more than 58 dialects distributed among 596 bands residing on 2,284 reserves, or in cities and rural communities. Paper is divided into several areas which examine the "cultural discontinuity" experienced by Aboriginal people, including: social origins of distress (examining the effect and history of European colonization of North America and the displacement of North America's indigenous peoples); impact on mental health (examines role colonization had on mental health of Aboriginals, and the greater extent Aboriginals experience mental health problems than the Canadian population); transformations of identity and community (examines ethnic identity and characteristics of Aboriginal culture and psychological construct); and, implications for mental health services and health promotion. While levels of mental health problems in the Aboriginal population vary greatly between individual communities, levels in the Aboriginal population as a whole are at twice the level of the non-Aboriginal population in Canada. This is a direct consequence of a history of dislocation, disruption of traditional subsistence patterns and connection to the land, and government policy, which views the Aboriginal population as a ubiquitous group. Concludes that local control of community institutions and cultural continuity may contribute to better mental health and recommends that psychiatric practice be adapted to local cultural concepts of the person, self, and family that vary across Aboriginal communities.

Kirmayer, L.J., Hayton, B., Malus, M., Jimenez, V., Dufour, R., Quesney, C., Ternar, Y., Yu, T., & Ferrera, N. (1994). *Suicide in Canadian Aboriginal populations: Emerging trends in research and intervention*. Culture and Mental Health Research Unit, Report No. 1. Report prepared for the Royal Commission on Aboriginal Peoples.

- CANADA: Reviews scientific literature to situate the problems of Aboriginal peoples within the larger context of suicide in Canadian society to identify those that are distinctive for Aboriginal groups. Aboriginal suicide rates are three times that of the total Canadian population. Aboriginal youth (ages 10-29) on reserves are 5-6 times more likely to die of suicide than their peers in the general population. Male status Indians (ages 20-29) have the highest rates of suicide of any group in Canada. Risk factors contributing to suicide: predisposing factors; immediate environmental factors; and social-cultural factors. Conclusion: suicide is a response to feeling trapped in a dead-end with no exit. Prevention of suicide must counteract frustration, hopelessness and unbearable pain and provide other means of changing or escaping intolerable circumstances. Conventional mental health approaches must fit with community values. Social problems of economic disadvantage, the breakdown in the transmission of cultural tradition and identity, and political disenfranchisement need to be addressed. Recommends a comprehensive approach to the problem of suicide be integrated within larger programs of health promotion, family life education, community, cultural development, and political empowerment.

Kishk Anaquot Health Research (2001). *An interim evaluation report of Aboriginal Healing Foundation program activity*. Prepared for the Aboriginal Healing Foundation.

- CANADA: The Aboriginal Healing Foundation (AHF) is a federally funded, Aboriginal-run, non-profit corporation created in 1998 to support community-based healing initiatives

of Aboriginal people affected by physical and sexual abuse in residential schools including intergenerational impacts (the Legacy). Evaluates the implementation of service delivery objectives to date and the attainment of short-term outcomes as a way of being accountable to several primary stakeholders. The process evaluation was a primarily a descriptive exercise reliant upon information already available through internal databases, document files and supplementary information secured through a mail-out survey and one-to-one interviews with national stakeholders (sample of 36 files reviewed, and all 344 projects sent surveys - 74% response rate). Selected 13 sample projects to fully represent all target groups, Aboriginal groups, regions and the range of geographic remoteness. Comparative information was unavailable. Relied heavily on self-report data for both descriptions of program impact and attribution analyses. Any evaluation of AHF efforts must be framed within a comprehensive health paradigm that closely parallels traditional Aboriginal notions of well being. There is still a great disparity between Aboriginal communities on the healing journey.

Kowalsky, L.O., & Verhoef, M.J. (1999). "Northern community members' perceptions of FAS/FAE: A qualitative study". *Canadian Journal of Native Studies*, 19(1), 149-168.

- CANADA: Prevalence of FAS/FAE among Aboriginal people are highly variable (e.g., 65% of children born prior to 1976 in Canim Lake BC while 17% of those born in 1980's). Qualitative research examined concerns and beliefs about FAS/FAE identified by service providers, community resource agencies, community members and individuals affected by FAS/FAE in a northern community. Teachers estimated 40% of kindergarten and 25-30% of general student population have FAE, while 2/3000 elementary school students received FAS diagnosis. Barriers to dealing with FAS/FAE: sensitive subject; religious and philosophical discord; lack of anonymity; lack of knowledge; denial; attitudes toward alcohol; and, uniqueness of the community.

LaFramboise, T.D., & Rowe, W. (1983). "Skills training for bicultural competence: Rationale and application". *Journal of Counseling Psychology*, 30(4), 589-595.

- USA: Typical mental health practices of the federal government and other agencies are neither sufficiently meaningful nor helpful for American Indian people. Discusses advantages of the skills training model and the utility of the concept of bicultural competence. Proposes skills training model as a conceptual framework from which human services can be provided for the personal and emotional needs of Indian people in a respectful manner. Advantages to skills training: less culturally biased; great promise in terms of preventive applications; emphasizes use of modelling in a small group setting; more effective than alternative treatments; applicable to a wide range of problem areas). Conclusion: the cultural adaptation of social skills training appears to be a more effective, accountable, and respectful means of providing preventative psychological service to American Indian people than traditional psychotherapy. American Indians are more likely to respect the less interfering, consultant role of professionals who recognize their advisory function within a holistic and increasingly self-determining social system.

Laishes, J. (1996). *Retrospective study of inmate suicides in the Correctional Service of Canada (April 1, 1992 to March 31, 1996)*. Health Services, Correctional Service of Canada.

- CANADA: Final report on 66 suicides that occurred in the Correctional Service of Canada (CSC) from April 1, 1992 to March 31, 1996. Method: examined suicide investigation reports; psychological reviews completed as part of the investigation; progress summaries; incident reports; and follow-up telephone conversations. Many characteristics of those who committed suicide are similar to the profile of all offenders (e.g., Caucasian, 30-39, single, French, high school education, incarcerated for robbery or murder, history of extreme violence, alcohol/drug abuse). Male Aboriginal suicide rate within CSC is

slightly below the expected level based on proportionate representation in the on-register population (although approximately 12% of CSC inmates are Aboriginal, the suicide rate for Aboriginal inmates is approximately 8%). Identifies trends that emerged over the 4-year period that may be useful in the Service's suicide awareness, prevention and education programs (e.g., majority had been transferred within 6 months, had negative or isolated relationships in institution, demonstrated no signs of suicidal intent). Outlines recommendations targeting these findings and addressing suicide awareness and prevention. Results support need for any suicide risk assessment used within CSC to include factors such as: family background, parental substance abuse; childhood physical or sexual abuse; mental health status, depression; and infectious disease status. The highly idiosyncratic nature of suicide reinforces the fact that dynamic strategies hold the most promise for suicide prevention: careful observation; quick referral to professional staff; and effective intervention. The key to suicide prevention is capable, aware, motivated and properly trained correctional staff with a proactive administration.

Lane, P., Bopp, M., Bopp, J., & Norris, J. (2002). *Mapping the healing journey: The final report of a First Nation research project on healing in Canadian Aboriginal communities*. Aboriginal Peoples Collection, Aboriginal Corrections Policy Unit, Solicitor General Canada.

- CANADA: Research aimed at uncovering the rich experience of Aboriginal communities' healing processes and programs. Designed to look at the whole question of personal, family and community healing as it relates to the cultural, economic, political and social renewal of Aboriginal communities. Provides an integrative perspective with which to understand a very diverse and complex process. Developed a type of "map" of the "territory" covered by personal and community healing work. Primary data source: Aboriginal practitioners and community programs within six project sites. In-depth consultations were held with community program leaders, key volunteers and the core healing teams of each of the communities: Eskasoni First Nation, Cape Breton Island, Nova Scotia; Esketemc First Nation, otherwise known as "Alkali Lake", in British Columbia; Hollow Water First Nation in southeast Manitoba; Mnjikaning First Nation, at Rama, Ontario; Squamish First Nation near Vancouver, British Columbia; and Waywayseecappo First Nation in southwestern Manitoba. The research process was designed to answer questions organized in three clusters of questions: What is healing? What is the healing journey? What is the healing future? Community healing process goes through four distinct stages: journey begins; gathering momentum; hitting the wall; and, from healing to transformation. Provides recommendations for communities in recovery.

Langan, P.A. (1991). *Race of prisoners admitted to state and federal institutions, 1926-1986*. Office of Justice Programs, Bureau of Justice Statistics, U.S. Department of Justice.

- USA: Documents racial composition of U.S. prisoners in state and federal institutions on a year-by-year and state-by-state basis from 1926 to 1986. Highlights long-term growth in the size of the black prison population from 21% in 1926 to 44% in 1986 in spite of only a 2% change in the size of the black community in the general population. The percentage of other races considered together (Asians, Alaska Natives, American Indians, and Pacific Islanders) remained fairly stable at 1% of admissions. Overall admissions to state and federal prisons changed significantly increasing from 36 per 100,000 population in 1926 to 63 per 100,000 population in 1986 for whites and from 106 in 1926 to 342 in 1986 for blacks, while decreasing from 62 in 1926 to 17 in 1986 for other races including Aboriginals.

LaPrairie, C. (2002). "Aboriginal over-representation in the criminal justice system: A tale of nine cities". *Canadian Journal of Criminology*, 44(2), 181-208.

- CANADA: Explores the potential contribution of nine cities to the over-representation of Aboriginal people in the criminal justice system. The nine cities are large urban areas known in Statistics Canada terms as Census Metropolitan Areas (CMA's): Halifax, Montreal, Toronto, Thunder Bay, Winnipeg, Regina, Saskatoon, Edmonton, and Vancouver. Analyzes data from Statistics Canada, Department of Indian Affairs and Northern Development (DIAND), Canadian Centre for Justice Statistics (CCJS) and Correctional Services Canada (CSC) on Aboriginal offenders and over-representation and other Aboriginal criminal justice research. Explores a number of theoretical concepts such as social disorganization and social learning theory. Advantage and disadvantage are disproportionately distributed in urban centres across the country. The nine cities are grouped into high, medium and low "contribution to over-representation" cities based on the demographics of their Aboriginal populations. Suggests that more research is required to understand how advantage and disadvantage are bestowed on reserve and, by implication, on urban Aboriginal populations. Regional variation of over-representation of Aboriginal people: 0 for Prince Edward Island and Quebec; 1.5 to 2 times higher than expected in Nova Scotia and Newfoundland; 5 times in British Columbia; 7 times in Manitoba; 9 times in Alberta and Ontario; and 10 times in Saskatchewan. Aboriginal over-representation within the federal prison population has grown from 11% to 17% from 1991/92 to 1998/99 respectively. Location of offending: 54% of Aboriginal youth lived in a city during the two years prior to the current admission. Characteristics of offenders: Adult Aboriginal offenders are generally younger, have less education, and are more likely to be unemployed than are non-Aboriginal offenders (Boe, 2000; Trevethan, 1993). In a 1999 one day snapshot of Aboriginal youth in custody across Canada, three-quarters of the youth were First Nations (83% Status Indian, 16% Métis, 3% Inuit and 2% Inuvialuit). Status Indians comprise only 50% of the total Aboriginal populations in these cities (41% in Halifax and Montreal, 75% in Thunder Bay and 65% in Regina). Research findings suggest that Status or Registered Indians are over-represented in the incarcerated Aboriginal population. On most socio-economic variables, the Registered Indian group is "below" the total Aboriginal group mean scores but there is considerable city-by-city variation. There is also considerable variation in the range differentials for participation rate, age below 24, complete post secondary education, and lone parent indicators.
Aboriginal and non-Aboriginal population comparisons: non-Aboriginal population is generally more advantaged than Aboriginal; Aboriginal population is generally more advantaged than the Registered Indian one, except in Eastern Canada; regional disparities are more extreme for Aboriginal than non-Aboriginal population; and non-Aboriginal population across the country is more homogenous than Aboriginal.
Comparing high, medium and low "contributor to over-representation" cities: characteristics that distinguish high contribution cities from low and medium ones are the nature and size, age, educational attainment, income, employment, and family structure of their respective Aboriginal populations. Another overriding characteristic about high contribution cities not identified is the degree of Aboriginal population concentration in their inner cities. Most important finding is that if one is Aboriginal and living in a city, the degree of advantage or disadvantage one experiences is related to the geographic location of that city. Collective efficacy and social capital theories would suggest that it is social and economic organizations and related structures of advantage or disadvantage that affect people's lives and dictate crime and disorder, both on reserve and in city neighbourhoods. A better understanding of the regional distribution of inter-group Aboriginal and Aboriginal/non-Aboriginal advantage and disadvantage also allows for a better understanding of regional variation in levels of over-representation, and for determining the policies and programs that will enhance social capital for the most disadvantaged individuals, families, and communities.

LaPrairie, C. (1999a). "Sentencing Aboriginal offenders: Some critical issues". In J.V. Roberts and D.P. Cole (eds.) *Making sense of sentencing* (p 173-185). Toronto: University of Toronto Press.

- CANADA: Literature review addressing the role that sentencing plays in generating high Aboriginal incarceration rates. To understand the high imprisonment rates, must look at the incidence of crime, socio-economic and other characteristics of Aboriginal offenders, type of offences, migratory patterns, birth rates and age distributions. Higher incarceration rates for Aboriginal offenders may be justified by their longer or more serious criminal histories. Aboriginal inmates tend to receive similar or marginally shorter sentences than non-Aboriginal inmates in federal facilities, but this is not as apparent among provincial offenders. Although comparative data on prior records of Aboriginal and non-Aboriginal accused are limited, criminal record is likely one factor in determining the severity of sentence imposed. Seriousness of the offence is another factor (larger proportion of Aboriginal offenders are incarcerated for crimes against the person). Extent to which Aboriginal people are over-represented in prison varies across Canada (highest in the Prairies, lowest in Atlantic and Quebec). Other factors to consider: living in urban areas; population characteristics; age distributions; education; labour force participation and income. Concludes by noting that the absence of reliable and comprehensive information results to misunderstanding and misinformation of Aboriginal offenders which creates a deeper division and suspicions about the criminal justice system. Also stresses the need to conduct more research into the sentencing of Aboriginal and non-Aboriginal offenders to examine the impact of the sentencing reform law.

LaPrairie, C. (1999b). "The impact of Aboriginal justice research on policy: A marginal past and an even more uncertain future". *Canadian Journal of Criminology*, 41(2), 248-260.

- CANADA: Suggests the amount of primary and evaluation research conducted regarding Aboriginal criminal justice is minimal and argues that it should be increased. The gaps in the current body of research fall into two areas: understanding over-representation and understanding community. While there appears to be much research into over-representation, it is largely anecdotal, non-comparative, and jurisdiction specific. Solid data and analysis are required for the social and demographic characteristics of the Aboriginal population, Aboriginal and non-Aboriginal offence patterns, policies and practices of the criminal justice system as it affects Aboriginals and non-Aboriginals, and the availability of social, community, and other resources. In understanding community, three areas of research are required: ethnographic research; primary data collection into the nature and extent of crime and the availability and capability of human and other resources; and, developing and learning from Canadian Aboriginal justice programs. Concludes that the many unanswered questions about the relationship between Aboriginal people and the criminal justice system are due to a lack of understanding and adequate research and that current popular explanations (impact of residential schools and loss of cultural identity) are only a part of the complete picture.

LaPrairie, C. (1997a). "Reconstructing theory: Explaining Aboriginal over-representation in the criminal justice system in Canada". *Australian and New Zealand Journal of Criminology*, 30(1), 39-54.

- CANADA: Attempt to explain Aboriginal over-representation in the Canadian criminal justice system, using a multi-dimensional model which incorporates cultural, structural, historical and contemporary dimensions. Three possible causes of Aboriginal over-representation include: differential criminal justice system processing as a result of culture conflict and racial discrimination; higher Aboriginal offending rates; and the commission by Aboriginal people of the type of offences that are more likely to result in incarceration. A fourth factor, criminal justice policies and practices that have a differential impact on Aboriginal offenders due to their socio-economic conditions, also contributes to the over-

representation. A decline in interdependency in Aboriginal communities has come about as the result of historical processes, as well as cultural dislocation and the decline of informal mechanisms of social control. Three factors are most conducive to a crime problem: large group of marginalized and non-integrated people in communities because of the uneven distribution of resources; reserves are not generally integrated into mainstream society and the resulting alienation is most prominent in those with the fewest connections to mainstream society; and exposure to dysfunctional family life and childhood abuse have profoundly negative effects on individual development.

LaPrairie, C. (1997b). *Seeking change: Justice development in Laloche*. Policy, Planning and Evaluation Branch, Saskatchewan Justice.

- CANADA: Provides a picture of community life in the primarily Dene Village of LaLoche, Saskatchewan and identifies critical developmental issues for the Community Justice Development Worker Project (CJDWP) and an alternative measures program managed by the Community Development Corporation (CDC). In 1996, 60% of the population of Laloche was 24 years of age and under (versus 39% in Saskatchewan as a whole), labour force participation for those 15 years and older was 32%, and 62% of the over 15 population completed school to a maximum of Grade 9. At almost 5 times that of the province, the 21.6 rate of alcohol psychosis and alcoholism is almost 5 times that of the province. The crime rate was 55,211 per 100,000 population (provincial rate of 10,017 in 1995) with personal offences and failure to appear/comply as the most common *Criminal Code* offences. Offenders are young males (50% are 18-24 years of age), poorly educated (78% grade 9 or less), and unemployed (87%). Fines are the most commonly used disposition (62%), followed by incarceration (24%). In total, there were 124 offenders admitted to detention, 91 to probation, and 65 to remand. Recommendations are made with respect to clarifying goals, activities and relationships of the CDC and roles, responsibilities, objectives and timeframes for the CJDWP. Provides guidelines for establishing a formal Alternative Measures Program.

LaPrairie, C (1995). "Altering course: New directions in criminal justice - Sentencing circles and family group conferences". *Australian and New Zealand Journal of Criminology*, 28, 78-99.

- CANADA: Preliminary exploration of two new approaches in criminal justice which have importance implications for indigenous and Aboriginal communities - sentencing circles in Canada and family group conferences in Australia. Discusses emergence of restorative justice and discusses within new paradigm of justice. Creation, theory, principles and procedures of two approaches are described and some critical evaluation questions are identified. Examines role of victims in sentencing circles and family group conferences and discusses some victim responses to new initiatives. Argues that sentencing circles and family group conferences will have to prove themselves before declaring success in redressing concerns with the mainstream criminal justice system upon which the restorative justice movement is based, while, at the same time, recognizing the merit in exploring new approaches.

LaPrairie, C. (1994a). *Seen but not heard: Native people in the inner city. Report 1: The inner city sample, social strata, and the criminal justice system*. Department of Justice Canada.

- CANADA: First of 3 reports about Aboriginal people in the inner cities of 4 large urban centres and the disproportionality of Aboriginal people incarcerated in correctional institutions. Describes the sample, the inner city social strata, and the response of the criminal justice system to Aboriginal offenders and victims as well as their perceptions of the system. Debunks a long-held assumption that Aboriginal people are equally at risk for the commission of crime and criminal justice processing by identifying 3 distinct groups:

Inner 1 (those at street level - using soup kitchens, shelters, drop-ins, and on the street), Inner 2 (those attached to social and justice agencies), and Outer (those with addresses outside the inner city). As the most disadvantaged and marginalized, 95% of Inner 1 males and 83% of females have been charged with a *Criminal Code* offence, compared to 91% of Inner 2 males and 67% of females (a group considered in transition), and 82% of Outer males and 52% of females (most advantaged group and involved in systems of social control). Overall, the inner city people are poorer, less skilled, and less educated than other Canadians, Aboriginal and non-Aboriginal alike. While the majority of Aboriginals believe they are treated fairly by police, courts, and the criminal justice system, there are perceptual differences between those living in cities and those on reserves. Concludes that Aboriginal people involved in the criminal justice and correctional systems are not a homogeneous group and that reducing the involvement of the study group is required to reduce the involvement of Aboriginal people as a whole. Identifies possible approaches in the areas of crime prevention, provision of services, and the criminal justice system, primarily policing.

LaPrairie, C. (1994b). *Seen but not heard: Native people in the inner city. Report 2: City-by city differences - The inner city and the criminal justice system.* Department of Justice Canada.

- CANADA: Second of three reports expands on concepts developed in the first report and examines whether differences in the treatment and response of the criminal justice system, and/or in offending patterns, in the inner cities of Edmonton, Regina, Toronto, and Montreal, explain the variation in east/west Aboriginal correctional levels. The interaction of certain factors, such as social and economic position, education and employment levels, alienation from the community, family, and friends, length of time living in the city, and the level of female victimization, predict the degree of involvement in the criminal justice system. While charging and types of charges laid are similar, the higher levels of Aboriginal incarceration in western cities is due to the fact that the Aboriginal population is more marginalized with little education and employment and few skills. They reside longer in cities and come from highly disruptive families. Changing the circumstances that propel Aboriginal people into the criminal justice system and altering the physical, spatial and emotional/spiritual conditions in which they live are essential to reducing their overall involvement in the system.

LaPrairie, C. (1994c). *Seen but not heard: Native people in the inner city. Report 3: Victimization and family violence.* Department of Justice Canada.

- CANADA: Last of a series of 3 reports, examines the victimization of Aboriginals in inner cities. Includes a literature review on family violence and victimization. Almost 75% of the sample experienced family violence in childhood, 25% of the most severe kind. About one-half (46%) experienced child abuse, 50% witnessed spouse abuse, and 20% experienced child sexual abuse (2/3 by females). Two-thirds of the sample experienced a victimization (varies by gender and location), more than 50% of which resulted in serious injury, compared to 10% of the Canadian population. Concludes that typical family violence solutions are designed for more affluent groups and ignore the extent of the need of this group. Identifies two options for responding to this violence: change the childhood conditions in which many Aboriginals live and community conditions which create problems in the first place; and, reduce the social and economic marginality of this groups as adults.

LaPrairie, C. (1992). "Aboriginal crime and justice: Explaining the present, exploring the future". *Canadian Journal of Criminology*, 34(3/4), 281-298.

- CANADA: Identifies themes, sets parameters and establishes conceptual guidelines for articles in a special issue devoted entirely to questions of Aboriginal criminal justice. Australian criminologist, John Braithwaite's, book entitled, *Crime, Shame and Reintegration* (1990) is used to introduce some of the more prominent considerations in Aboriginal criminal justice such as "shame" and "healing", "informal justice" and "communal values". Braithwaite's theory is based on the use of shame in preventing crime and on the dual processes of shame and reintegration in responding to it. Success of the approach depends upon the existence of communitarianism, interdependency, and cultural homogeneity within the group. Contemporary Aboriginal communities may be adopting more individualistic values and looking to formal structures to resolve personal problems. Braithwaite concludes that Aboriginal people could be on the leading edge of change in criminal justice in considering new justice initiatives which: use shame "potently and judiciously"; integrate rather than stigmatize offenders; recognize the need to redress power imbalances; and rely on enhanced family and community institutions to sustain them.

LaPrairie, C. (1990). "The role of sentencing in the over-representation of Aboriginal people in correctional institutions". *Canadian Journal of Criminology*, 32(3), 429-440.

- CANADA: Discusses meaning and causes of Aboriginal over-representation (differential treatment, differential commission of crime, differential offence patterns). Examines the criminal justice processing explanation and argues the need to redirect the issue to social, political and economic spheres. **Police decision-making:** difficult to point to differential police charging and arrests as the basis for the disproportionate incarceration rates (Bienvenue & Latif, 1974 - found over-surveillance of Aboriginal people by police); critical information gap (are Aboriginal people being differentially arrested and charged, over-policed, investigated differently, are there differences among types of police forces, is there geographic variation in police response). **Judicial decision-making - unwarranted disparity in dispositions:** Dubiński & Skelly (1970) found relatively fair treatment of Indian accused except in the area of regulatory offences; Hagan (1977) found more severe sentencing of Aboriginal people in rural areas; Boldt, Hursh, Johnson & Taylor (1983) found no evidence of harsher or more lenient sentencing. These findings provide no definitive answers to the question of racial bias or unwarranted disparity in sentencing Aboriginal people - more data are necessary. **Judicial decision making - unwarranted disparity in sentence lengths:** shorter sentence lengths for Aboriginal offenders (Canfield & Drinnan, 1981; Hagan, 1974; Hylton, 1981; Schmeiser, 1974), perhaps reflecting the fact that they received custodial sentences for less serious offences. Moyer (1987) found Aboriginal homicide offenders received less severe sentences than non-Aboriginal offenders for same offence categories. Bonta (1989) found no significant differences between average sentence lengths for Aboriginal and non-Aboriginal offenders even when controlling for criminal history. Discussion: need more empirical data; sentencing of Aboriginal people must account for factors (cultural, historical, political, social, economic, and geographic) that have created a particular identity and environment for Aboriginal groups in Canada.

LaPrairie, C. (1989). "Some issues in Aboriginal justice research: The case of Aboriginal women in Canada". *Women & Criminal Justice*, 1(1), 81-91.

- CANADA: Presents an explanatory model relating to involvement of Aboriginal women in the criminal justice system. Context is over-representation of Aboriginal people in Canadian criminal justice system. Argues for the need to take a broader multi-disciplinary approach to the theoretical issues of Aboriginal criminality and develop a more complete database to better understand the dimensions of the problem. Conclusion: commitment

required to know the exact nature and scope of the problems within broader context of colonization and underdevelopment so that real needs of Aboriginal people in conflict with the law be met.

LaPrairie, C. (1984). "Selected criminal justice and socio-demographic data on native women". *Canadian Journal of Criminology*, 26(2), 161-169.

- CANADA: Examines the involvement of Native Woman in the criminal justice system. Aboriginal women are over-represented in the criminal justice system, both federally and provincially/territorially. According to Bienvenue and Latif (1974), Aboriginal women committed twice the number of offences against the person as did their male counterparts. Aboriginal women are severely disadvantaged in the social and economic arena. LaPrairie stressed program and policy makers to look at the social and economic conditions of Aboriginal women in order to understand and address the needs of Aboriginal women who are in the criminal justice system. The lack of information on the effects of loss of status, off-reserve migration, and urban-rural living, makes it difficult to confront many of the problems facing Aboriginal women, particularly those women involved in the criminal justice system.

LaPrairie, C. & Diamond, E. (1992). "Who owns the problem? Crime and disorder in James Bay Cree communities". *Canadian Journal of Criminology*, 34(3/4), 417-434.

- CANADA: Examines the "ownership" of crime and disorder, specifically relating to the James Bay, Quebec Cree communities. Distinctly Aboriginal communities (on-reserve, where Aboriginals are a majority) absorb much of their own justice problems whereas Aboriginal offences committed off-reserve (where Aboriginals are a minority) are more likely to be owned by the criminal justice system. Each of these types of communities has a distinct set of justice problems. A lack of information, knowledge, and understanding about the criminal, family, and civil justice systems and the fact that only a small proportion of crime and disorder problems end up in formal court are primary issues on-reserve. While the proportion of crime and disorder may be the same on- and off-reserve, there is not the same community "cushion" and more Aboriginal accused are formally processed and appear in court off-reserve. Compared to 85% in Val d'Or, in the James Bay Cree communities, only about 1/3 of reported criminal or potentially criminal offences were officially recorded, with 12% of those proceeding to court. Four factors contribute to on-reserve community ownership: attrition (of 2,500 reports to police, 900 occurrence reports were generated, with only a few proceeding to a charge because of the frequency with which victims wanted to drop charges or withdraw complaints); the nature of crime and disorder (very high proportion of interpersonal incidents); the characteristics and repetition of offenders (single males 17-25 years old, with limited education and skills and a small number offenders accounting for the majority of offences at a rate of 3.2 offences per offender per year); and the large range of variation in the communities (geography, populations, education, skill and experience levels, local interest in justice issues) making standardized justice unfeasible. These factors, along with the decline in traditional practices of social control and the desire of the Cree to reinstate these practices point to the fact that the external justice system can only play a limited role in dealing with on-reserve crime and disorder. Establishment of community-based justice initiatives on-reserve and a re-examination of sentencing practices combined with new community sensitive approaches, such as intermediate sanctions, off-reserve are recommended. Community-based justice may also be useful to non-Aboriginal communities which share kinship, small size, and remoteness characteristics, in which greater control over justice matters may be more effective.

LaPrairie, C., Mun, P., & Steinke, B. (1996). *Examining Aboriginal corrections in Canada*. Aboriginal Peoples Collection. Aboriginal Corrections Policy Unit, Solicitor General Canada, APC 14 CA.

- CANADA: Review of literature about the state of Aboriginal corrections. **Use of imprisonment:** Canada relies on imprisonment more than many other countries; variables which influence the use of imprisonment include criminal justice and societal; majority of sentences are less than 6 months; crime increases from east to west; Prairies have most marginalized Aboriginal populations and consistent use of imprisonment for life-style related offences. **Who goes to prison:** not always those who have committed serious crimes - also catch-basins for social problems, chronic minor offenders, those the public deems most in need of punishment, and property offenders; disproportionality of certain socially and economically marginalized racial groups such as blacks and Aboriginal people. **Aboriginal offenders, offending and imprisonment:** Aboriginal and non-Aboriginal offenders share attitudes, peer group support and personality factors that promote the commission of crime are similar and shaped by family background, poverty, school experiences, exposure to violence and isolation from opportunities, options and other factors that influence the adoption of pro-social attitudes. They differ on culture, geography and exposure to mainstream society. Aboriginal offenders are disproportionately represented in most provincial/territorial and federal populations; greatest in 3 Prairie provinces. Also disproportionately represented in admissions for violent offences, particularly in federal institutions, for which they are also receiving shorter sentences. They are generally younger, have more prior contact with criminal justice system, come from more dysfunctional backgrounds, higher rate of offending, and commit more offences that typically result in imprisonment. **Explaining Aboriginal over-representation:** decline in interdependency among people in Aboriginal communities which has come about as the result of historical processes which have reproduced mainstream social structure without accompanying institutional development. This has been exacerbated by cultural dislocation and the decline of informal mechanisms of social control. The end result is socially stratified communities. Three factors are most conducive to a crime problem: large group of marginalized; reserves are not generally integrated into mainstream Canadian society; and, exposure to dysfunctional family life and childhood abuse. **Programming for Aboriginal inmates** - principles of effective programming: proper administration and implementation of programs, sound conceptual model of criminality, recognition of individual differences, targeting criminogenic needs, and style and mode of treatment must correspond to the learning characteristics of offenders. Needs of females have not adequately been reflected. Lack of information on value of mainstream programs for Aboriginal offenders; need to evaluate: whether objectives have been met, offender interest and involvement in programs, offender's institutional behaviour, linking of cultural programs with other institutional programs, re-offending, potential for inmate to continue with programs when released, offender's ability to integrate into family and community, community support and recognition of cultural/spiritual change in offender, community support for content of cultural/spiritual programming, and offender participation in programs. **Correctional personnel and inmate survey results:** provincial offenders were younger and have more previous incarcerations than federal offenders; federal offenders had more access to programs; employment and education considered the greatest needs and alcohol the greatest problem. Not enough programs in institutions and not enough community programs upon release. Differences between correctional personnel and inmate perceptions about levels of release, security classification, adequacy of assessments, family support and family problems, and Aboriginal participation in non-Aboriginal programming. Agreement on need for more programs inside and outside institution, use of Aboriginal program people, limited qualifications of staff, and lack of community support. **Four R's - risk, release, recidivism and reintegration:** Aboriginal offenders less likely than non-Aboriginal to receive full parole (but more TAs), but seriousness of offences appear to explain the differential full parole release rates. Higher Aboriginal recidivism rates. Reintegration of

offender into community where the community provides support and assistance should be a major focus of correctional policy. Positive effects of institutional programs are wasted if follow-up programs are not available in the community. **Where do we go from here:** reduction in reliance on imprisonment is most likely to occur with sweeping systemic changes whereby both legal and administrative capacities are aimed at increasing the use of intermediate sanctions. Other: use of diversion programs and decriminalization of certain offences; comprehensive community corrections act; permanent sentencing commission.

LaRocque, E.D. (1994). Violence in Aboriginal communities. Catalogue No. H72-21/100-1994. Report prepared for Health Canada.

- CANADA: Issue of domestic violence in First Nations and Métis communities is one that demands urgent study and action. There is every indication that violence has escalated dramatically. Paper focuses on family violence as it affects Aboriginal women, teenagers and children, paying special attention to sexual violence within the Aboriginal community. Paper addresses: women's perspectives on factors that generate and perpetuate domestic violence; and, strategies proposed to reduce and eliminate violence.

Law Courts Education Society of British Columbia (1994). *First Nations Journeys of Justice: A curriculum for kindergarten to grade seven.*

- CANADA: Curriculum developed for students - teaches concepts and practices of justice from the perspective of First Nations ways of knowing.

Linden, R. (1998). *Making it work: Planning and evaluating community corrections and healing projects in Aboriginal communities.* Solicitor General of Canada, 1-73.

- CANADA: Includes chapters comparing conventional and restorative justice approaches; planning community corrections and restorative justice programs; identifying and describing justice problems and needs; developing and carrying out action plans; and monitoring and evaluating programs. Also describes the necessary evaluation criteria for restorative justice programs and how important it is to select the right outcome measures. Such measures for victims include satisfaction with the process, whether or not victims have a major role to play in the process, whether victims feel less fearful and do they feel they have been treated fairly. Some outcome measures for offenders include whether they are less likely to be imprisoned, whether they are given the opportunity to participate in the justice process, whether they are encouraged to change their behaviour, and whether or not they receive sufficient community support.

Loh, S. (1990). *Population projections of registered Indians, 1986-2011.* Statistics Canada.

- CANADA: Findings indicate that growth rate of the registered Indian population is likely to remain high until 1990 (between 5-7%), but then fall to 0.8-1.8% in 2011. In addition, the Aboriginal population will grow at a faster pace than the total population of Canada with 63% living on reserves and 37% living off reserves in 2011.

Long, R., & Cowie, R. (1999). "Tuberculosis: 4. Pulmonary disease". *Canadian Medical Association Journal*, 160(9), 1344-1349.

- CANADA: Case studies on patients with pulmonary TB disease. Cases of pulmonary TB are usually found in groups that are high risk of carrying the tubercle bacillus in a dormant form, notably Aboriginal people, foreign-born people from countries with a high prevalence of TB, poor and homeless people from the inner city, and elderly people.

MacDonald, M.P. (1997). "Perceptions of racism in youth corrections: The British Columbia experience". *Canadian Journal of Native Studies*, 17(2), 329-350.

- CANADA: Examined experience of Native youth in British Columbia with the criminal justice system. Interviewed 45 Native youth and 35 senior correctional managers, and examined youth correctional files, social worker reports, probation reports, incident reports, victim impact statements and pre-disposition reports. Found that, similar to their adult counterparts, Native youth have been identified as experiencing differential treatment within the youth justice system in Canada. Native youth and correctional senior management in BC felt racist attitudes and behaviours were not overtly present. However, most Native youth in BC's correctional facilities had lengthy histories of physical, sexual, emotional and substance abuse. Native youth experienced discrimination at different levels of the criminal justice system, most from foster home placements. To improve their health and dysfunction's, suggest that effective prevention strategies must address the social needs of Native youth, provide them with life skills, employment training and education.

Mail, P.D., & Johnson, S. (1993). "Boozing, sniffing, and toking: An overview of the past, present, and future of substance use by American Indians". *American Indian and Alaska Native Mental Health Research*, 5(2), 1-33.

- USA: Overview of Indian peoples, alcohol misuse, and the prevalence of drug and inhalant experiences. Looks at the survival of the American Indians, beginning with the historical and then sketching out the magnitude of the present problem and future directions for solutions and interventions. Substance abuse is a universal problem but is more problematic for American Indians. Alcohol is among the top ten leading causes for American Indians mortality (includes heart disease, accidents, cancer, diabetes, pneumonia, homicide, suicide, cirrhosis and intentional injuries). The high mortality and morbidity rates demand solutions and intervention from the Indian Health Services and Bureau of Indian Affairs. Using multidisciplinary approaches is recommended to avoid or reduce the risk for Amerindians youth's becoming vulnerable to alcohol and drugs.

Mailloux, L., & Gillies, P. (2001). Inuit health information initiative: Discussion paper. Prepared for Pauktuutit Inuit Women's Association and Inuit Tapirisat of Canada.

- CANADA: Goal of discussion paper is to assist Inuit Tapirisat of Canada (ITC), Inuit communities and the Canadian government to move forward in developing an Inuit-specific health information model that fully addresses the needs of Inuit, and supports their interests as a nation. Highlights issues that Inuit communities and decision-makers should consider when evaluating their roles and responsibilities in the collection, management and reporting of health information. Three principles guide this paper: Inuit ownership and control of data collected on them should be determined by them; health depends on a multitude of factors as reflected in the holistic Inuit worldview, the principle of Inuuqatigiitiarniq; and Inuit health issues are unique and distinct from those of First Nations. A 1999 ITC consultation indicated that 75% of Inuit interviewed responded that promoting a holistic approach to health and well-being was one of their top priorities. Health information management systems need to be harmonized in the North. Two challenges must be met:: existing data collection systems need to be harmonized across regions and jurisdictions; and traditional Inuit knowledge, practices and values must be welcomed into the modern medicine in the North and reflected into the Inuit health infostructure. Protocols must be developed to address issues of access, privacy, confidentiality, liability and security of data. Need to establish a comprehensive, region specific, capacity-building strategy to ensure that Inuit communities are able to fully participate in the decision-making process. Need to develop an Inuit-specific and controlled Health Infostructure and Research Agenda that will truly meet their needs. Outlines recommendations in 6 key areas: capacity-building; harmonization and

collaboration; data ownership, control and access; traditional knowledge; research; and, infrastructure.

Malchy, B., & Enns, M.W. (1997). "Suicide among Manitoba's Aboriginal people, 1988 to 1994". *Canadian Medical Association Journal*, 156(8), 1133-1139.

- CANADA: Compared characteristics of suicides among Aboriginal and non-Aboriginal people in Manitoba between 1988 and 1994 using a retrospective review of suicides based on an analysis of records held by Office of the Chief Medical Examiner. Age-standardized suicide rates were 31.8 and 13.6 per 100,000 population per year among Aboriginal and non-Aboriginal people, respectively. Mean age of Aboriginal people who committed suicide was 27 years, compared to 44.6 years for non-Aboriginal people. Blood alcohol levels at the time of death were a mean of 28 mmol/L among Aboriginal people and 12 mmol/L among non-Aboriginal people. Before their death, 21.9% of non-Aboriginal suicide victims had sought psychiatric care compared to 6.6% of Aboriginal suicide victims. Although the suicide rate was higher among Aboriginal people living on reserve than among those living off reserve (52.9 v. 31.3 per 100,000 per year), both of these rates were substantially higher than the overall rates among Aboriginal people. No significant differences in mean age, sex, blood alcohol level and previous psychiatric care among Aboriginal people who committed suicide living on and off reserve.

Mals, P., Howells, K., Day, A., & Hall, G. (1999). "Adapting violence rehabilitation programs for the Australian Aboriginal offender". *Journal of Offender Rehabilitation*, 30(1/2), 121-135.

- AUSTRALIA: Examine issue of whether the needs of Aboriginal offenders are met in existing programs for violent offenders. Conducted semi-structured interviews with 14 (10 of Aboriginal decent) human service workers with experiences relevant to rehabilitation programs for Aboriginal offenders (asked how cultural differences might impact on program delivery and how programs could be made more responsive to Aboriginal needs). General agreement that male offenders suffered from low self-esteem, feelings of frustration, anger and powerlessness, however, these feelings were less marked in remote communities. Violence was viewed by most of the participants as a learned response to deal with conflicts. Participants were unanimous in their view that the majority of victims of Aboriginal violence were other Aboriginal peoples with the contextual factors predominantly being inter-family feuds, jealousy within intimate relationships, and alcohol intoxication. Mixed views as to whether it would be more beneficial to segregate treatment groups into Aboriginal and non-Aboriginal, but general agreement that there was a strong advantage to using Aboriginal facilitators. Agreed that prison-based programs would not be effective alone as the Aboriginal offender would be divorced from the broader community.

Manitoba Corrections (2000). Gang intervention program framework and strategy: A proposal. Manitoba Department of Justice.

- CANADA: Manitoba, and specifically Winnipeg, has a unique ethnic makeup of Aboriginal street gangs that have experienced tremendous growth in the last decade. The Manitoba Department of Justice researched and developed the Manitoba Corrections Gang Intervention Program. This program complements the gang management methods already in place in correctional institutions. The committee's goal: to develop a structured, comprehensive program that addresses (criminogenic) needs specific to gang members. Targets the pro-criminal lifestyle, anti-social values and attitudes common to gang members. Designed to motivate and facilitate gang member disassociation from their active criminal involvement as part of a street gang and promote a system supported adoption of pro-social attitudes, values, and behaviour. Identifies seven guiding principles and four key components that situate the gang problem as part of a larger socio-economic problem. The program developed consists of 4 key components: primary and secondary

criminogenic needs; cultural/spiritual teachings; work; and, community resource and continuity of service.

Manitoba Métis Federation (2001). Community needs assessment for Métis offenders in Manitoba. Research Report R-111, Correctional Service of Canada.

- CANADA: Needs assessment in Winnipeg to obtain a sense of what needs Métis inmates and their families have, and what services they would find most supportive for successful reintegration. **Method:** survey of Métis inmates, family members and community representatives; examination of survey providers. **Findings:** need to develop supports and services that are Métis-specific (e.g., Métis presence in operating correctional facilities and parole services; Métis-specific programming; family and Elder visitation programs; stronger presence of Métis culture and spirituality; during incarceration and after release, Métis inmates and their families need support if the probability of successful reintegration is to be enhanced; incarcerated offenders and families typically have multiple deficits, dealing with such a complex constellation of problems would best be approached through participation in a Métis-operated healing centre.

Mason, R. (2000). The healing of Aboriginal offenders: A comparison between cognitive-behavioural treatment and the traditional Aboriginal sweat lodge ceremony. Master's Thesis, University of Saskatchewan, Saskatoon, SK.

- CANADA: Examines experiences of federal Aboriginal offenders who attended cognitive-behavioural programming and the traditional Aboriginal Sweat Lodge ceremony as part of their healing while incarcerated in a forensic psychiatric hospital with the Correctional Service of Canada. Method: interviewed 11 respondents using qualitative semi-structured interviews in accordance with a "Grounded Theory" protocol (Glasser & Strauss, 1967). Investigates differing acculturation/deculturation levels of participants and the relation or impact that this has on the reported experience in either treatment approach. Results revealed that respondents saw both of these treatment approaches as having interesting points of parallel but, by far, there were more differences than similarities. Respondent comments uncovered strengths and weaknesses of both treatment approaches revealing insights into areas requiring address. Provides directions for future research, suggestions and recommendations with the intent of enhancing each approach so that the efficacy of correctional programming with Aboriginal offenders will be sensitive and responsive to the needs of its client population.

*Mauser, G.A. & Holmes, R.A. (1992). "An evaluation of the 1977 Canadian firearms legislation". *Evaluation Review*, 16(6), 603-617.*

- CANADA: Examines impact of 1977 firearms legislation which amended the *Criminal Code* by increasing penalties for anyone convicted of firearms misuse and strengthened registration requirements. Pooled cross-section, time-series model was used for data sets consisting of unemployment rates, percent Status Indian, percent immigrant, percent male youth and clearance rate for homicides (data from 9 provinces, 1968 to 1988). Results indicated that the firearms legislation did not have a significant effect on homicide. Found that Native Indians were disproportionately represented among murder suspects. Also found that the more Status Indians living in a province, the higher the rate of homicide. Finally, unemployment was found to be a powerful social factor in homicide rates indicating that when unemployment is higher, homicide rates are conversely so.

May, P.A., & Van Winkle, N. (1994). "Indian adolescent suicide: The epidemiological picture in New Mexico". *Journal of the National Center Monograph Series*, 4, 2-34.

- USA: Examines data from 31 years of suicide mortality experience among young American Indians (<30) in New Mexico. Suicide rates among American Indians reached a plateau in the late 1970's and began a slight decline in 1982-1986. Navajo youth suicide rate has risen over the years, while the rates among Apache and Pueblo haven't. Nevertheless, the rates of all groups remain too high (Apache and Pueblo are 3 times the U.S. rates). Highest rates generally occur in the ages 20-29 rather than in younger age groups. Indian females have substantially lower rates of suicide death than males. Most youth suicides continue to be reservation residents who kill themselves around their residences. Youthful suicides are most common on weekends, in 1st and 3rd weeks of the month and in late evening or early morning. Currently there are fewer suicides in the spring and more in the fall, possibly related to school.

McCormick, R.M. (2000). "Aboriginal traditions in the treatment of substance abuse". *Canadian Journal of Counselling*, 34(1), 25-32.

- CANADA: Describes traditions and philosophy behind successful substance abuse treatment strategies used by Aboriginal people in Canada. Drugs and alcohol are used to deal with anxiety and pain associated with centuries of cultural dislocation. Obstacles to mainstream treatment approaches include shame and embarrassment in admitting to problems of drug and alcohol abuse and trust and intimacy issues. Research demonstrates that cultural breakdown is strongly linked with alcohol abuse (Duran, 1995; York, 1990). "Connections" have been stressed in this paper: connection to traditional Aboriginal culture and values, meaning, extended family, community, spirituality and identity. Conclusion: "culture is treatment". It is essential that both researchers and practitioners recognize this connection and incorporate culture into the field of Aboriginal substance abuse treatment.

McCormick, R. (1995). "The facilitation of healing for the First Nations people of British Columbia". *Canadian Journal of Native Education*, 21(2), 251-322.

- CANADA: Explores the facilitation of healing for First Nations people living in B.C. in order to develop a comprehensive scheme of categories that will describe what facilitates healing from a First Nations perspective. Involved interviews with 50 First Nations adults. Results indicate that healing can be facilitated by: participation in ceremony, expression of emotion, learning from a role model, establishing a connection with nature, exercise, involvement in challenging activities, establishing a social connection, gaining an understanding of the problem, establishing spiritual connection, obtaining help or support from others, self care, setting goals, anchoring self in tradition, and helping others. An effective healing program for First Nations people would invoke empowerment, cleansing, balance, discipline, and belonging.

McCrimmon, P. (2000). *Tsow-tun-le-lum: Case study report for "Qul-Aun program"*. Prepared for the Board of Directors, Aboriginal Healing Foundation. Project Number: HC-36-BC.

- CANADA: Describes Qul-Aun Program, participants' needs, physical context, team characteristics, and short- and long-term potential achievements. Outlines how change was measured and apparent trends. Objective of the program: develop an in-patient program which provides a healing opportunity for those people who have issues caused by abuse trauma and where those issues have been contributing factors in their substance abuse relapse and their inability to deal with life stresses in the areas of self-care, parenting and relationships. One main goal is to develop lasting healing from the legacy of physical and sexual abuse from the residential school system, including inter-

generational impacts. Social indicators: sexual abuse, physical abuse, incarcerated and children in care. Group experiences were favoured when addressing matters directly related to residential school, the impact of past trauma and drug addictions. Individualized treatment was favoured when treatment addressed foster placement, identified triggers and cultural oppression. Conclusion: difficult to determine whether the program has developed lasting healing from the Legacy as this cannot be measured for a few years. Interview and program satisfaction survey reveals tremendous instant gratification that is still felt six months after completing the program.

McDonald, R.J. (1991). "Canada's off-reserve Aboriginal population". *Canadian Social Trends*, 23, 2-7.

- CANADA: Based on 1986 Census and Aboriginal Peoples Survey, describes Canada's off-reserve Aboriginal population. Examines: population distribution; age and mobility; family characteristics; Aboriginal ancestry; Registered Indians; education levels; labour force; income; urban Aboriginal population; prosperity and attitudes by province; off-reserve Indians in the United States.

McDonnell, R.F. (1992). "Contextualizing the investigation of customary law in contemporary native communities". *Canadian Journal of Criminology*, 34(3/4), 299-316.

- CANADA: Discusses the concept of customary law and its application in both ethnographic and political contexts; fundamental questions about the role of ethnography in an essentially political milieu; and issues that arose in the course of a project examining the relationship between the Crees of east James Bay and the Canadian/Quebec justice system. Concludes that community consultation processes must be instituted in a creative manner, such that the diverse concerns of contemporary native communities can find expression and that community members can reach mutually acceptable solutions to common problems.

McDonnell, R.F. (1991). "Justice for the Cree: Research in progress in James Bay". *Canadian Journal of Criminology*, 33(2), 171-174.

- CANADA: Overview of a participatory research project which examines crime and justice issues in nine James Bay Cree communities, with the intent of outlining appropriate and realistic solutions. Information on funders, researchers, and methodology is outlined.

McIntyre, L., Connor, S.K., & Warren, J. (2000). "Child hunger in Canada: Results of the 1994 National Longitudinal Survey of Children and Youth". *Canadian Medical Association Journal*, 163(8), 961-966.

- CANADA: Examined prevalence of hunger among Canadian children and the characteristics of, and coping strategies used by, families with children experiencing hunger. Data originated from the first wave of data collection for the National Longitudinal Survey of Children and Youth (1994). Included 13,439 randomly selected Canadian families with children aged 11 years or less. Respondents asked about child's experience of hunger and consequent use of coping strategies. Results: hunger was experienced by 1.2% of the families in the survey. Single-parent families, families relying on social assistance and off-reserve Aboriginal families were over-represented among those experiencing hunger. Hunger co-existed with mother's poor health and activity limitation and poor child health. Parents offset the needs of their children by depriving themselves of food.

McNamara, L. (1992). Aboriginal people and criminal justice reform: The value of autonomy-based solutions. *Canadian Native Law Reporter*, 1, 1-13.

- CANADA: Compares the recommendations of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) in Australia and the Aboriginal Justice Inquiry (AJI) of Manitoba. Key point of departure: level of autonomy which the respective reports advocate for Aboriginal peoples both in the context of the administration of justice and in the wider context of Aboriginal political status and activity. While the RCIADIC placed the fundamental problem of Aboriginal over-representation within the context of a denial of political autonomy, it clearly refrained from endorsing any significant exercises of Aboriginal autonomy in terms of the administration of justice. The AJI recommended that Aboriginal people be empowered to establish their own justice systems (every component of the justice system operational within an Aboriginal community - from police to prosecutor to court to probation to jails - must be controlled by Aboriginal people). Australian and Canadian situations are not identical. Comparison reveals underlying need to recognize that Aboriginal people are entitled to exercise a genuine degree of autonomy in all areas that affect their lives.

McShane, D., & Berry, J.W. (1988). "Native North Americans: Indian and Inuit abilities". In S.H. Irvine & J.W. Berry (eds.) *Human abilities in cultural context* (pp. 385-426). Cambridge: Cambridge University Press.

- USA: Searches for patterns of human abilities in culture areas that can be viewed as collective adaptations to particular ecological settings. Material is organized according to six regions: Arctic, Sub-Arctic, West Coast and Mountain, Central, East and Southwest. Outlines classes of explanation of Aboriginal abilities to explain test performance variation. Examined classes of explanation: ecological press as a general "regional" model; and several competing "D" models (deficit, difference, and developmental). Two conclusions: analysis of empirical results and ethnographic studies advance the hypothesis that some Aboriginal groups process information differently from Euro-Americans, and also from other indigenous peoples in contrasting habitats; although generalizations have centered on the configuration and level of performance in the visual and verbal domains, there is no evidence to confirm the validity of inferences from poor group performance in second-language verbal tests, or to suggest that specific differences lie exclusively in these areas. Alternative explanatory models would need to be set against each other in longitudinal designs that consider level of analysis, life stage, and situational boundaries to resolve any of the questions raised in this review.

Mercredi, O.W. (2000). Aboriginal gangs: A report to the Correctional Service of Canada on Aboriginal youth gang members in the federal corrections system. *Aboriginal Issues Branch, Correctional Service of Canada*.

- CANADA: Review of the program needs of "Aboriginal youth gang members" in the federal correctional system and makes recommendations on program needs and direction. Report is based on oral submissions made by Aboriginal offenders and Elders. Issues: labeling is counter-productive; need to recruit Aboriginal educators and Aboriginal educational institutions for the purpose of helping to design and deliver educational and healing programs that are culturally-appropriate and effective; Elders' work needs to be facilitated and supported within the correctional system; and the problems and challenges associated with "Aboriginal youth gang" members within the federal prison system cannot be addressed in isolation from the general population. Aboriginal communities and leadership have to become more involved in determining and running the programs and services that are needed by the Aboriginal people in correctional facilities throughout Canada.

Métis National Council. (2000/01). *Snapshot of the nation: An overview of the Métis Nation's governance structures and institutions.*

- CANADA: Overview of Métis Nation's current governance structures and institutions at a national, provincial and community level across the Métis Nation homeland (Métis Nation of Ontario, Manitoba Métis Federation, Métis Nation – Saskatchewan, Métis Nation of Alberta, Métis Provincial Council of British Columbia). Highlights existing governance structures, programs and services delivered to Métis people through these infrastructures and the benefits and measurable results achieved from these initiatives. Designed to foster an understanding and appreciation of the capacity, ability and effectiveness of the Métis Nation's governance structures and institutions within Canada.

Midford, R. (1988). Imprisonment: The Aboriginal experience in Western Australia. *Australia and New Zealand Journal of Criminology*, 21, 168-178.

- AUSTRALIA: Overview of Aboriginal imprisonment in Australia from colonization to present. Imprisonment as a method of control applied out of cultural context is largely ineffective. Patterns of events and statistical evidence presented support an argument that imprisonment of Aborigines in Western Australia has never been effective in any of its intended aims (Broadhurst 1986). Outlines: attitudes to Aboriginal imprisonment; cultural factors affecting Aborigines' experiences of imprisonment; consequences of imprisonment for Aborigines; and theories of causation. Scope for reform: Suggests measures which could go some way towards redressing the cultural disadvantage experienced by Aborigines (decriminalize offences for public drunkenness and disorderly behaviour; fines could be related to offenders' capacity to pay; arrangements for bail could be made that do not depend upon the financial resources of the offender; increase use of summons rather than arrest; provide interpreters for legal proceedings; greater recognition to customary Aboriginal law; greater involvement by Aborigines in law enforcement; greater support to self administering Aboriginal communities to increase effectiveness of their authority and social control mechanisms; resist expansion of prison capacity).

Mill, J.E. (1997). "HIV risk behaviors become survival techniques for Aboriginal women". *Western Journal of Nursing Research*, 19(4), 466-490.

- CANADA: Aboriginal female population appears to be over-represented in HIV statistics in northern Alberta. Although approximately 6% of Albertans are Aboriginal, Aboriginal people represent approximately 10.5% of the HIV-positive clients seen in HIV clinics since 1985. Qualitative research to explore cultural factors that relate to the high HIV infection rate in these women (n=8). Life histories of the women revealed many common characteristics. Most had lived in unstable family situations, moved frequently, and experienced strained interfamilial relationships. All of the women except one had endured physical, emotional and/or sexual abuse during their childhood.

Mills, D.K. (1989). Alcohol and crime on the reservation: A 10-year perspective. *Federal Probation*. 53(4), 12-15.

- USA: Explores hypothesis that all reservation crime is alcohol-related by examining the extent to which alcohol is a factor in reservation felony convictions in the District of Wyoming over a 10-year period. Method: reviewed pre-sentence investigations for cases between January 1, 1978 and December 31, 1988 to ascertain if alcohol was a factor in the crime. Examined alcohol histories of defendants to determine if they acknowledged a problem with alcohol or had participated in alcohol treatment. Collected data concerning prior convictions of alcohol related offences and violence. Findings: 62 Aboriginals convicted of felonies over 10-year period. In almost 70% of felony convictions, perpetrator was intoxicated at the time of the offence. Direct relationship between abusive drinking and violence (71% of offences were violent; 80% defendants under the influence). Almost 65% admitted to being an alcoholic and over half had some prior exposure to alcohol treatment. Recommendations: effective probation officer should have an appreciation for

the social milieu of the reservation and be tolerant of the special problems faced by such a caseload.

Morse, B., & Lock, L. (1988). *Native offenders' perceptions of the criminal justice system*. Canadian Sentencing Commission, Canada.

- CANADA: Presents views of inmates and parolees concerning the sentencing process. Survey of Native inmates selected from federal and provincial correctional institutions. Responses varied among provincial and federal inmates - the longer prisoners are in the correctional system, the more aware they become that it is a complete system. Results demonstrate that the Native inmate population is representative of the plight of Aboriginal people as a whole, with an extremely high unemployment rate, low level of high school completion, high rate of contact with the criminal justice system and a general lack of understanding of criminal law and procedure. Some indicators for the over-representation of Aboriginal peoples in the criminal justice system: social conditions created by colonization, chronic poverty, racism and legal dependency. Included profiles of inmates (age, sex, status, employment, education, residence patterns and incarceration history). Native inmate views on the justice system includes policing, legal representation and the plea bargaining process, legal counsel, the judiciary and sentencing, sentencing attitudes, sentencing disparities, understanding sentence, disparities in institutional treatment, staff treatment, inmate friction, release procedures; parole status and inmate background, perceived disparities in release procedures, attitudes towards release rules, institutional self-help groups and Native women in the system.

Motiuk, L. & Nafekh, M. (2000). "Aboriginal offenders in federal corrections: A profile". *Forum on Corrections Research*, 12(1), 10-15.

- CANADA: Compares North American Indian (NAI), Métis and Inuit/Innu offenders on a variety of factors. Comparisons between Aboriginal and non-Aboriginal offenders also included. As of December 31, 1998, Aboriginal offenders comprised of 14% of the federal inmate population (10% NAI, 3% Métis, 0.8% Inuit/Innu). Numbers of Aboriginal offenders admitted to federal institutions increased by 6.7% in 1998. Average sentence length for Aboriginal offenders in 1998 was 3.6 years (lifers removed), this was almost two-thirds shorter than the average sentence length for non-Aboriginal offenders. NAI offenders were over-represented in the offences of homicide and sexual offences but under-represented in robbery and drug offences. Métis were under-represented in homicide, sexual offences, robbery and drug offences. Inuit/Innu were over-represented for sex offences. Among male Aboriginal offenders, there were differences between NAI, Métis and Inuit/Innu offenders in relation to the marital/family and personal/emotional needs. Therefore, while Aboriginal offenders in general are different from the general offender population, there are also differences between different groups of Aboriginal offenders.

Moyer, S. (1992). "Race, gender, and homicide: Comparisons between Aboriginals and other Canadians". *Canadian Journal of Criminology*, 34(3/4), 387-402.

- CANADA: Describes similarities and difference between Aboriginal and non-Aboriginal homicides (victims and offenders) using data between 1962 and 1984. Found that Aboriginal persons had a much greater likelihood of becoming victims of homicides than other Canadians. Aboriginal victims were younger, more likely to be married or living common law, and were more often killed by their kin than other Canadian homicide victims. Over two-thirds of Aboriginal incidents allegedly involved alcohol compared to one-quarter of homicides involving other Canadians. A large percentage of Aboriginal than non-Aboriginal victims were beaten to death than killed by firearms. Aboriginal persons accounted for about one-fifth of all adult suspects identified by police and a larger percent of female suspects than male were of Aboriginal origin. Race was not strongly associated with the suspect-victim relationship, however when controlling for gender, three-quarters

of non-Aboriginal and more than one-half of Aboriginal women were suspected of killing someone with whom they have a domestic relationship.

Moyer, S., & Axon, L. (1993). *An implementation evaluation of the native community council project of the Aboriginal Legal Services of Toronto*. Prepared for the Ministry of the Attorney General (Ontario) and Aboriginal Legal Services of Toronto.

- CANADA: Description and assessment of the planning, design, and implementation of the Native Community Council Project (NCCP), and its operations from 1991-93. Evaluation consists of a case file, client database and project documentation review, interviews, and observation of Community Council hearings. The NCCP was designed to return a greater degree of responsibility to the Aboriginal community in matters of criminal justice, to reduce recidivism, encourage offenders to accept more responsibility for their criminal behaviour, and instill a greater degree of accountability for their conduct by more active involvement in undoing the wrong they have done. Strengths of the NCCP are that it was designed and controlled by the Aboriginal community in Toronto and has the support of most Aboriginal agencies in the city; it is offender- rather than offence-based, and the Council has a cultural understanding of Aboriginal people. Weaknesses are that it has operated only at 60% capacity and there was no formal client needs assessment done. Number of recommendations are made with respect to building relationships both externally and within the system, communications, reporting mechanisms, client database modifications, and future development.

Munro, L. & Jauncey, G. (1991). "Keeping Aborigines out of prison: An overview". In S. McKillop (ed.) *Keeping people out of prison: Proceedings of a conference held 27-29 March 1990*. Australian Institute of Criminology Conference Proceedings No. 11, Canberra.

- AUSTRALIA: Describes two surveys of Aboriginal prisoners in NSW jails during 1989 (history, perception of prison system, how it treats them and changes they would like to see in prison system). Discusses: land rights (policies have resulted in Aboriginal people being socially disadvantaged); police-Aboriginal relations (over-representation increases as one penetrates the juvenile criminal justice system; bias by police in how they deal with Aboriginal juvenile offenders); juvenile institutions (institutionalization begins at the level of the juvenile justice system; may be a city/country bias); imprisonment (imprisonment rates for Aboriginal persons is 14-15% - but may be higher; city/country dichotomy; alcohol-related crime; violence against Aboriginal victims). Attitudes today are reflected in the bias exhibited by some police in dealing with Aboriginal people and the lack of resources provided by the community to address those issues. Need for change: essential that recognition be given to the Aboriginal claim of prior title to Australia and that land rights be recognized and compensation paid; provision of alcohol rehabilitation programs be directed to rural communities; drunkenness be decriminalized; education and employment opportunities be increased in Aboriginal communities; those dealing with Aborigines receive training and education as to Aboriginal history, culture and aspirations; imprisonment be a last resort and resources be allocated to provide alternatives to imprisonment; employment of Aboriginals in positions which make decisions affecting Aboriginals; building of jails for Aboriginal prisoners providing rehabilitation services; greater resources allocated to rehabilitation services for juvenile offenders.

Musumeci, A. (1993). "The evolution of a consultative approach to corrections on Aboriginal communities". In S. McKillop (ed.) *Aboriginal justice issues: Proceedings of a conference held 23-25 June 1992*. Australian Institute of Criminology Conference Proceedings No. 21, Canberra.

- AUSTRALIA: Describes the process undertaken by Queensland Corrective Services to establish a presence in remote Aboriginal communities in responding to the 1988 Kennedy Review. Looking to provide alternatives to imprisonment, a community-based program was developed following three key steps: formation of a corrections committee involving key Aboriginal leaders responsible for overcoming the problem of discipline by breaking the divisions between institutions and providing a community-wide network of support; a Community Corrections Development Officer appointed by the Queensland Corrective Services Commission, in consultation with the community, to be responsible for statutory supervision and to act as a resource person to the corrections committee; and, the committee and officer working together to involve other community institutions (police, council, church, school, private enterprise) in the resolution of behavioural problems.

Nafeekh, M. (2002). An examination of youth and gang affiliation within the federally sentenced Aboriginal population. *Research Report R-121, Correctional Service of Canada*.

- CANADA: Examines youth gangs among Aboriginal federal offenders. Data support intervention strategies that focus on Aboriginal youth.

Nahanee, T.A. (1996). A profile of Aboriginal sex offenders in Canadian federal custody, *FORUM on Corrections Research, 8(2)*, Correctional Service of Canada.

- CANADA: Aboriginal sex offenders tend to assault young Aboriginal females. Aboriginal sex offenders tend to restrict their sex offences to Aboriginal communities, with large proportions of offences being committed within the family unit.

Nault, F. (1993). *Household and family projections of registered Indians, 1991-2015*. Indian and Northern Affairs Canada, Statistics Canada.

- CANADA: Number of registered Indian households in Canada is projected to increase from 161,800 in 1990 to between 355,500 and 364,000 in 2015 (each year by over 3%). Of these, 41% could be on reserve and 59% off-reserve. Regional distribution would change very slightly.

Normand, J. (1996). "Language and culture of the Métis people". *Canadian Social Trends, 43*, 22-26.

- CANADA: Linguistic and cultural profile of Métis, based on 1991 Aboriginal Peoples Survey. Métis presence strongest in the prairies (over 135,000, more than one-fifth of Aboriginal people, identified themselves as Métis). Almost three-quarters of Métis lived in prairies (29% in Alberta, 25% in Manitoba, 20% in Saskatchewan). Métis population is young and most live in urban areas. For many Métis, the language of their community is English or French. Only 18% of Métis aged 15 and over, compared with 39% of North American Indians, could converse in an Aboriginal language (mostly Cree or Ojibwa, but 6% spoke Michif an exclusively oral *lingua franca* developed by the Métis). Seems that Aboriginal languages are being passed to fewer Métis with each successive generation. Aboriginal languages are being used more often in the classroom, in an effort made to introduce a stronger Aboriginal presence in the schools. Almost 41% of Métis participate in economic and cultural traditional activities (e.g., hunting, storytelling, traditional dancing, fiddling, jigging, arts and crafts). Younger people were more involved in cultural and economic activities than older people. Métis people's ties to Aboriginal culture may not be

as strong as those of North American Indians, but there is no doubt that they are a unique community with a clear desire to sustain and strengthen their culture and traditions.

Northern Health Research Unit (1998). *Research on HIV/AIDS in Aboriginal people: A background paper*. University of Manitoba. Prepared for Medical Services Branch, Health Canada.

- CANADA: Background paper examining HIV/AIDS research priorities. Focuses on: HIV/AIDS burden of illness among Aboriginal peoples in Canada; determinants and risk factors; interventions; research methods and ethics. The proportion of AIDS cases attributed to Aboriginal persons has increased from 2% before 1989 to more than 10% in 1996/97. Adult Aboriginal AIDS cases are more likely than non-Aboriginal AIDS cases to have their exposure attributed to injection drug use. Aboriginal populations are at increased risk for HIV infection because high rates of STDs, substance abuse, and other health and social issues may increase vulnerability to HIV. These risks are compounded by the over-representation of Aboriginal persons in prisons and inner-city services (i.e., needle exchange and counselling referral sites, clinics for HIV-infected pregnant women). In addition, the high transient movement of Aboriginal persons between inner cities and rural or reserve communities brings the risk of HIV to even the most remote communities. Little literature on risk factors associated with HIV/AIDS in the Aboriginal community. Rarely addresses broader social determinants such as poverty, discrimination and marginalization, and little information on general social trends such as migration between reserves and cities, changing employment opportunities, criminal activities, and housing availability. There is also no examination of the re-spiritualization process occurring throughout the Aboriginal community and its potential impact on HIV transmission. Discusses findings from a few studies (e.g., McCaskill & Thrasher, 1993 examined needs of Aboriginal prisoners in HIV/AIDS education and prevention)

Norton, I.M., & Manson, S.M. (1995). "A silent minority: Battered American Indian women". *Journal of Family Violence*, 10(3), 307-318.

- USA: Describes characteristics of domestic violence among American Indian women participating in an urban domestic violence program. Method: interviewed 16 American Indian women during initial intake for domestic violence counselling at an urban Indian health centre. Used a protocol adapted from the Second National Family Violence Survey (Gelles & Straus, 1988). Conflict-Tactics Scale (CTS) used to assess violence in marital relationships (Straus, 1979). A mental health needs assessment survey of 198 American Indian women is presented for comparison. Majority of the women were not married, had low family incomes, and both the women and their partners abused substances. All of the women experienced increased depression and stress as a result of battering. Women who reported a history of domestic violence were more likely to be separated or divorced and reported more problems with alcohol than the women with no history of domestic violence. Results were compared to the mental health needs assessment survey and studies of battered women in shelters. Conclusion: domestic violence is a significant problem in American Indian families. Further research is required.

Nuffield, J. (1998). *Issues in urban corrections for Aboriginal people: Report on a focus group and an overview of the literature and experience*. Aboriginal Peoples Collection, Aboriginal Corrections Policy Unit, Solicitor General Canada.

- CANADA: Reviews recent Canadian literature on Aboriginal offenders and innovation in urban Aboriginal justice and reports on June 1997 focus group findings regarding issues related to the provision of urban Aboriginal corrections services in Canada. Focus group participants, including Aboriginal agencies and federal corrections personnel, raised and addressed issues of changing client profiles and needs, program content, obstacles to

achieving agency goals (e.g., funding, problems in dealing with non-Aboriginal governments, cross-cultural training), and obstacles within Aboriginal agencies and communities (e.g., staff training, lack of community support for returning offenders). While innovative strategies for the delivery of justice in urban areas was explored (e.g., sentencing circles, justice councils, and restitution programs), prevention was agreed to as their key goal.

Obonsawin-Irwin Consulting Inc. (1992). *Saskatchewan Aboriginal court worker feasibility study*.

- CANADA: Feasibility study of having an Aboriginal Courtworker program in Saskatchewan. Examines need; courtworker role, qualifications and training; community legal worker option; service delivery options; Saskatchewan Aboriginal Courtworker program description.

O'Connor, I. (1994). "The new removals: Aboriginal youth in the Queensland juvenile justice system". *International Social Work*, 37, 197-212.

- AUSTRALIA: Examines colonized patterns and practices of new removals dealing with Aboriginal youth in the juvenile justice system. Explores ideological underpinning of the criminal justice system that makes the continual removal of Aboriginal youth from their families and communities. Argues that the Juvenile Justice System failed to deliver justice and due process. Discusses history of removals: first phase was central component of Queensland's overall response to Aboriginal people (removed because they were Aboriginal); second phase occurred as a result of the policies and practices and under the auspices of the white mainstream child welfare system (removed for their own good because they were neglected). Discusses transition from welfare to justice (removed because they were criminal). Discusses the juvenile justice system in Queensland: pre-court diversion; children's court appearances; children under orders in the juvenile justice system; placement of children under juvenile corrective orders.

O'Donnell, M. (1993). "Mediation within Aboriginal communities: Issues and challenges". In S. McKillop (ed.) *Aboriginal justice issues: Proceedings of a conference held 23-25 June 1992*. Australian Institute of Criminology Conference Proceedings No. 21, Canberra.

- AUSTRALIA: Describes Community Justice Program (CJP) of AG Queensland to provide dispute resolution service. In two years, 450 mediation sessions, with settlement in 85%. CJP piloted several projects: Crime Reparation Program (voluntary opportunity after conviction and before sentencing for adult and juvenile offenders for victim-offender mediation); Police Complaints Mediation Initiative (mediation in complaints of a minor nature against police and other officials). Describes development of a mediation service for Aboriginal communities (including visiting expert dispute resolution service to communities; training Aboriginal and Torres Strait Islander people in dispute resolution skills). Key issues: voluntary participation (may decide to make compulsory); confidentiality (disputes in Aboriginal communities may be public); neutrality of mediator (may not be possible in Aboriginal communities); domestic violence (may use dispute resolution in Aboriginal communities – but need to be incorporate safeguards).

Osnaburgh Windigo Tribal Council Justice Review Committee (1990). *Tay Bway Win: Truth, justice and first nations*.

- CANADA: Justice review to examine past and present service at the Windigo Tribal Council in relation to policing, administration of justice and social services. Recommends improved service delivery and coordination north and south Windigo Tribal Council's communities: Osnaburgh, Cat Lake, New Slate Falls, New Saugeen. Report deals with land, economic, and social matters as the integral parts of how the criminal justice

operates in the Ojibwa communities. Issues discussed in this report: inadequate housing, inadequate sewer system and drinking water, lack of recreational and program facilities, alcohol, drugs, solvent abuse, family violence, inadequate health facilities, culture, language, education, relations with non-Aboriginal communities, administration of justice, courts, corrections and most importantly the inquest to Aboriginal deaths which inspired this report.

Patenaude, A.L., Wood, D.S., & Griffiths, C.T. (1992). "Indigenous peoples in the Canadian correctional system: Critical issues and the prospects for 'localized' corrections". *Journal of Contemporary Criminal Justice*, 8(2), 114-136.

- CANADA: Analyzes several aspects of the Canadian correctional enterprise that are directly concerned with Aboriginal offenders. Specifically deals with Inuit in Canada's north. Development of small correctional institutions in the Territorial regions have contributed to a reduction in the cultural dislocation experienced by many Inuit and Dene offenders. Attempt to provide culturally relevant programs to inmate populations. Outlines four traditional alternatives to incarceration in the North: fine options; community services; restitution; and community residential centres. Emerging issues: cultural awareness training for justice personnel and localized corrections; localized corrections include the decentralization of policy and program decision making; and direct community input into design and delivery of corrections services and programs. Conclusion: changes must not follow the paternalistic approaches that have characterized justice services in the past. Initiatives should include those that take into account traditional forms of social control in order to give the task of maintaining community order back to the people.

Pepper, F.C., & Henry, S.L. (1989). "Social and cultural effects on Indian learning style: Classroom implications", *Canadian Journal of Native Education*, 13, 54-61.

- USA: Addresses student learning and achievement in the classroom. Focus on Adler's theory of a holistic approach to the individual in the socio-cultural context. Theory allows for a better understanding of the Aboriginal behavioral learning style and the implications of such a style for classroom practice. Child has an inner and outer environment - hereditary endowment/ family atmosphere, family constellation and practices used in child rearing and discipline. Research suggests that distinctively different child-rearing practices - one stressing observational learning and another emphasizing learning through verbalization - has fostered the development of very different styles of learning among Aboriginal and European-American children. Such differences in learning styles have far-reaching consequences in the formal education of Indian students. Aptitude-treatment interaction (ATI) is an approach that opens the door to recognizing individual differences and behavioral learning styles. Recommends a six-step approach that builds on the Aboriginal student's preferred learning styles while encouraging the student to engage in activities not so preferred in order to strengthen behaviors and activities they might otherwise avoid.

Prairie Research Associates & Linden, R. (1993). *Issues paper on native courtworkers and legal aid*. Prepared for Justice Canada.

- CANADA: Summarizes the main issues in the delivery of native courtworker services and the nature of the relationship between the courtworker program and legal aid.

Proulx, J., & Perrault, S. (1997). *An evaluation of the Ma Mawi Wi Chi Itata Centre's family violence program: Stony Mountain project*. Prepared for Correctional Services Canada and the Manitoba Research Centre on Family Violence and Violence Against Women.

- CANADA: Evaluation of a cognitive-behavioural Ma Mawi Wi Chi Itata family violence program at Stony Mountain for male inmates. Program is divided into four sections: "to see" the problem of family violence; "to do" (focuses on the inmates' ability to express negative emotions); "to think" (inmates are directed in a path that enhances personal development and empowerment); "to know" (inmates re-evaluate their goals and establish future goals). Findings indicate that the majority of participants felt that the program met their expectations and they had learned more about themselves, their violent behaviour and ways of dealing with their anger. Another conclusion indicates that programs such as this are best administered by an agency outside of the correctional facility as the inmates maintained a general distrust of institutional staff.

Quann, N.L., & Trevethan, S. (2000). *Police-reported Aboriginal crime in Saskatchewan*. Catalogue 85F0031. Canadian Centre for Justice Statistics, Statistics Canada.

- CANADA: Examined Aboriginal crime in Saskatchewan. Using 1996 Census, Aboriginal population in Saskatchewan tend to be younger, have lower educational levels, higher unemployment rates, and substantially lower incomes than the non-Aboriginal population. Crime rates on reserves were 2 times higher than rates in rural or urban areas (5 times for violent). A larger proportion of adults than youth were accused of a violent offence, whereas youth were more often accused of a property offence. In urban areas, there is an over-representation of Aboriginal persons involved in the criminal justice system. A substantial difference in the male-female ration of Aboriginal and non-Aboriginal accused was found. Aboriginal accused tend to be younger than non-Aboriginal accused. There was a greater proportion of Aboriginal than non-Aboriginal victims of violent crime.

Rattner, A., & McKie, C. (1990). "The ecology of crime and its implications for prevention: An Ontario study". *Canadian Journal of Criminology*, 32(1), 155-171.

- CANADA: Social ecological study of violent crime and property crime in Ontario. The study, which first reviews the literature on American and Canadian social ecological studies from 1929 to 1986, sets out to determine if any discriminatory profile can be drawn between districts of high and low crime rates based on a number of demographic and socio-economic variables. Finds that rates of property and violent crime vary widely by district across Ontario, varying intra-provincially by a factor of 5.9 for violent crime and by a factor of 3.5 for property crime. Selected for discriminant analysis 10 independent variables from a 1986 Census database of 231 overlapping variables exhibiting a correlation coefficient >0.35 and ($p < .05$) significance. Findings statistically correlate rates of violent crime to the proportion of Aboriginal persons in a given locale and to high rates of unemployment, and further correlate rates of property crime to the demographic composition of the local population. Noting the need to avoid race-stereotypical conclusions with respect to the correlation of violent crime with proportion of Aboriginal persons in a given locale, social and economic conditions are identified as pivotal considerations in any crime prevention program. High rates of property crime are heavily influenced by a high proportion of young males in a given locale, high percentages of persons with low educational attainment, and population density. Strategies of crime prevention must therefore be tailored to fit the known characteristics of a local population; violent crimes and property crimes are derived from differing causal factors, and must therefore be considered differently in terms of prevention. Fundamental improvement to Aboriginal social and economic conditions is the single most effective violent crime prevention strategy for Ontario. While the demographic reality of an aging population will

drive a long-term solution for the prevention of property crime, in the shorter term, a focus on constructive community integration among young men may positively alter social conditions leading to stranger-on-stranger property offences.

Renfrey, G.S. (1992). Cognitive-behavior therapy and the Native American client. *Behavior Therapy*, 23, 321-340.

- USA: Discusses therapy and the Aboriginal client. Reviews mental health needs of Aboriginals and response of the psychological community to date. Argues that a culturally sensitive approach to working with this special population is a professional and ethical necessity, and suggests that congruence exists between the cognitive-behavioural approach to therapy and the needs and preferences of Aboriginals. Therapists are cautioned against implementing interventions in a conventional manner. Discusses key therapeutic issues and problems presented by working with the population and suggests guidelines for dealing with them. Outlines logistical and conceptual difficulties as well as positive therapeutic effects of use of traditional healers and interventions. Provides suggestions for future directions that can be taken toward better serving Aboriginals.

Rodrigues, S., Robinson, E., & Gray-Donald, K. (1999). "Prevalence of gestational diabetes mellitus among James Bay Cree women in northern Quebec". *Canadian Medical Association Journal*, 160(9), 1293-1298.

- CANADA: Assessed prevalence of gestational diabetes mellitus among Cree women in Northern Quebec (cross-sectional study using patient charts on pregnancies from January 1995 to December 1996). Found prevalence of gestational diabetes among James Bay Cree women in Northern Quebec is twice as high as that among women in the general North American population and the second highest reported in an Aboriginal group worldwide.

Roeger, L.S. (1994). "The effectiveness of criminal justice sanctions for Aboriginal offenders". *Australian and New Zealand Journal of Criminology*, 27(3), 264-281.

- AUSTRALIA: Compares recidivism rates for Aboriginal offenders sentenced to imprisonment to those given community-based orders. Sample consisted of all male Aboriginal offenders (N=442) given probation, community service or prison between 1986 and 1987. Offenders given prison sentences served between one month and one year and were further divided into those who were simply released after serving their sentence and those who were released on parole. A follow-up period of 3½ years commenced after the sanction was completed. Most offenders were unemployed, single, young and had a number of previous convictions. When known factors related to recidivism were controlled, there were no recidivism rate differences between the groups. Overall, 43% of the sample had re-offended within the follow-up period. Furthermore, the study confirmed that age and number of prior convictions were important predictors of risk for future offending, specifically that the younger the offender was and the more prior convictions an offender had were correlated with higher recidivism rates.

Rolf, C.H. (1991). Policing in relation to the Blood Tribe: Report of a public inquiry. Commissioner's Report, Executive Summary.

- CANADA: Describes the public inquiry and provides recommendations.

Ross, R. (1996). Returning to the teachings: Exploring Aboriginal justice. Toronto: Penguin Books.

- CANADA: Describes his secondment with Aboriginal Justice Directorate (Justice Canada) – meeting with Aboriginal communities across Canada.

Ross, R. (1989). "Leaving our white eyes behind: the sentencing of native accused". *Canadian Native Law Reporter*, 3, 1-15.

- CANADA: Discussion of some of the ethical commandments he has seen amongst the native people of northwestern Ontario and how they must be incorporated into sentencing deliberations. Includes: introduction - seeing through the rules; assessing the individual (prospects for rehabilitation, specific deterrence); assessing the offender's community and family context; sentencing and the calls for Aboriginal justice systems.

Royal Canadian Mounted Police. (1993). Native spirituality guide. Aboriginal and Community Policing Directorate.

- CANADA: Guide to help police officers gain an understanding of sacred ceremonies practiced and sacred items carried by many Aboriginal people across Canada. The various spiritual beliefs and sacred items and ceremonies portrayed in this guide may vary according to different tribal groups across Canada. Recommends security personnel and other law enforcement officials endeavour to make themselves more aware of traditions and artefacts through increased cross-cultural training and awareness.

Royal Commission on Aboriginal Peoples (1996). Guide to the principal findings and recommendations of the final report of the Royal Commission on Aboriginal Peoples.

- CANADA: Assists in understanding the central ideas of the Royal Commission's final report and accessing those recommendations and related analysis of greatest interest. Provides a summary of the historical context and current realities of Aboriginal people in Canada. Canada's policy over the years undermined Aboriginal institutions and life patterns and strove to assimilate Aboriginal people as individuals into mainstream society, resulting in their economic marginalization and social disintegration. Fifty-seven percent of Aboriginal people are in the labour force (compared to 68% of all Canadians) with a 1991 unemployment rate of 25%. Average annual income per employed Aboriginal individual was \$14,561 (\$24,001 for all Canadians) and declined by \$1,000 between 1981-91, with 46% of people living on reserves on welfare. Forty-two percent of Aboriginal children complete grade 12 (61% of Canadians). The Aboriginal population is growing at twice the rate of the Canadian population, with 56% of the current population under 25 years of age. Fourteen percent of inmates in federal penal institutions are Aboriginal rising to 49% and 72% in provincial institutions in Manitoba and Saskatchewan respectively. The incidence of tuberculosis and diabetes is 17 times and 3 times higher among the Aboriginal population. Governments today spend \$1.7 billion for remedial measure and social assistance for Aboriginal people, 57% more than on the same number of other Canadians. \$5.8 billion annually could be added to the GDP were Aboriginal people productively employed at rates equivalent to those in adjacent non-Aboriginal communities. Two priorities are identified as essential changes required to restore the health and self-reliance of Aboriginal peoples: the rebalancing of political and economic strength between Aboriginal peoples and Canada, and the rebuilding of skills and capacity in Aboriginal individuals, institutions and communities. Proposes strategies on how to accomplish this. Provides a summary of the report, an overview of the chapters, and outlines principal findings and recommendations. Includes 4 papers: The Right of Aboriginal Self-Government and the Constitution; Framing the Issues; Focusing the Dialogue; Overview of the First Round.

Royal Commission on Aboriginal Peoples (1996). Bridging the cultural divide: A report on Aboriginal people and criminal justice and Canada. Ministry of Supply and Services Canada.

- CANADA: Reviews the historical and contemporary record of Aboriginal people's experience in the criminal justice system to secure a better understanding of what lies behind their over-representation. Provides a framework for change including two distinctive yet inter-related dimensions: the reform of the existing criminal justice system to make it more respectful of and responsive to the experience of Aboriginal people; and the establishment of Aboriginal justice systems as an exercise of the Aboriginal right of self-government. Primary focus of the report is the recognition and establishment of Aboriginal justice systems that are an integral part of the right of self-government. Chapters include: Aboriginal concepts of law and justice - the historical realities; current realities; current Aboriginal justice initiatives; creating conceptual and constitutional space for Aboriginal justice systems; reforming the existing justice system; summary of major findings, conclusions and recommendations.

Royal Commission on Aboriginal Peoples (1992). The right of self-government and the Constitution: A commentary by the Royal Commission on Aboriginal Peoples.

- CANADA: The Royal Commission on Aboriginal Peoples' terms of reference direct it to consider the subject of Aboriginal self-government and to recommend methods of recognizing and affirming it. This commentary contemplates intervention into the constitutional reform process. Designed to help inform the public and encourage the exploration of alternative avenues to Constitutional consensus. Attempts to clear away some of the obstacles to a common understanding. The first part of the document traces the development of a potential impasse and examines the context of the current debate and its evolution since Aboriginal rights were recognized in the Constitution in 1982. The second part considers how such an impasse might be avoided and outlines conditions for successful Constitutional reform. Any new constitutional provision dealing with the Aboriginal right of self-government should satisfy six criteria: the right is *inherent* in nature; *circumscribed* in extent; and *sovereign* within its sphere; the provision should be adopted with the *consent* of the Aboriginal peoples; should be *consistent* with the view that Section 35 may already recognize a right of self-government; and, should be *justiciable* immediately. Provides four alternative approaches that meet the aforementioned criteria: general recognition clause; general recognition clause with a preamble; general recognition clause with a list of powers; general recognition clause with a treaty process.

Royal Commission on Aboriginal Peoples (1995). Choosing life: Special report on suicide among Aboriginal people. Prepared for the Governor General in Council.

- CANADA: Investigates, explains and makes recommendations on suicide among Aboriginal Peoples. Offers support to struggling communities by making concrete action-oriented proposals to governments and communities to reduce the incidence and address the causes of self-inflicted death and injury. Held 172 days of public hearings in 96 communities across Canada. Concluded that high rates of suicide and self-injury are result of a complex mix of social, cultural, economic and psychological dislocations that flow from the past into the present. Overall healing strategy required to provide adequate response to suicide. Develops the rationale and recommends the means for a Canada-wide response to the facts of suicide among Aboriginal people encompassing: the establishment of crisis services; resources for community development; and support for self-determination. Recommends a three-part community-based approach as the best strategy for reducing suicide. Its components are: local prevention and crisis intervention services; community development to address the most pressing local causes of suicidal hopelessness and helplessness; and the opportunity to achieve autonomy and self-

determination as Aboriginal peoples. Thirteen recommendations are made. Minority report attached.

Rudin, J., & Russell, D. (1993). *Native alternative dispute resolution system: The Canadian future in light of the American past*. Ontario Native Council on Justice.

- CANADA: Examines alternative forms of dispute resolution focusing on tribal courts in the United States and Canada. Explains the American Tribal Court system: Indian government authority (congressional intrusion, case law development); courts of Hopi, Navajo and Pueblo tribes; traditional courts and customary practices; problems within the United States tribal court systems. Second part of the report is on alternative dispute resolution in Canada: historical and cultural perspective, legislative framework for native people and government; Charter of Rights - protection of personal autonomy versus collective rights; alternative dispute resolution systems for native people without land base; jurisdictional issues regarding alternative dispute resolution systems; infrastructural requirements of alternative dispute resolution system; legislative options for creating alternative dispute resolution systems.

Rutman, D., Callahan, M., Lundquist, A., Jackson, S., & Field, B. (2000).

Substance use and pregnancy: Conceiving women in the policy-making process. Prepared for Policy Research, Status of Women Canada.

- CANADA: Examines how policy in Canada deals with the issue of substance use during pregnancy and suggests alternative ways of addressing this problem that may prove less polarizing and punitive toward women. Analyzes the Supreme Court of Canada case of Ms. G (October 31, 1997), in which a judge ordered mandatory drug treatment for a young, low-income Aboriginal woman who was addicted to sniffing solvents. Aims to address the challenge of integrating diversity into policy research, development and analysis. Looks at the experiences of substance use, pregnant women and the practitioners who work most closely with them. Presents an in-depth case study, carried out in one Aboriginal community, to determine approaches that have a chance for success in that community. Method: Four questions guided the research (what specific policy initiatives exist and have been used to address the problem of substance abuse and pregnancy; how has substance use by women during pregnancy been framed as a policy concern; what are the perceived effects of existing policy from the standpoint of Aboriginal women, substance-using women and human service professionals; what policy alternatives exist or could be developed that do not replicate the familiar dichotomies in the current policy discourse). Questions were addressed using a range of qualitative research methods (literature search, policy review and analysis, discourse analysis of the Supreme Court decision, media coverage on the case, individual interviews and focus groups with human service workers and substance-abusing women, case study based on participant observations, interviews and focus groups). Presents directions for policy and practice identified by substance-using women, human service practitioners and Aboriginal women; discusses and evaluates policy alternatives; and concludes with a set of recommendations directed to the federal government and to Status of Women Canada.

Sampson, R.J., & Wilson, W.J. (1993). "Toward a theory of race, crime, and urban inequality". In Hagan, J. & Peterson, R. (eds.) *Crime and Inequality* (pp 37-54). Stanford: Stanford University Press.

- USA: Addresses the issues of race and violent crime. Advances a theoretical strategy that incorporates both structural and cultural arguments regarding race, crime, and inequality in American cities. The basic thesis is that macro-social patterns of residential inequality give rise to the social isolation and ecological concentration of the truly disadvantaged. This leads to structural barriers and cultural adaptations that undermine social organization and hence the control of crime. This thesis is grounded in the importance of

communities. The most important determinant of the relationship between race and crime is the differential distribution of blacks in communities characterized by: structural social disorganization; and cultural social isolation, both of which stem from the concentration of poverty, family disruption, and residential instability. Concludes that community-level factors such as the ecological concentration of ghetto poverty, racial segregation, residential mobility and population turnover, family disruption, and the dimensions of local social organization are fruitful areas of future inquiry, especially as they are affected by macro-level public policies regarding housing, municipal services, and employment. Need to look at social policies that focus on prevention.

Sarich, A. (1993). *Report on the Cariboo-Chilcotin Justice Inquiry (BC)*.

- CANADA: Report on the 1992-93 investigation of complaints and relationship between the Cariboo-Chilcotin Aboriginal community and police, Crown prosecutors, courts, probation offices, and family court counsellors in the administration of justice in the region. Describes the community's history, effects of government policy, and past encounters with the justice system, and identifies pressing community problems such as the destructive legacy of St. Joseph's Mission (residential school), erosion of traditional economic base, supplanting of social control systems and political organization by the non-Aboriginal justice and political system, and bureaucratic interference. Concludes that there are deficiencies in all aspects of the justice system, issues involving the police are highlighted and include destructive attitudes, abuse of authority, invasion of privacy, use of excessive force, and lack of communication. Puts forward numerous recommendations regarding government agencies, policing, search and rescue operations, the courts, legal aid, native court workers, and the Community Law Centre in Quesnel.

Sarre, R., & Wilson, D. (1998). *Sentencing and indigenous peoples*. Australian Institute of Criminology Research and Public Policy Series No. 16, Canberra, Australia.

- AUSTRALIA: Collection of papers from a roundtable. Papers address current concerns in relation to the interface of Indigenous Australians and the criminal justice system. Issues discussed include customary law, including the potential for differential sentencing; systemic issues within the criminal justice system; a multi-agency resocialization program; and communication issues. Extensive compilation of research abstracts.

Saskatchewan Indian Justice Review Committee (1992). *Report of the Saskatchewan Indian justice review committee*.

- CANADA: Examines improving the delivery of criminal justice services to Saskatchewan Indian people and communities, specifically looking at the development and operation of practical, community-based initiatives, with a view to creating a more fair and equitable system of justice for Indian people. Consultations were held with individuals, organizations, and communities along with 5 public hearings. In 1990, of the 75,000 registered Indians in Saskatchewan, 54% lived on-reserve, 46% off-reserve. While the population ranged from 100 to 4700 members, the 70 bands had an average on-reserve population of 560. In 1987, 54% were 19 years of age and under (compared to 32% of the total Saskatchewan population) and only 3% were over 55 year (22% for Saskatchewan). In 1986, 43% of the Indian population 15 years and over had less than a grade 9 education (51% on-reserve and 29% off reserve), and 1-2% had completed university. One-third (35%) were unemployed (8% for the province), while 6 in 10 were not in the labour force (1 in 3 for the province). Only 26% were employed (61% for the province). As such their average individual per capita income was \$6,732 in 1985, less than have the provincial average of \$14,845. Overall, Aboriginal admissions accounted for 68% of admissions to provincial correctional centres in 1990-91. 65% of males and 85% of females admitted were Aboriginal, with Aboriginals as the majority of those incarcerated for "other" *Criminal Code* and provincial/municipal offences. Aboriginal men were more

likely to be incarcerated for an against person offence than females or non-Aboriginal persons. The majority (84%) of women applying for conditional release were Aboriginal (82% of the total were accepted) compared to 66% of men (65% of the total accepted), similar to rates for those applying for release to a community training residence. In 1991, 44% of the 746 federal offenders in Saskatchewan institutions were Aboriginal as were 45% of the 343 federal offenders under community supervision. Additional demographic information is provided along with statistics regarding the nature and location of offences, other correctional programs and young offenders. Concerns regarding employment equity, community legal education, holistic approaches to services, racism, the importance of cross cultural training, family violence, and implementation mechanisms are discussed and recommendations are made in the area of policing, legal representation, sentencing alternatives, court services, and corrections. These recommendations were made with the view that each Indian community is unique, potentially requiring customized solutions, and that meaningful changes can only happen when the Indian community is actively involved in the decision-making process.

Saskatchewan Métis Justice Review Committee (1992). *Report of the Saskatchewan Métis justice review committee.*

- CANADA: Examines ways of making changes within the existing criminal justice system in Saskatchewan and encouraging expansion of positive changes already underway with a view to a more fair and equitable system of justice for the Métis people. Consultations were held with individuals, organizations, and communities along with 5 public hearings. In 1986, 7.8% (77,640) of Saskatchewan's population had at least one Aboriginal origin (43,000 North American Indian, 12,000 Métis, 40 Inuit). 28% of people with Aboriginal origins had both Aboriginal and non-Aboriginal origins for an estimated total of 26,000 people with Métis ancestry, 42% of which live in the North and 37% in Regina, Saskatoon, and Prince Albert.. Forty percent are less than 15 years of age (compared to 25% for all of Saskatchewan) and 8% are over 55 (22% of all of Saskatchewan). One-third (32%) of Métis over 15 have less than a grade nine education (19% of the province), with a 26% unemployment rate (8% for the province). In 1985, the average individual per capita income of this group was \$8,915, 60% of the provincial average of \$14,485. Overall Aboriginal admissions accounted for 68% of admissions to provincial correctional centres in 1990-91. Two-thirds (65%) of males and 85% of females admitted were Aboriginal, with Aboriginals as the majority of those incarcerated for "other" *Criminal Code* and provincial/municipal offences. Aboriginal men were more likely to be incarcerated for an against person offence than females or non-Aboriginal persons. The majority (84%) of women applying for conditional release were Aboriginal (82% of the total were accepted) compared to 66% of men (65% of the total accepted), similar to rates for those applying for release to a community training residence. In 1991, 44% of the 746 federal offenders in Saskatchewan institutions were Aboriginal as were 45% of the 343 federal offenders under community supervision. Statistics are provided regarding the nature and location of offences and young offenders. Concerns regarding employment equity, community legal education, holistic approaches to services, racism, the importance of cross cultural training, family violence, and implementation mechanisms are discussed and recommendations are made in the area of policing, legal representation, sentencing alternatives, court services, and corrections. These recommendations were made with the view that each Métis community is unique, potentially requiring customized solutions, and that meaningful changes can only happen when the Métis community is actively involved in the decision-making process.

Saulis, M., Fiddler, S., & Howse, Y. (2001). *Release potential of federally-sentenced Aboriginal inmates to communities: A community-based research project*. Research Report R-110, Correctional Service of Canada.

- CANADA: Examines place and stage of community-based justice and corrections initiatives; perceptions, attitudes and values of First Nations community people towards offenders and their release; determines possibility of utilizing community-based initiatives and the feasibility to monitor, facilitate and sustain release; ascertains healing initiatives within the institutions and Aboriginal community-based restorative justice initiatives; and, examines Aboriginal communities feasibility and needs to facilitate the return of federal offenders in the long term. **Method:** examined 5 First Nations communities from Saskatchewan and Alberta (individual households, key informants, Elders, community circles, interviews with released offenders, circle of offenders currently in prison). **Found:** community characteristics contribute to a higher risk for offenders released to the communities; communities with community-based justice or corrections initiatives appear to have more knowledge and awareness of the needs of federally-sentenced offenders; there is community based support to address the needs, issues and support of offenders (receptiveness didn't extend to serious criminal offenders); facilitating and sustaining release requires the development of community infrastructure; and, provision of reintegration services for offenders can be strengthened through the provision of coordinated, integrative and holistic approaches.

Secretary of State of Canada (1991). Canada's off-reserve Aboriginal population: A statistical overview.

- CANADA: Profile of off-reserve Aboriginal population, based on 1986 Census. Most Aboriginal persons live outside reserves. Largest group is found in Ontario, however, proportionately are more numerous in western Canada. Aboriginal population living off-reserve is quite young, much more mobile than other Canadians and those living on reserve, closer in educational characteristics to Canadian population than to those living on reserve, higher unemployment than other Canadians. Relatively few speak an Aboriginal language.

Sillett, M. (1990). "Treatment of Inuit women in the law". Pauktuutit Inuit Women's Association. Speech to the Conference: Aboriginal Alternatives to the Canadian Justice System, Sponsored by the National Association of Friendship Centres.

- CANADA: Describes the role of Pauktuutit. Discusses treatment of Inuit women within the justice system.

Sinclair, M. (1997). Aboriginal Justice Learning Network. Transcript of presentation to Elders - Policy Makers - Academics Constituency Group Meeting, Aylmer, Quebec, April 16-18.

- CANADA: Discusses the Aboriginal Justice Learning Network – where it is going and what it is able to do. Provides a historical, legislative and policy background to today's problem of Aboriginal over-representation in the criminal justice system. States Aboriginal people and the Euro-Canadian justice system are inherently in conflict. Criminality is a direct result of the Aboriginal peoples' inability to function as individuals, as human beings in society. Justice system is not oriented to doing it right yet. Process is as important as results. Aboriginal people should be allowed to have their own justice systems in their own communities to do justice for their people. Recommends new judges spend time with the Aboriginal Justice Learning Network to learn how to deal with Aboriginal justice issues in our courts and with our communities.

Sioui, R., & Thibault, J. (2001). The relevance of a cultural adaptation for Aboriginals of the Reintegration Potential Reassessment Scale (RPRS). *Research Report R-109, Correctional Service of Canada.*

- CANADA: Examines Reintegration Potential Reassessment (RPR) scale for Aboriginal offenders. **Method:** comparison of Aboriginal and non-Aboriginal profiles; examine relationship between certain variables and recidivism; determine discrimination capacity of RPR scale; determine best predictors in RPR scale; **and**, explore other variables that may be good predictors. **Findings:** RPR scale is predictive of community supervision outcome for Aboriginal offenders. Improvements to community assessments can be made for high risk/low need and low risk/ high needs designations for Aboriginal offenders. Need level and high number of needs and associations were predictive of outcome for both Aboriginal and non-Aboriginal offenders. Participation in programs focusing on employment and education tended to decrease recidivism - but only for Aboriginal-specific programs. However, participation in programs focusing on social relationships, community needs, and emotional needs tended to decrease recidivism, regardless of whether the programs were specifically for Aboriginals or not.

Sittler, B. (1995). "The way to live most nicely together: Possibilities for Aboriginal criminal justice". *Saskatchewan Law Review*, 59, 361-384.

- CANADA: Addresses the following question through a three stage process: Would a system utilizing community-based justice controlled by Aboriginal people be effective without the backdrop of the Euro-Canadian justice system which utilizes fear as a preventive measure and incarceration as punishment? Addresses the fear and backlash from within the Euro-Canadian system and asserts that calming these fears makes the possibility of an independent community-based justice system more realistic; proposes changes that must be made if the two systems can co-exist; and proposes that, while a separate system would be effective, change must be gradual rather than revolutionary. Concludes that the establishment of a separate system is the favourable alternative based on two arguments: the 'pragmatic' argument (based on the notion that the two systems are too different to be compatible); and the 'rights-based' argument (based on the presence of a right to an independent system). Sentencing circles, alternative sentencing, healing programs and interim initiatives are all steps toward the "highest quality of justice".

Smallshaw, K., Ruge, T., & Bonta, J. (2002). *Aboriginal approaches to offender supervision*. Solicitor General of Canada.

- CANADA: Explores methods of supervision for Aboriginal probationers in Manitoba and identifies Aboriginal approaches to healing being practiced. A series of research questions were administered to a sample of 40 Aboriginal probationers, 37 probation officers (6 Aboriginal/31 non-Aboriginal) and 15 healing providers. **Questions:** What services/Aboriginal approaches to healing are being used? To whom are these services provided? How often in a typical month are these services provided? **Results:** Approaches to healing: smudging, family group conferencing, sharing circles and the use of Elders are the most frequently used approaches. Services/Aboriginal approaches provided by healing providers: Elders, sharing circles, medicine wheel and pipe ceremonies were the most common. How often in a typical month are these services provided: traditional services are available at least four times a month and the majority more than six times a month. While not all Aboriginal probationers receive or are interested in receiving culturally-specific programming, many of the probation officers interviewed agreed that it was very important to suggest native traditions and to facilitate opportunities for their clients.

Smart, R.G. (1997). *"Inhalant abuse in Canada"*. Substance Use & Misuse, 32(12-13), 1835-1840.

- CANADA: Inhalant use in Canada is a serious problem in some Inuit communities. Highest usage among younger students (ages 13-15). Currently no gender differences. Inhalant users are more often delinquent and have more drug problems than non-users. Inhalant use is greatest on Inuit reservations undergoing rapid social change. Programs to reduce solvent sniffing are rare.

Solicitor General of Canada (1996). *First nations policing policy*. Solicitor General of Canada.

- CANADA: Describes purpose and scope of policy; objectives of policy; policy principles; funding; and program management.

Solicitor General of Canada (1988a). *Correctional issues affecting native peoples*. Correctional Law Review Working Paper No. 7.

- CANADA: Highlights serious problems faced by Aboriginal offenders in the correctional system, and suggests legislative and policy approaches in correctional law reform that could ameliorate problems. Discusses issues and approaches to solutions within the context of the Correctional Law Review keeping in mind unique legal status of Aboriginal people in Canada. Provides overview of Aboriginal offenders and their unique social, cultural and spiritual backgrounds and how that affects their participation in the criminal justice system. Outlines legal framework, including Aboriginal and treaty rights and various constitutional and legislative provisions. Details two approaches in helping to determine the amelioration of conditions for Aboriginal offenders: development of special legislative provisions for Aboriginal people to assume greater control over the provision of certain correctional services to Aboriginal people; and amendments to existing correctional legislation governing all offenders.

Solicitor General of Canada (1988b). *Task force on Aboriginal peoples in federal corrections - Final Report*.

- CANADA: Examines process which Aboriginal offenders (status and non-status Indians, Métis and Inuit) go through from the time of admission to a federal penitentiary until warrant expiry. Identifies needs of Aboriginal offenders and ways of improving their opportunities for social reintegration as law-abiding citizens through: improved penitentiary placement; improved institutional programs; improved preparation for temporary absences; day parole/full parole; and improved innovative supervision. Approach: exhaustive consultation rather than empirical research. Established seven guiding principles for the development of recommendations and strategies. Need to establish enhanced Aboriginal programs and services within the existing Ministry mandate, policies, and objectives. Seventy-nine recommendations were made.

Solicitor General of Canada and Attorney General of Alberta (1991). *Justice on trial: Report of the task force on the criminal justice system and its impact on the Indian and Métis people of Alberta*. Volumes 1 & 2.

- CANADA: Reviews the impact of the criminal justice system in Alberta as it relates to Aboriginal people through a literature review and in-depth consultation. The over-representation and over-incarceration of Aboriginal people in Alberta is proof that the criminal justice system is failing Aboriginal people. In 1989, Aboriginal offenders had a rate of admission to correctional facilities in Alberta of 91.2 admissions per 1,000 total population, 8 times higher than for the non-Aboriginal population. Aboriginals make up only 4% of Albertans and 30% of incarcerated people. The majority (89%) of Aboriginal people appearing in court plead guilty (compared to 75% of non-Aboriginals) and 96% were found guilty. The proportion of young offenders in the system has increased from

30% in 1986 to 35% in 1989. With the Aboriginal birth rate at 2 to 3 times higher than the non-Aboriginal birthrate and more than 60% of Aboriginal adult and youth offenders reporting a home address in a major urban area, the system is not paying enough attention to Aboriginal youth and people in urban areas. Lack of communication between all levels of service providers and Aboriginal people is another key deficiency in the system. To rectify these and other issues, government services should focus on prevention instead of incarceration with funds reallocated accordingly. The government should develop a clear policy statement on the purpose of the criminal justice system, accompanied by coordinated action from all areas of the system. The criminal justice system must also be more community-based, with Aboriginal people involved in decision-making at all levels, particularly more involvement of Aboriginal Elders. Detailed recommendations are made in all areas of the criminal justice system including policing, legal aid, courts, judges, prosecutors and lawyers, corrections, Native Counselling Services of Alberta, and on-going processes, among others. An Aboriginal perspective on justice is presented along with alternative approaches to justice for Aboriginal people.

Square, D. (1998). "Diabetes threatening young native children". *Canadian Medical Association Journal*, 158(3), 292-295.

- CANADA: Discusses non-insulin-dependent diabetes (NIDD) affecting Aboriginal children in Canada. Doctor Dean has started to see First Nations' youngsters with NIDD, which is not typical of such a young population.

Square, D. (1997). "Fetal alcohol syndrome epidemic on Manitoba reserve". *Canadian Medical Association Journal*, 157(1), 59-61.

- CANADA: Discusses a recent study on a First Nations reserve in Manitoba which indicates that 1 in 10 children is the victim of alcohol teratogenesis (FAS/FAE). Notes that for every child identified with FAS/FAE, there were probably 2 or 3 others with behavioural and learning problems caused by exposure to alcohol in utero. World frequency of FAS in live births is 1 to 3 per 1,000 according to a 1990 National Institute on Alcohol Abuse and Alcoholism in the US. In this Manitoba study it was 100 cases per 1,000. Study involved examining medical records of 179 families and examination of children for discriminating features related to FAS/FAE (short palpebral fissures, flat midface, short nose, indistinct philtrum and thin upper lip).

Statistics Canada (1989). *Census Canada, 1986*, Aboriginal peoples output program.

- CANADA: A data book on Canada's Aboriginal population from 1986 Census of Canada.

Statistics Canada (1984). *Canada's native people*.

- CANADA: Many native households are large and include extended family members. Much housing is overcrowded, lacks modern facilities and needs repairs. Although the trend is slowing, ever-married native women have more children than non-native women. Lone parenthood is more prevalent among native people. Most native people speak English rather than a native language. Fewer natives than non-native acquire an advanced education, fewer join the labour force and when they do, unemployment is high. On average, native people receive two-thirds of the income of other Canadians. Many are involved in seasonal employment. Men are most often in construction and women in clerical or service jobs.

Stenning, P., & Roberts, J.V. (2001). *Empty promises: Parliament, the Supreme Court, and the sentencing of Aboriginal offenders*. Draft submitted to the Saskatchewan Law Review.

- CANADA: For well over twenty years, the problem of the over-representation of Aboriginal people in Canada's prisons has preoccupied many people, including correctional authorities, members of the judiciary, justice policy-makers, and criminal justice scholars. Most recently, debate has focused on a specific provision of the Criminal Code concerning the sentencing of Aboriginal offenders. The provision was enacted as part of more general sentencing reform legislation in 1996, and has subsequently been the subject of two lengthy and unanimous Supreme Court of Canada decisions: R v. Gladue, and R v. Wells. In this article, we consider the history and current judicial interpretations and applications of this provision in light of the available research concerning the nature, extent, and causes of the Aboriginal 'over-representation' problem. Specifically, we consider the extent to which the provision and its subsequent judicial interpretations and applications were informed by knowledge about the causes of Aboriginal incarceration. Finally, we propose an alternate model for considering plight of socially disadvantaged offenders, including many Aboriginal offenders, in sentencing decisions.

Stiegelbauer, S.M. (1991). What is an Elder? What do Elders do? First Nation Elders as teachers in culture-based urban organizations. *Ontario Institute for Studies in Education, University of Toronto*.

- CANADA: Discusses the nature and role of First Nation Elders in Toronto urban community organizations. Presents the Elders' own definition of what they do in these organizations, how they came to be called Elders, what they see an Elder to be, and their relationship to the urban community. As individuals grow older and accumulate knowledge and skills, they are respected for what they have learned. They are recognized by their communities and asked to teach others based on their experiences and how they interpret those experiences in traditional terms. Elders are important for their symbolic connection to the past, and for their knowledge of traditional ways, teachings, stories and ceremonies. Provides seven statements that define an Elder. Concludes that an Elder is not a figurehead or symbol but someone who is actively involved with the community and with the organizations themselves. The Elders' own definition of an Elder: "We are helpers, that is the highest level we can be. We are part of the family."

Tait, C.L. (2002). *Fetal alcohol syndrome among Canadian Aboriginal peoples: Review and analysis of the intergenerational links to residential schools*. Submitted to the Aboriginal Healing Foundation.

- CANADA: Examines Fetal Alcohol Syndrome (FAS) and Alcohol-Related Birth Effects (ARBEs) in light of current discussions that identify intergenerational effects linked to, or as a result of, the residential school system. Generates several conclusions with respect to how the residential school system contributed to high rates of alcohol abuse. Report complements and critiques a developing body of research and reviews literature aimed at the prevention of substance abuse during pregnancy and the management and care of negative birth outcomes caused by alcohol exposure in-utero. Provides knowledge base to discuss intergenerational links that connect residential school experiences and present day occurrences of substance abuse by pregnant women and FAS/ARBEs. Examines 'best practices' for FAS/ARBE prevention, identification and intervention proposed by Health Canada. Recommends further research to examine how demographic, socio-economic and socio-cultural factors may be related to an increased risk of FAS/ARBEs for some Aboriginal groups. Supports eight recommendations made in Guide for Health Professional Working with Aboriginal Peoples (Smiley 2000).

Taylor, J. (1995). Family violence in the lives of Aboriginal and non-Aboriginal offenders, *FORUM on Corrections Research*, 7(2), Correctional Service of Canada.

- CANADA: Examined family violence among Aboriginal and non-Aboriginal federal offenders. Found that the lives of federally-sentenced offenders are characterized by violence. Those who have witnessed and/or experienced abuse are more likely to become abusers themselves.

Thomas, C., & Selfe, J. (1993). "Aboriginal women and the law". In S. McKillop (ed.) *Aboriginal justice issues: Proceedings of a conference held 23-25 June 1992*. Australian Institute of Criminology Conference Proceedings No. 21, Canberra.

- AUSTRALIA: Describes community consultations in New South Wales by the Women's Coordination Unit in which the law was identified as an area of significant importance by participating Aboriginal women. Issues raised as areas of concern include: lack of access to the legal system; lack of responsiveness of the legal system; little data on violence against Aboriginal women; lack of effectiveness of institutions (e.g., Domestic Violence Advocacy Service); and, the cultural inappropriateness of the system and specific pieces of legislation such as the *Sex Discrimination Act* (1984). Calls for greater research to be undertaken specifically in the areas of Aboriginal women as witnesses and on juries, responses to apprehended violence orders, victims compensation, and Aboriginal women in prison.

Tonry, M. (1994). "Editorial: Racial disparities in courts and prisons". *Criminal Behaviour and Mental Health*, 4, 158-162.

- CANADA: Discusses racial disparities in courts and prisons. Although disparities have often been cited as evidence that justice system officials are biased against members of minority groups, a consensus is emerging among researchers that the disparities result primarily from racial differences in offending patterns. Group differences in offending patterns are the consequence of historical experiences and contemporary social and economic circumstances. Poverty, disadvantaged childhood, welfare dependence, educational deficiencies, and lack of marketable skills are powerfully associated with a number of social pathologies, including criminality.

Trevethan, S. (1993). *Police-reported Aboriginal crime in Calgary, Regina and Saskatoon*. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada.

- CANADA: Examined Aboriginal crime in 3 western cities - accused and victim. Using 1986 Census, Aboriginal persons tended to be younger, have lower educational levels, higher levels of unemployment, and substantially lower average incomes than non-Aboriginal persons. The police-reported crime rate per 100,000 population was substantially larger for Aboriginal than non-Aboriginal persons. There was a substantial difference in the male-female ratio of Aboriginal and non-Aboriginal accused. There were greater proportions of Aboriginal than non-Aboriginal victims of violent crime, particularly among females.

Trevethan, S., Crutcher, N., & Rastin, C. (2002). An examination of healing lodges for federal offenders in Canada. *Report R-130, Correctional Service of Canada*.

- CANADA: Examination of healing lodges for federal offenders. Section 81 of the *Corrections and Conditional Release Act (CCRA)* allows Aboriginal communities to provide correctional services. Healing lodges are meant to aid Aboriginal offenders in their successful reintegration by using traditional healing methods, specifically, holistic and

culturally-appropriate programming. **Method:** information from case files for 530 offenders who resided at healing lodges from January 1995 through October 2001, interviews with 18 staff from healing lodges, 56 staff from federal facilities, and 20 residents of healing lodges. Provides physical description of healing lodges, profile of offenders who have been transferred, how offenders' view the healing lodge experience, how staff from healing lodges and federal institutions view the healing lodge experience, and issues facing healing lodges. There is great variation among the healing lodges currently in place in Canada. They differ in size, location, design, operation and programming. Although the socio-demographic and criminal history profile of healing lodge residents is similar to Aboriginal offenders in minimum security who have not been transferred, they are assessed as having more difficulties in risk and need. This indicates that it is not the "easiest" cases that are being transferred to healing lodges. In terms of outcome, of the residents who were released, 19% were re-admitted for a new offence within four years of release. This is significantly higher than among Aboriginal offenders released from minimum security (13%). Those who reside at healing lodges said were satisfied with their experience at the healing lodge. It was noted that the healing lodge helped them better understand themselves and furthered their healing journey. Staff from healing lodges and federal facilities have some common perceptions about healing lodges. The following issues were noted: resources; transfers; relationship between healing lodges and federal institutions; and, community involvement.

Trevethan, S., Moore, J.P., & Thorpe, M. (2002). The needs of Métis offenders in federal correctional facilities in Canada. Report R-129, Correctional Service of Canada.

- CANADA: Because of their over-representation within the correctional system (4% of federal inmate population versus 0.7% of Canadian population), and because the current programs and services may not be appropriate for them, Métis offenders may require different interventions than non-Aboriginal and First Nations offenders. Report examines what programs and services are in place, and what services Métis offenders require for successful reintegration. Although they are similar to First Nations offenders in terms of socio-demographic characteristics, offence profile and criminogenic needs, they differ in home environment and cultural aspects. Furthermore, although they are participating in programs that relate to their criminogenic needs while incarcerated, tailoring the programs to make them more relevant to their lifestyles may make them more effective. There is clearly the feeling among Métis offenders that they require different programs from non-Aboriginal offenders, and perhaps different programs from First Nations offenders, to make them more meaningful to them. The family members of Métis offenders also have diverse needs, an area requiring more attention. The involvement of Métis communities in addressing the needs of family members and Métis offenders upon release may make reintegration efforts more successful. Better training for correctional staff about Métis culture may also help improve the outcome for Métis offenders. Information sessions for staff on Métis culture could aid in a better understanding of differences between Métis and First Nations offenders.

Trevethan, S., Auger, S., Moore, J.P., MacDonald, M., & Sinclair, J. (2001). The effect of family disruption on Aboriginal and non-Aboriginal inmates. Research Report R-113, Correctional Service of Canada.

- CANADA: Examined childhood experiences of Aboriginal and non-Aboriginal federal offenders. **Method:** interviews with Aboriginal and non-Aboriginal inmates in 7 Prairie institutions about their childhood experiences (attachment, stability, etc.). **Findings:** larger proportions of Aboriginal than non-Aboriginal offenders were involved in the child welfare system when they were children (63% versus 36%). Aboriginal offenders had less stability while growing up than non-Aboriginal offenders, particularly in teenage years. Involvement in the child welfare system seems to contribute to the differences between Aboriginal and

non-Aboriginal offenders in childhood stability. Those who reported an unstable childhood were less attached than those who reported a stable childhood. Large proportions of Aboriginal offenders said that they were currently attached to Aboriginal culture. Attachment to Aboriginal culture seems to be re-developed upon entry into the federal correctional system. Those who attended residential school (20%) described their experience as very negative. Adolescent stability does not seem to have affected the current relationship with a spouse or children. However, an unstable adolescence may affect the current relationship the offender has with other family members, such as mother, father and siblings. Demonstrates the importance of focusing on early childhood experiences in programming, as well as the importance of Aboriginal culture (programs, Elders, etc.).

Trevethan, S., & Spice, S. (1996). *Description of native court worker programs*. Department of Justice Canada.

- CANADA: Describes how native courtworker programs across Canada operate, including mandate, services, etc.

Trevethan, S., Tremblay, S., & Carter, J. (2000). *The over-representation of Aboriginal people in the justice system*. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada.

- CANADA: Examined the over-representation of Aboriginal people within the criminal justice system. Analyses of: victims of violent crime in Vancouver; youth alternative measures; youth and adult admissions to corrections; and a profile of inmates.

Trimble, J.E. (1991). "The mental health service and training needs of American Indians". In R. Echemendia, P. Guzman, H.F. Myers, & P.L. Wohlford (eds.) *Ethnic Minority Perspectives on Clinical Training and Services in Psychology* (pp. 43-48). Washington, DC: American Psychological Association.

- USA: Discusses mental health services for American Indians and Alaska Natives. Cultural orientations are important aspects in providing for, and delivering, effective mental health services. Ethnocentric notions of adjustment, adaptation, and coping tend to ignore diverse cultural orientations. Mental health training opportunities for Aboriginals need to be enhanced as numbers of sufficiently trained Aboriginals is low. Training and delivery of services to Aboriginals is complicated by the fact that conventional psychological and psychiatric diagnostic categories are culturally incongruent with traditional worldviews. Culture and ethnicity are not frivolous concerns. Culturally sensitive choices need to be made. Provides three recommendations for psychological training programs to ensure culturally relevant intervention.

Turpel-Lafond, M.E. (1999). "Sentencing within a restorative justice paradigm: Procedural implications of R. v. Gladue". *Criminal Law Quarterly*, 43(1), 34-50.

- CANADA: Addresses procedural implications of the Gladue Supreme Court of Canada decision. The Gladue decision is an important watershed in Canadian criminal law as the court clearly endorsed the notion of restorative justice and a sentencing regime which is to pay fidelity to "healing" as a normative value. The decision clarified the duty of sentencing judges to consider background and systemic factors in sentencing Aboriginal offenders. This article examines the following questions: How should counsel approach this decision; and what are the duties of the sentencing judge? The role of Counsel should be seen as a two-step process: defence counsel needs to assist in bringing personal information regarding the defendant to the attention of the court; and the Crown will need to assist in identifying alternatives to incarceration so that the court understands the available options. The decision affects the judiciary in at least three fundamental ways: judges will need to be educated regarding Aboriginal peoples in Canada; judges will need to spend more time

on the sentencing process to ensure that all required information is before the court in order to evaluate a more restorative approach to the defendant and the community; and judicial independence will be vital in discharging this function as individual judges and the judiciary may be subjected to considerable criticism and public attack for applying the Gladue principles in individual cases.

Vanderburg, S.A., Weekes, J.R., & Millson, W.A. (1994). *Native offender substance abuse assessment: The Computerized Lifestyle Assessment Instrument*. Research Report R-37, Correctional Service of Canada.

- CANADA: Examined the Computerized Lifestyle Assessment Instrument (CLAI), designed to measure substance abuse. The results support the ability of an automated self-report system to generate reliable and interpretable information about offender substance abuse problems, regardless of whether the offenders are Aboriginal or non-Aboriginal. The CLAI system is better able to identify offenders having substance abuse problems as compared with approaches reliant on information from offenders' institutional files.

Waldram, J.B. (1997). *The way of the pipe: Aboriginal spirituality and symbolic healing in Canadian prisons*. Ontario: Broadview Press.

- CANADA: Describes research with Aboriginal offenders relating to Aboriginal spirituality. Includes chapters on: incarceration; trauma, racism and identity; Aboriginal spirituality and symbolic healing; elders and spiritual leaders; inmate experiences; obstacles and detours; case studies in spirituality and healing.

Waldram, J.B. (1994). "Aboriginal spirituality in corrections: A Canadian case study in religion and therapy". *American Indian Quarterly*, 18(2), 197-214.

- CANADA: Argues that the therapeutic aspect of Aboriginal spirituality is not being fully recognized in correctional programs. Research at Regional Psychiatric Centre in Saskatchewan (interviews with 30 Aboriginal inmates, observation of psychological and traditional Aboriginal treatments, interviews with Elders).

Waldram, J.B. (1993) Aboriginal spirituality: Symbolic healing in Canada prisons. *Culture, Medicine and Psychiatry*, 17, 345-362.

- CANADA: Describes manner in which current Aboriginal spirituality programs in Canadian prisons constitute a variant of symbolic healing. Documents process of symbolic healing involving Aboriginal offenders in cultural awareness and educational programs. Due to the existence of offenders from diverse Aboriginal cultural backgrounds with differing degrees of orientation to Aboriginal and Euro-Canadian cultures, participants must first receive the necessary education to allow them to identify with the healing symbols so that healing may ensue. Symbolic healing is predicated on the ability of the Elders and patients to establish a common cultural ground and mythic world, including the transactional symbols of tobacco, the pipe, sweet grass, and sweat lodge, as well as the rhetoric. Elders develop this world through education, both formal and informal, and through dialogue. Conclusion: common cultural territory essential before symbolic healing can occur. Healing is viewed as an on-going process that will continue to require disciplined adherence upon release from prison.

Waldram, J.B. (1990). "Access to traditional medicine in a western Canadian city". *Medical Anthropology*, 12, 325-348.

- CANADA: Examines access to traditional Aboriginal medical systems in western Canadian city of Saskatoon. Interviews with 142 Aboriginals from at least six different cultural traditions: Northern or Woods Cree, Plains Cree, Dene, Dakota, Saulteaux (Plains Ojibwa), and Métis. Data demonstrate that many Aboriginals desire access to traditional Aboriginal medical systems and do not see difficulties in having Aboriginal healers

available in Western-style biomedical clinics (60.8% - Aboriginal healers could handle certain kinds of health problems better than physicians could; 85% - physicians could handle certain problems better than Aboriginal healers). Language variables proved to be best predictors of access questions: those with the greatest cultural adherence were more likely to want more formal access. Northern Cree demonstrated the greatest commitment to traditional medicine due to: strong Aboriginal language retention; adherence to Aboriginal culture; and inexperience in the city. Dual use of alternative medical systems did not seem problematic for the study respondents. Lack of access to traditional Aboriginal medical services represents a legitimate health need. Discusses considerations for the implementation of formal access to traditional Aboriginal medicine.

Waldram, J.B., & Wong, S. (1996). "Group therapy of Aboriginal offenders in a Canadian forensic psychiatric facility". *American Indian and Alaska Native Mental Health Research*, 6(2), 34-56.

- CANADA: Documents use of one form of group therapy for Aboriginal offenders in a forensic psychiatric facility where cultural heterogeneity exists. Demonstrates one arena (forensic treatment program) in which cultural misunderstandings and insensitivity and the differing social, class, and racial structures of group therapy affect the involvement of some Aboriginal peoples. Contends that a hybrid of the ideas of French (1989) and Trimble and Fleming (1989) on the counselling of individual Aboriginal people can be extended to provide a framework for analyzing group therapy experiences for Aboriginal peoples. Framework incorporates cultural, racial and class variables in the analyses. Cultural matters must be taken into account when offering group therapy to Aboriginal offenders. Imperative to try to assess the degree of acculturation of the client. Concludes: within a forensic psychiatric setting, group therapies that mirror the social, cultural, racial, and class structures of Euro-Canadian society are problematic in the treatment of traditional Aboriginal offenders but much less so for acculturated Aboriginal offenders.

Walker, J. & McDonald, D. (1995). "The over-representation of indigenous people in custody in Australia". *Trends and Issues in Crime and Criminal Justice*, No. 47, Australian Institute of Criminology, Canberra.

- AUSTRALIA: Aboriginal people are in prison at 13 times the rate of non-Aboriginal people (varies by jurisdiction) and projections over the next decade are ominous. Can be reduced in part by reducing levels of social and economic disadvantages. Must be improvements in the ways the criminal justice system treats Aboriginal people. Juvenile detention: adult over-representation in prison is established in early life. Police custody: Indigenous people held in police cells at a rate over 26 times that of non-Indigenous, particularly among women (due to lack of community ties). Adult prisons: very high numbers of Indigenous prisoners relative to their proportion in the adult population (particularly among women). Offence type: Indigenous people most over-represented in offences involving violence, break and enter, breach of justice and driving offences. Sentencing: Indigenous offenders serve shorter terms of imprisonment than non-Indigenous for the whole range of offences (courts may have lenient view, biasing sentence lengths to avoid accusations of racial bias). Employment and educational background: Indigenous rates of imprisonment partially reflect real differences in rates of offending; possibility that Indigenous rates of imprisonment are not any higher than those applying to other people with similarly low socioeconomic status – improving employment prospects through improved educational attainment could have a significant impact on imprisonment rates. Towards 2011: number of Indigenous people in prison can be projected to increase by 50% by 2011 compared to 1992. Principal cause of over-representation in prison is the low status of the Indigenous community in Australia, both in SES and patterns of discrimination.

Weaver, S.M., (1990). "A new paradigm in Canadian Indian policy for the 1990's". *Canadian Ethnic Studies*, XXII 3, 8-16.

- CANADA: Argues that the current turmoil in the field of Canadian Indian Affairs exists because there is a newly emerging policy paradigm, one that severely challenges current policy thinking in regard to the relationship of the Canadian state to Indian First Nations. Proposes that the new paradigm derives many of its core elements from the Penner Report on Indian Self-Government (1983) and the Coolican Report on comprehensive land claims (1986). Identifies key themes and recurring ideas in specific policies or policy advice. Identifies the relationship between First Nations and the state: is a permanent organic relationship; will exist at a level of sanctioned rights; sustains cultural co-existence with the Euro-Canadian cultural system; will foster direct, honest and honourable dealings; will move toward jointly formulated policies; will promote real empowerment for Aboriginal peoples in the form of self-government; and, will provide for a development-oriented administrative role for the Department of Indian Affairs. Concludes with the proposition that reform is inevitable because old paradigm 'solutions' will become less tenable as new paradigm thinking reveals their outmoded analysis of the state's obligations to First Nation's peoples.

Weekes, J., & Millson, W. (1994). *The Native offender substance abuse pre-treatment program: Intermediate measures of program effectiveness*.

Research Report R-35, Correctional Service of Canada.

- CANADA: Examined the Native Offender Substance Abuse pre-treatment program. Found that the pre-treatment program produced significant improvements in terms of offenders' knowledge and attitudes toward substance abuse, general problem-solving ability and recognition of Native cultural factors.

Weekes, J.R., Morison, S.J., Millson, W.A., & Fettig, D.M. (1995). "A comparison of Native, Métis, and Caucasian offender profiles on the MCMI". *Canadian Journal of Behavioural Science*, 27(2), 187-198.

- CANADA: Examined appropriateness of MCMI (Millon Clinical Multiaxial Inventory) for use with Aboriginal offenders as a tool for correctional assessment. Compared MCMI profiles of native (n=59), Métis (n=39) and Caucasian (n=203) offenders. Results indicated that alcohol abuse was the only clinical dimension that produced between-group differences for the clinical profiles. Also determined that the MCMI had a reasonable degree of internal consistency when administered to Native, Métis and Caucasian offenders.

Weinrath, M. (1999). "Violent victimization and fear of crime among Canadian Aboriginals". *Journal of Offender Rehabilitation*, 30(1-2), 107-120

- CANADA: Examines correlates of Aboriginal fear of crime and differences between Aboriginal and non-Aboriginal Canadians. Used 1991 Aboriginal People's survey (N=25,122) and the 1993 General Social Survey (N=10,000). Results indicate that Aboriginal Canadians generally reported feeling safe, however, females, the elderly, those with low income, urban dwellers and assault victims expressed greater fear. Also found that reported assaults were twice as high for Aboriginal than non-Aboriginal people, but racial differences in fear of crime were small.

Welsh, A. & Ogloff, J.R.P. (2000). "Full parole and the Aboriginal experience: Accounting for the racial discrepancies in release rates". *Canadian Journal of Criminology*, 42(4), 469-491.

- CANADA: Investigated extent to which race group differences accounted for variances in granting full parole in comparison to factors normally considered in evaluating release potential. Sample selected retrospectively from the Offender Management System (maintained by CSC). Total of 2,479 male offenders reached parole eligibility in 1996, of

which 285 were Aboriginal. Variables pertaining to the index offence, criminal history, and risk and need factors were obtained from the Offender Intake Assessment. Aboriginal offenders were convicted of more serious offences and had significantly shorter sentences compared to non-Aboriginal offenders. Significantly higher percentage of Aboriginal offenders were designated as either high or medium risk and high or medium needs than non-Aboriginals. Substance abuse, personal/emotional orientation and employment were identified as areas of difficulty for Aboriginal offenders. Results indicated that Aboriginal offenders were significantly less likely to apply for full parole and more likely to waive a full parole hearing. Aboriginal status was not a significant predictor of parole board decisions. The main indicator for denying parole appeared to be fighting in prison.

Wolff, L. (1991). *Crime in Aboriginal communities: Saskatchewan 1989*. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada.

- CANADA: In Saskatchewan, proportion of offences reported on reserve was higher than proportion of population living on reserve. Violent and traffic crime rates were higher on reserve than in other rural or urban areas, while property crime rate was higher than rural rate but slightly lower than urban rate. Proportion of people within the young offender age category is almost twice as high on reserve than off-reserve.

Wormith, J.S., & Olver, M. (2001). *Offender treatment attrition and its relationship to risk, responsivity, and recidivism*. Draft report prepared for the University of Saskatchewan and Regional Psychiatric Centre (Saskatoon), Correctional Service of Canada.

- CANADA: Study of 93 violent offenders in an intensive treatment program in a specialized, maximum security correctional facility. Examines factors that contribute to attrition from correctional treatment and the implications that treatment non-completion may have for issues concerning risk, recidivism, and responsivity. Focusing on client-initiated drop-out and agency-based expulsion, 35 participants did not complete their treatment program. While not differing significantly in age from completers, non-completers are more likely to be from maximum security (49%), Aboriginal (66%), and married or in a common-law relationship (49%). Completers are more likely to have regular or full-time employment prior to admission (80%), with a higher degree of academic attainment. Non-completers also scored significantly lower on the SIR scale than completers and were more likely to be charged (83%) and convicted (77%) than non-completers (61% charged, 59% convicted). However, it is the non-completers' heightened risk level that puts them at risk for recidivism rather than non-completion of a program. Aboriginal offenders were less likely to complete treatment (53%) than non-Aboriginals (73%), and the rate for high-risk Aboriginal offenders was dramatically less (20%) than other Aboriginal offenders (76%) and equally high risk, non-Aboriginal offenders (67%). While scoring lower on the SIR Scale, Aboriginal offenders were no more likely to recidivate than non-Aboriginals. Findings are specific to this study and may be different with another group of offenders. However, suggestions for minimizing treatment attrition which warrant further investigation include increased attention to basic responsivity issues, specifically culture and cognitive ability.

Wyrostok, N.C., & Paulson, B.L. (2002). Traditional healing practices among First Nations students. *Canadian Journal of Counselling, 34(1)*, 14-24.

- CANADA: Assesses post-secondary First Nations students' attitudes toward traditional Aboriginal healing practices. Ninety-nine First Nations' adult volunteers were surveyed in several adult educational settings. "Aboriginal healing practices" were defined as activities and ceremonies performed with the help of an elder or recognized healer for the purpose of helping people to feel better mentally, emotionally, physically, and spiritually. Survey questionnaire was constructed to assess respondents' attitudes toward traditional healing practices through: interest, valuing, and experience with traditional healing practices.

Results: respondents expressed overall strong interests in traditional healing practices - 90% reported hope that traditional healing would continue to be practiced; 81% reported some previous experience with specific traditional healing practices (44% sweat lodge, 46% prayer ceremonies, 49% herbal cures). Findings: traditional healing practices remain a vital part of the First Nations community. Traditional practices are valued for their part in cultural identity and their curative power. Recommendations: counsellors need to have an awareness of the First Nation world-view, a knowledge of local cultural practices and resources and a recognition of the constraints of their own value system. Additional research to increase understanding of the role and impact of traditional healing practices is necessary.

Yeboah, D.A. (2000). "Maori and the New Zealand corrections system". *Forum on Corrections Research*, 12(1), 19-21.

- NZ: Discusses proportion of Maori in NZ and over-representation in corrections; lower socio-economic status, life expectancy, morbidity, higher mortality; project underway "Reducing Offending by Maori" which is trying to improve socio-economic status, rehabilitation, using Maori providers, implementing culturally appropriate programs, employing more Maori staff; Marae justice (suggestion that Maori offenders be subjected to Marae justice instead of traditional criminal justice system).

Young, T.K., & Katz, A. (1998). "Survivors of sexual abuse: Clinical lifestyle and reproductive consequences". *Canadian Medical Association Journal*, 159(4), 329-335.

- CANADA: In recent years, an increase in the prevalence of sexual abuse of women has been reported in Canada and elsewhere. However, there is little empirical data on the extent of the problem in Canadian Aboriginal populations. Sample of 1,696 women was selected from women attending a community health centre in a low-income inner-city area of Winnipeg for a cross-sectional survey designed to study the association between sexual behaviour and cervical infections. Survey conducted between November 1992 and March 1995 and involved a clinical examination, laboratory tests and interviewer-administered questionnaire. Sub-study of 1,003 women were asked 2 questions about sexual abuse. Among the respondents, 43.6% were Aboriginal. Overall, 36.5% of the respondents reported having been sexually abused, 74.0% of the incidents having occurred during childhood. Prevalence was higher among Aboriginal than non-Aboriginal women (44.8% v. 30.1%). Women who had been sexually abused were younger when they first had sexual intercourse, had multiple partners, and had a history of sexually transmitted diseases. Non-Aboriginal women who had been sexually abused were more likely than those who had not been abused to have been separated or divorced, unemployed and multiparous and to have used an intrauterine device rather than oral contraceptives. Aboriginal women who had been sexually abused were more likely than those who had not been abused to have had abnormal Papanicolaou smears. Proportion of smokers was higher among the abused women than among the non-abused women in both groups.

Young, T.K., Reading, J., Elias, B., & O'Neil, J.D. (2000). "Type 2 diabetes mellitus in Canada's first nations: Status of an epidemic in progress". *Canadian Medical Association Journal*, 163(5), 561-567.

- CANADA: The epidemic of type 2 diabetes is on the upswing, with a trend toward earlier age at onset. Widely recognized that type 2 diabetes has become a serious health problem among many Aboriginal populations in North America. Diabetes can be considered to be indicative of the rapid sociocultural changes experienced by Aboriginal people in the past several decades. Examines data from APS and 1997 First Nations and Inuit Regional Health Survey (FNIRHS). Focus on First Nations (not yet an important

health problem among Inuit and little data available for Métis). Found 5-fold risk of death from diabetes among women resident on reserves compared with Canadians nationally. Prevalence of diabetes varies according to language group, culture area, geographic location and degree of isolation. Crude prevalence of diabetes in FNIRHS was 8% among men and 13% among women. When age-adjusted to Canadian population, the prevalence was 3.6 to 5.3 times higher among First Nations men and women respectively than among Canadian men and women. Scattered intervention projects have been implemented and some show promise. The health and social repercussions of the disease are considerable, and long-term outlook remains guarded. Prevention and control of diabetes require community action and collaboration among Aboriginal organizations, governments, voluntary agencies and health care professionals.

Zellerer, E. (1992). "Native spirituality behind bars: A policy proposal". *Canadian Journal of Native Studies*, 12(2), 251-268.

- CANADA: Describes history of native policy, native spirituality and corrections in Canada; and examines policy including barriers to and support for its implementation. Argues that contrary to CSC objectives, differences of Native offenders are not being fully respected nor are their spiritual needs being met. Proposes a policy to respect Aboriginal religion and spirituality freedom.