



# Representation of Aboriginal People in the Canadian Criminal Justice System

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### *Representation of Aboriginal People in the Canadian Criminal Justice System*

This fact sheet is based on available published literature on Aboriginal people and their representation in the Canadian criminal justice system. The information presented includes data for adults and youth among police, court, correctional service and conditional releases statistics. Information regarding Aboriginal people in the criminal justice system is also gathered from academic and peer reviewed journal articles, where available, and from the General Social Survey (GSS). For the purpose of comparison, population data from the 2011 National Household Survey (NHS) are included to provide context on the representation of Aboriginal people and non-Aboriginal people in the criminal justice system as compared to the representation of these groups in the Canadian population.

Note that caution should be made when comparing criminal justice data on Aboriginal people groups to population data as definitions of Aboriginal people may vary. The terms used to identify Aboriginal groups and non-Aboriginal groups in the research are retained in this document and definitions for each group are noted, where available. Although some variation may exist, the vast majority of research adheres to the definition of Aboriginal people used in the Census of Canada. According to Statistics Canada, Aboriginal identity refers to those persons who reported identifying with at least one Aboriginal group: North American Indian, Métis or Inuit, and/or those who reported being a Treaty Indian or a registered Indian, as defined by the Indian Act of Canada, and/or those who reported they were members of an Indian band or First Nation. Alternatively, non-Aboriginal people include all people not identifying with an Aboriginal group. As population estimates are based on one point in time in 2011 and may differ to the timeframe used for the prevalence rates in criminal justice data, comparisons between the two should be made with caution.

Also note that the collection and reporting of Aboriginal identity of a criminal accused or offender varies across the Canadian criminal justice system. Currently, national data on Aboriginal identity or Aboriginal group affiliation is restricted to the correctional systems, both federal and provincial/territorial. As such, data in this fact sheet are heavily weighted towards correctional data for Aboriginal people, from the provincial/territorial correctional systems, where available, and from the Correctional Service of Canada and Parole Board of Canada. Data for other areas of the criminal justice system are often unavailable or limited.

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## Highlights

- Although they account for roughly 4% of the population in Canada, 37% of Aboriginal people self-reported having been criminally victimized in the provinces in 2009, according to data from the General Social Survey (GSS). Over the same period, 26% of non-Aboriginal people reported a criminal victimization.
- The GSS also found that 13% of all Aboriginal women aged 15 and older living in the provinces stated that they had been violently victimized.
- In 2009, Aboriginal women aged 15 and older living in the provinces were almost three times more likely than non-Aboriginal women to report having been a victim of a violent crime. This was true regardless if the violence occurred between strangers or acquaintances, or within a spousal relationship.
- The reporting rate for non-spousal violent incidents was similar for Aboriginal people (26%) and non-Aboriginal people (29%). However, Aboriginal victims of spousal violence were twice as likely as non-Aboriginal victims to report their victimization to police (29% compared to 15%).
- While Aboriginal people represented only 2% of the provincial population, they represented 7% of all civilians involved in (Special Investigations Unit) SIU shooting investigations.
- In 2010/2011, 27% of adult admissions to provincial and territorial sentenced custody were Aboriginal people, about seven to eight times higher than the proportion of Aboriginal adults, 18 years and older (3%), in the adult population as a whole.
- Research from select provinces in Canada found that compared to non-Aboriginal people, Aboriginal people were more likely to have returned to correctional supervision or violated their community supervision in the two-year period following a release in 2002/2003.
- The disproportionate representation of Aboriginal people in provincial/territorial correctional systems was larger for women (41% of female admissions to sentenced custody) than for Aboriginal men (25% of male admissions to sentenced custody).
- The representation of Aboriginal women among female admissions to sentenced custody has steadily increased in recent years, and increasing at a faster rate than for Aboriginal men.
- The number of incarcerated Aboriginal women nearly doubled between 2002/2003 and 2011/2012 (+ 97%) while the increase among incarcerated Aboriginal men was 34% for the same period.
- Although they account for only 4% of the Canadian population, Aboriginal offenders accounted for 19% of the total federal offender population in 2011/2012 (22% of the federal incarcerated population and 15% of the federal community population). Over the last five years, Aboriginal offenders, in comparison with other groups, were the least likely to be released on some form of conditional release and were the most likely among all groups to be released at warrant expiry (WED), or the date their criminal sentence officially ends, as imposed by the courts at the time of sentencing<sup>1</sup>.
- Between 2007/2008 and 2011/2012, successful completion rates on federal day and full parole were lowest for Aboriginal offenders compared to all other ethnic groups.

## Aboriginal representation in Canada's population <sup>2</sup>

- According to Statistics Canada, Aboriginal identity refers to those persons who reported identifying with at least one Aboriginal group, that is, North American Indian, Métis or Inuit, and/or those who reported being a Treaty Indian or a registered Indian, as defined by the Indian Act of Canada, and/or those who reported they were members of an Indian band or First Nation. Data from the National Household Survey (NHS) show that 1,400,685 people had an Aboriginal identity in 2011, representing slightly more than 4% of the total Canadian population. Aboriginal people accounted for slightly less than 4% of the population enumerated in the 2006 Census, 3% in the 2001 Census and 3% in the 1996 Census.
- The Aboriginal population increased by 232,385 people, or by 20% between 2006 and 2011, compared with 5% for the non-Aboriginal population<sup>3</sup>.
- The largest numbers of Aboriginal people lived in Ontario and the western provinces (Manitoba, Saskatchewan, Alberta, and British Columbia). Aboriginal people made up the largest shares of the population of Nunavut (86%) and the Northwest Territories (52%).
- In 2011, Winnipeg had the highest number of Métis and First Nations people, representing 7% and 4% of its total population, respectively. Edmonton, had the second largest number of Métis and First Nations people, followed by Vancouver.
- According to data from the NHS, an estimated 49% of First Nations people with registered Indian status reported living on a reserve, while the remaining 51% lived off reserve<sup>4</sup>, in 2011.
- In 2006, 54% of all Aboriginal people lived in an urban centre. Of these, 59% of the urban Aboriginal population lived in census metropolitan areas while the remaining 41% of the urban Aboriginal population lived in urban centres smaller than a census metropolitan area<sup>5</sup>.

## Aboriginal groups

- Of the people who identified themselves as an Aboriginal person in the 2011 NHS, 61% identified as First Nations (North American Indian) only; 32% identified as Métis only; and 4% identified as Inuit only. An additional 2% reported other Aboriginal identities and 1% reported more than one Aboriginal identity.
- First Nations people made up 3% of Canada's total population while Métis comprised slightly more than 1%, and Inuit less than 1%.

## Age and sex of Aboriginal people

- In 2011, the median age of the Aboriginal population was 28 years; 13 years younger than the median of 41 years for the non-Aboriginal population<sup>6</sup>.
- Inuit were the youngest of the three Aboriginal groups, with a median age of 23. The median age of First Nations people was 26, and that of Métis was 31 years.
- The 2011 NHS showed that Aboriginal children aged 14 and under in Canada accounted for more than one-quarter (28%) of the total Aboriginal population, accounting for 7% of all children in Canada. In contrast, the representation of non-Aboriginal children aged 14 and under in Canada among the non-Aboriginal population was lower, at 17%.
  - Additionally, 18% of the total Aboriginal population was aged 15 to 24 years, and 6% of all youth in Canada. Non-Aboriginal youth and accounted for 13% of the non-Aboriginal population.

- Women represented a slightly higher proportion of Aboriginal people than men (51% and 49% respectively) in 2011. This is comparable to the overall Canadian population of women and men<sup>7</sup>.

## Population projections for Aboriginal people <sup>8 9</sup>

- Aboriginal people continue to account for increasing proportions of the Canadian population. In 2011, data from the National Household Survey (NHS) showed that more than 4% of the total Canadian population was an Aboriginal person, up from less than 4% of the population enumerated in the 2006 Census, 3% in the 2001 Census and 3% in the 1996 Census.
- The rate of growth in the Aboriginal population between 2006 and 2011 was 20%, four times higher than the rate within the non-Aboriginal population (+5%).
- Among Aboriginal groups, the First Nations people experienced the greatest increase in population growth during the same time period, up 23%, by 2011. This was higher than increases among Inuit (+18%) and Métis (+16%) groups.
- According to Statistics Canada, by 2031, Aboriginal peoples could represent up to 5% of all Canadians, essentially averaging an annual growth rate ranging between 1% and 2% over a 25-year period while the non-Aboriginal population would average a 1% increase annually over the same period.
  - According to Statistics Canada projections, the North American Indian (First Nations) and Inuit population could grow at an average annual rate of between 1% and 2% from 2006 to 2031. The population reporting a Métis identity could be the fastest growing of the Aboriginal populations, with an average annual growth rate of between 1% and 3% until 2031.

## Aboriginal people as victims of crime <sup>10 11</sup>

- The 2009 General Social Survey (GSS) survey collects information from a representative sample of Canadians regarding their victimization experiences for eight types of crime. These eight types of crimes include: sexual assault, robbery, assault, break and enter, theft of motor vehicles or parts, theft of household property, vandalism and theft of personal property. Victimization incidents are presented for all types of victimization (including household and violent), while violent victimization rates for spousal and non-spousal types of victimization are presented separately. Data on incidents of spousal violence are generated from the experiences of respondents in the five years preceding the survey, while non-spousal violent incidents are examined during the 12 months preceding the survey.
  - Data for this section are largely based on results from the 10 provinces only due to small numbers in the territories, although data for the territories are presented when available.
- Results from the 2009 General Social Survey (GSS) indicate that overall, 37% of Aboriginal people self-reported having been a victim of at least 1 of 8 selected criminal offences in the past 12 months. Over the same period, a smaller proportion of non-Aboriginal people (26%) reported having been victimized.
  - Overall, the total victimization rate among Aboriginal people living in the provinces was much higher than non-Aboriginal people, at 232 per 1,000 population compared to 114 per 1,000 of non-Aboriginals.

## Offence profiles of Aboriginal people as victims of crime

- The self-reported incidents of violent victimization (physical, sexual assault and robbery) and theft of personal property were higher for Aboriginal people compared to non-Aboriginal people, for all types of victimization, in the 10 provinces. This is consistent with findings from the 1999 and 2004 GSS.
  - In the territories, overall the violent victimization rate among Aboriginal people (252 per 1,000 population) was higher than among non-Aboriginal people (145 per 1,000 population).
- In addition to the presentation of results for overall victimization experiences for the provinces and territories, results are also available for spousal and non-spousal incidents of violence, for the provinces only. Non-spousal violence includes sexual assaults, robberies and assaults committed by anyone but the victim's partner (e.g., friends, acquaintances, strangers, other family members). Spousal violence, on the other hand, includes sexual assaults and assaults committed by a current or former spouse or common-law partner. Data on incidents of spousal violence are generated from the experiences of respondents in the five years preceding the survey, while non-spousal violent incidents are examined during the 12 months preceding the survey.
  - In the provinces, in 2009, 12% of Aboriginal people reported being the victim of at least one non-spousal violent crime, more than double the proportion of non-Aboriginal people (5%). In total, Aboriginal people self-reported 173,600 non-spousal violent incidents representing a rate of 198 violent incidents for every 1,000 Aboriginal people<sup>12</sup>.
  - The risk of physical assaults for Aboriginal people was much greater than for non-Aboriginal victims for both non-spousal physical assaults (107 per 1,000 versus 58 per 1,000 respectively) and spousal physical assaults (141 per 1,000 versus 78 per 1,000 respectively).
  - Similarly, the rates of sexual assault were substantially higher for Aboriginal people compared to non-Aboriginal, for both spousal and non-spousal incidents. The gap between Aboriginal (70 incidents per 1,000) and non-Aboriginal victims (23 per 1,000) was proportionally greater for incidents of non-spousal sexual assaults compared to all other victimization types.
  - Aboriginal people are also more likely than non-Aboriginal people to report being victimized multiple times. In 2009, nearly one-quarter (23%) of victims in the 10 provinces had been a victim of more than one non-spousal violent incident, compared to 19% of non-Aboriginal victims. These Aboriginal victims of multiple non-spousal violent crimes accounted for 41% of the non-spousal violent incidents reported by Aboriginal people.
- Aboriginal people were almost twice as likely as non-Aboriginal people to report being a victim of spousal violence in the five years preceding the survey (10% versus 6%) among the 10 provinces.
  - In the Territories, 17% of Aboriginal people reported being a victim of spousal violence in the past 5 years, compared to 6% of non-Aboriginal people<sup>13</sup>.
  - The same study also noted that more than half (59%) of Aboriginal victims of spousal violence reported being victimized more than once in the past five years compared to 43% of non-Aboriginal victims of spousal violence.



## Aboriginal groups who are victims of crime

- The 2009 GSS results on victimization are not broken down by Aboriginal group in the provinces. In the territories, although there are some findings for the different Aboriginal groups, they are considered unreliable due to small numbers and therefore are not reported in this fact sheet.

## Sex of Aboriginal people who are victims of crime

- The high rates of violent victimization of Aboriginal people are largely driven by high levels of violence against Aboriginal women. Aboriginal women, in particular, were at greater risk than non-Aboriginal women of being victims of spousal violence, according to the 2009 GSS.
- In 2009, Aboriginal women aged 15 and older living in the provinces were almost three times more likely than non-Aboriginal women to report having been a victim of a violent crimes. This was true regardless if the violence occurred between strangers or acquaintances, or within a spousal relationship.
  - The overall violent victimization rate for Aboriginal women in the provinces was 279 per 1,000 women aged 15 years and older compared to 106 per 1,000 for non-Aboriginal women<sup>14</sup>.
- Also among those living in the provinces, about 15% of Aboriginal women who had a spouse or common-law partner in the past five years reported being a victim of spousal violence, more than twice the proportion among non-Aboriginal women and men (6% each, respectively), and higher than the proportion for Aboriginal men (10%).
  - Aboriginal women (223 per 1,000 population) were also significantly more likely to be a victim of non-spousal violence than non-Aboriginal women (84 per 1,000 population)<sup>15</sup>.
- More than one-third (34%) of Aboriginal women in the 10 provinces reported being victimized two or more times in the previous 12 months. This proportion is similar to that of non-Aboriginal women<sup>16</sup>.
- In the provinces, Aboriginal female victims of spousal violence were more likely than non-Aboriginal female victims to indicate that they had been injured as a result of their victimization. During the 5 years preceding the survey, 59% of Aboriginal women and 41% of non-Aboriginal women who experienced spousal violence were injured.
  - In the territories, more than three-quarters (78%) of those who suffered the most severe forms of spousal violence were women.
- Women aged 15 to 34 years were highly represented among all victims of violence. More specifically, women aged 15 to 34 years represented close to two-thirds (63%) of women Aboriginal victims while they accounted for just under half (47%) of the female Aboriginal population aged 15 or older living in the ten provinces. Young women were also highly represented among non-Aboriginal victims, as those aged 15 to 34 comprised 54% of victims of violence, while accounting for just 31% of women aged 15 and older living in the 10 provinces.
- Most non-spousal violent victimizations are committed by young adult men. In 2009, about 76% of perpetrators of non-spousal victimizations against Aboriginal people were men compared to 89% of those against non-Aboriginal people.
  - Roughly 8 in 10 (79%) perpetrators of non-spousal violent victimization against Aboriginal women were men.

## Age of Aboriginal people who are victims of crime <sup>17</sup>

- Age was an important risk factor for victimization according to results of the 2009 GSS. Those aged 15 to 24 years were the victims in nearly half (47%) of non-spousal violent incidents reported by Aboriginal people in the provinces, whereas people in this age group represented 22% of the Aboriginal population aged 15 and over.
  - There were 425 violent incidents for every 1,000 Aboriginal person aged 15 to 24 years in the provinces. The corresponding rate for non-Aboriginal people was 268 per 1,000.
- Aboriginal women aged 15 to 34 years represented close to two-thirds (63%) of women Aboriginal victims while they accounted for just under half (47%) of the female Aboriginal population aged 15 or older living in the ten provinces. Young women were also highly represented among non-Aboriginal victims, as those aged 15 to 34 comprised 54% of victims of violence, while accounting for just 31% of women aged 15 and older living in the 10 provinces.

## Victimization characteristics for Aboriginal people <sup>18</sup>

- In the provinces where data were available, most non-spousal violent incidents against Aboriginal people did not involve a weapon (82%), a higher proportion than for victimizations of non-Aboriginal people (70%), according to the 2009 GSS. In nearly two-thirds (67%) of non-spousal violent incidents, the Aboriginal victim felt that the incident was related to the perpetrator's alcohol or drug use. This compares to 52% among non-Aboriginal people.
- Both Aboriginal and non-Aboriginal victims of non-spousal violence often knew their perpetrator. However, a greater proportion of both Aboriginal victims and non-Aboriginal victims were victimized by a relative, a friend, an acquaintance, a neighbour or another person known to them compared to a stranger (68% versus 52%).
- Aboriginal victims of spousal violence residing in the provinces were also more likely than non-Aboriginal victims to report suffering the most serious forms of spousal violence.
  - More specifically, Aboriginal victims were nearly twice as likely to report being hit with an object, beaten, strangled, threatened or assaulted with a firearm or a knife, or forced to engage in an unwanted sexual act (60% for Aboriginal people versus 33% for non-Aboriginal people). Proportionally, twice as many Aboriginal victims as non-Aboriginal victims said they were injured (57% versus 29%), and more than twice as many said they feared for their lives (48% versus 18%).

## Aboriginal people and police contact

- A study of the 2009 GSS data in Canada showed that 42% of Aboriginal people and 37% of non-Aboriginal people had contact with the police in the 12 months preceding the survey.
  - Aboriginal people were more likely than non-Aboriginal people to have had contact with the police in the context of a public information session (13% compared to 8%) and for being arrested (3% compared to 1%)<sup>19</sup>.
- A 2003/2004 research study by Wortley, which recorded information about police stops by the City of Kingston Police, showed that Aboriginal people were over-represented in pedestrian stops but under-represented in vehicle stops. This over-representation in police stops was not found when examining those individuals who were stopped more than once.

- The overall police stop rate for Aboriginal people was 126 per 1,000 compared to 91 per 1,000 for Whites and 320 per 1,000 for Blacks<sup>20 21</sup>.

## Aboriginal people and police use of force <sup>22</sup>

- A 2007 study on police use of force in Ontario between 2000 and 2006 found that Aboriginal residents of Ontario were over-represented in police shootings.
  - While Aboriginal people represented only 2% of the provincial population, they represented 7% of all civilians involved in (Special Investigations Unit) SIU shooting investigations.

## Age and sex of Aboriginal people who have contact with police <sup>23</sup>

- Wortley's research on police stops by the City of Kingston Police also showed that the police stop rate for Aboriginal women residents of Kingston was 47 per 1,000 population and the Aboriginal male rate was 170 per 1,000, compared to stop rate of 33 per 1,000 for White women and a rate of 115 per 1,000 for White men.
- Wortley's 2007 study on police use of force in Ontario found that the rate at which Aboriginal women were involved in SIU investigations (SIU rate = 12.4 per 100,000 population) was 7.1 times greater than the rate for White women (1.7 per 100,000). By contrast, the Aboriginal male SIU rate (48.1 per 100,000) was 5.6 times greater than the rate for White men (8.6 per 100,000).
- In 2009, close to 4 in 10 Aboriginal women (39%) said that they had come into contact with the police in the 12 months preceding the General Social Survey (GSS). Aboriginal women were no more likely than non-Aboriginal women to state that they had some form of contact with police in the previous 12 months<sup>24</sup>.
- A 2011 study of police and visible minority youth (aged 12 to 17 years) in Toronto found that high-risk visible minority groups (that is, youth identified as Aboriginal, Black, and West Asian racial/ethnic origin) were nearly three times more likely to have had contact with police in the past year than other youth. The authors were unable to explain the disproportion, leading to the hypothesis that disproportionate contact among visible minorities is due to racially discriminatory policing<sup>25</sup>.

## Aboriginal people's experience reporting victimization to police <sup>26</sup>

- According to the 2009 GSS, both Aboriginal and non-Aboriginal people reported about 1 in 3 violent incidents to police.
  - The reporting rate for non-spousal violent incidents was similar for Aboriginal people (26%) and non-Aboriginal people (29%).
  - In contrast, Aboriginal victims of spousal violence were twice as likely as non-Aboriginal victims to report their victimization to police (29% compared to 15%).

## Aboriginal people in criminal court statistics

- Research by Kong and Beattie identified some of the challenges to collect comprehensive data related to race and ethnicity for both visible minorities and Aboriginal people within the justice system<sup>27</sup>.
- Although Aboriginal identity is collected as an offender characteristic in the correctional system, the absence of accused characteristics such as Aboriginal identity and visible minority status is

particularly notable for courts statistics. Various surveys from the Canadian Centre for Justice Statistics (CCJS) from Statistics Canada, such as the Integrated Criminal Court Survey (ICCS), the Adult Criminal Court Survey (ACCS) and the Youth Court Survey (YCS), are unable to report information on the race or ethnicity of accused. Although the collection of Aboriginal identity has been added to the newer Integrated Criminal Court Survey (ICCS), consultations with all jurisdictions regarding the development of the new integrated survey revealed that the vast majority of jurisdictions do not collect this information in their existing court information systems and have no current plans to do so because this information is not considered necessary for the purposes of court administration.

### Aboriginal people in provincial/territorial correctional systems <sup>28</sup>

- Aboriginal people were disproportionately represented among provincial/territorial custodial admissions compared to their representation in the population. In 2010/2011, 27% of adults in provincial and territorial sentenced custody admissions were Aboriginal, about seven to eight times higher than the proportion of Aboriginal adults, 18 years and older (3%), in the adult population as a whole.
  - The disproportionate number of Aboriginal people in custody was consistent across all provinces and territories although to the degree to which Aboriginal people were overrepresented varied, ranging from a low of 2 times in Newfoundland and Labrador to highs of 6 times in Ontario, nearly 7 times in Saskatchewan and 8 times in Alberta.
- The representation of Aboriginal people among provincial/territorial sentenced custody admissions has increased by three percentage points in the past five years since 2006/2007, when 24% of all provincial/territorial sentenced admissions were Aboriginal.
- Aboriginal adults accounted for a lower proportion of admissions to community services than to custody, albeit still higher than their representation in the adult population would predict. In 2010/2011, 19% of admissions to probation were Aboriginal, roughly 6 times higher than the proportion of Aboriginal adults (3%) in the adult population.

### Age and sex of Aboriginal people in provincial/territorial correctional systems <sup>29</sup>

- The disproportionate number of Aboriginal people in provincial/territorial correctional systems was particularly true among women offenders.
  - In 2010/2011, 41% of all female admissions (compared to 25% of male admissions) to sentenced custody were Aboriginal.
  - Also in 2010/2011, one-in five women (20%) admitted to a provincial/territorial community sentence was an Aboriginal woman, higher than the proportion among male admissions (14%)
- Between 2004/2005 and 2008/2009, the representation of Aboriginal women among female admissions to sentenced custody has increased by 6 percentage points, while the representation among remand admissions has increased by 2 percentage points.
  - Over the same time period, the rate of increase for Aboriginal men was smaller than the growing rate for Aboriginal women: up 2 percentage points among male admissions to sentenced custody and up 1 percentage point among men admitted to remand.

- Similarly, as was the case for Aboriginal men, Aboriginal women accounted for the largest proportions of female admissions in the Western provinces. For example, roughly close to 8 in 10 female admissions were Aboriginal in Saskatchewan (79%), Manitoba (83%) and the Yukon (83%), followed by Alberta (54%) and British Columbia (29%).
- The rate at which Aboriginal women returned to correctional supervision was substantially higher than both the rate for non-Aboriginal women and non-Aboriginal men.
  - More than one-third of Aboriginal women (36%) returned to correctional supervision within two years following release compared to 20% of non-Aboriginal women and 30% of non-Aboriginal men. Nearly half of all Aboriginal men (47%) returned to correctional supervision within two years<sup>30</sup>.
- The large discrepancy between the rates of re-involvement for Aboriginal women compared to non-Aboriginal women was highest in Saskatchewan where the re-involvement rate for Aboriginal women (36%) was more than 3 times the rate for non-Aboriginal women (11%), and substantially higher than that for non-Aboriginal men (23%).

## Offence profiles of Aboriginal people in provincial/territorial correctional systems <sup>31</sup>

- Aboriginal adults are more frequently admitted to provincial/territorial correctional services for violent offences compared to their non-Aboriginal counterparts. For example, among the six provinces that reported to the Integrated Correctional Services Survey in 2007/2008, 28% of Aboriginal adults who were admitted to provincial custody had committed violent offences, compared to 25% of non-Aboriginal adults.
  - Admissions for serious violent offences (which include murder, attempted murder and major assault) were more prevalent among Aboriginal adults (11%) versus non-Aboriginal (7%), as were admissions for common assault among Aboriginal offenders (7%) versus non-Aboriginal (5%).

## Other socio-demographic characteristics of provincial/territorial offenders <sup>32</sup>

- Information gathered from needs assessments for adult offenders who entered correctional facilities in Saskatchewan in 2010/2011 shows that Aboriginal men and women were identified as having a high level of need. Aboriginal people were also found to have higher levels of need compared to non-Aboriginal people.
  - Compared to non-Aboriginal men, Aboriginal men were more likely to have been assessed as having a medium or high level of need in the area of substance abuse (95% versus 82%), criminal attitude (80% versus 73%), family/marital (51% versus 48%) and employment (79% versus 48%). No differences were noted between Aboriginal and non-Aboriginal men in the areas of social interaction and community functioning.
  - Similarly, Aboriginal women were identified as having higher levels of need compared to non-Aboriginal women in all areas of need, including substance abuse (97% versus 78%), criminal attitude (68% versus 54%), social interaction (94% versus 78%), employment (87% versus 65%), and community functioning (79% versus 71%).

- While there was no difference in the median number of needs for Aboriginal and non-Aboriginal men (4 needs), Aboriginal women had a larger number of needs than non-Aboriginal women (5 versus 3 needs).
- Non-Aboriginal men and women reported having substantially higher levels of educational achievement compared to Aboriginals in select provinces across Canada in 2010/2011. Specifically, twice the proportion of non-Aboriginal men (60%) had completed secondary school compared to Aboriginal men (27%) while the rate of secondary school completion was nearly three times higher for non-Aboriginal women compared to Aboriginal women (58% versus 20%)<sup>33</sup>.
- The same data found that Aboriginal men were less likely to have been employed (part-time or full-time) at the time of admission to provincial/territorial sentenced custody<sup>34</sup>.
  - Nearly half (46%) of all non-Aboriginal men were employed at the time of admission compared to 39% of Aboriginal men. One-quarter of non-Aboriginal women (23%) were employed compared to only 15% of Aboriginal women.
- Compared to Aboriginal men, non-Aboriginal men were more typically single (65% versus 62%) and more likely to be legally married at the time of admission (9% versus 5%). On the other hand, Aboriginal men were nearly twice as likely to have been in a common-law relationship compared to non-Aboriginal men (26% versus 14%).
  - In contrast, Aboriginal women were more commonly single compared to non-Aboriginal women (67.7% versus 61.5%). Aboriginal women, as was the case for Aboriginal men, were more likely to have been in a common-law relationship at the time of admission to provincial/territorial custody (20% versus 16%) and were less likely to have been legally married (4% versus 6%).

## Outcome statistics of provincial/territorial offenders <sup>35</sup>

- Johnson's 2006 research from select provinces in Canada between 2002/2003 and 2004/2005 found that Aboriginal people were more likely to have returned to correctional supervision in the two-year period following release in 2002/2003 compared to non-Aboriginal people (45% versus 29%).
  - Re-involvement rates for Aboriginal people were highest in Nova Scotia (47%), closely followed by Saskatchewan (45%), and New Brunswick (40%).
- The same study found that the occurrence of a breach of community supervision (i.e., failure to complete a period of probation and/or conditional sentence) was higher among Aboriginal offenders than non-Aboriginal offenders, in both Saskatchewan (32% versus 16%) and Alberta (52% versus 33%).
  - In Saskatchewan, Aboriginal men had a breach rate almost double that of non-Aboriginal men (32% versus 17%), while Aboriginal women had a breach rate almost triple that of their non-Aboriginal counterparts (30% versus 12%). In Alberta, breach rates of Aboriginal adults were higher than that of their non-Aboriginal counterparts both for men (53% versus 34%) and women (48% versus 32%), and across all age groups.
- The same study also found that in Alberta, where information on breaches of probation orders was available, Aboriginal adults had a higher rate of breach of probation than non-Aboriginal adults (48% versus 30%).

- Some differences were noted among Aboriginal and non-Aboriginal offenders regarding breach rates of specific conditions. A higher percentage of Aboriginal adults (26%) who had a “community service work” condition breached that condition than non-Aboriginal adults (20%). Similarly, 35% of Aboriginal adults had a breach of “restitution/compensation order” condition compared to 26% of their non-Aboriginal counterparts.
- Johnson (2006) also profiled the rate of breach of a conditional sentence in New Brunswick and Saskatchewan (defined as a re-admission to custody as the result of a conditional sentence breach such as suspension and/or revocation) and in Nova Scotia and Alberta (defined as cases where the conditional sentence was recorded as not being successfully completed due to a violation of a condition or cases where a breach was indicated)<sup>36</sup>.
  - In Nova Scotia, 38% of Aboriginal persons with a conditional sentence breached compared to 21% of non-Aboriginal persons while in Alberta 46% of Aboriginal persons with a conditional sentence failed to successfully complete their conditional sentence without a breach compared to 28% of non-Aboriginal persons.
  - In Saskatchewan, 47% of Aboriginal people were admitted to custody due to a breach of conditional sentence compared to 28% of non-Aboriginal adults while the rates of admission to custody due to a breach of conditional sentence were similar for Aboriginal and non-Aboriginal adults (23%, each) in New Brunswick.

### Aboriginal people and federal correctional services <sup>37</sup>

- Although they account for only 4% of the Canadian population, Aboriginal offenders accounted for 19% of the total federal offender population in 2011/2012 (22% of the federal incarcerated population and 15% of the federal community population).
- The proportion of Aboriginal people under federal supervision grew by 17% between 2006/2007 and 2011/2012, or from 3,810 to 4,465 offenders.
  - As a result, Aboriginal people accounted for a 2% larger share of all federal offenders in 2011/2012 compared to five years prior. Over the same time period, Caucasian offenders accounted for 6% fewer offenders and Black offenders accounted for a 2% greater share of all offenders.
- From 2002/2003 to 2011/2012, the Aboriginal incarcerated population under federal jurisdiction increased by 37%.
- Among all federal offenders in 2011/2012, Aboriginal people were more likely to be incarcerated than in the community, compared to non-Aboriginal offenders (70% versus 60%).
- More than half (52%) of all Aboriginal incarcerated offenders in the federal correctional system were incarcerated in the Prairie region in 2011/2012, followed by the Pacific (16%) and Ontario regions (16%). Over the past five years, the Aboriginal incarcerated population grew fastest in the Quebec region (+55%) followed by the Ontario region (+32%)<sup>38</sup>.

### Aboriginal groups among federal offenders

- More than two-thirds (69%) of all Aboriginal federally-incarcerated offenders self-identified as being ‘North American Indian’ in 2011/2012. An additional one-quarter (26%) of Aboriginal offenders identified as being Métis while the remaining 5% were Inuit.
- Between 2006/2007 and 2011/2012, the North American Indian offender has accounted for a growing proportion of federally incarcerated offenders, from 11% to 13%. The population



change for Inuit and Métis offenders over the same five-year-period was relatively stable and unchanged.

## Offence profiles of Aboriginal federal offenders

- As of April 15, 2012, a greater proportion of Aboriginal offenders than non-Aboriginal offenders were serving a federal custodial sentence for a violent offence (78% versus 65%, respectively)<sup>39</sup>.
  - Of those offenders serving a sentence for murder, 18% were Aboriginal.
  - A greater proportion of Aboriginal offenders than non-Aboriginal offenders were serving a sentence for a Schedule I offence (60% versus 48%, respectively), including sexual assault and other violent crimes.
  - Additionally, 8% of Aboriginal offenders were serving a sentence for a Schedule II offence (e.g. drug offences) compared to 16% of non-Aboriginal offenders.
- A 2011 profile of homicide, sex, robbery and drug offenders in federal corrections found that Aboriginal offenders accounted for an increasing proportion of these types of offenders between 1998 and 2008 (+4 percentage points) while Caucasian offenders accounted for a declining proportion (-2 percentage points) and the representation of Black offenders increased by 1 percentage point<sup>40</sup>.
- Among all federal offenders convicted of criminal organization offences, 83% were Caucasian, representing a greater share of criminal organization offenders than in the general offender population, while 6% were African-Canadian, 5% were Aboriginal and 6% were Asian, Latin American or Other ethnicity<sup>41</sup>.

## Age and sex of Aboriginal federal offenders

- Aboriginal federal offenders are younger than other offenders.
  - Of those offenders admitted to federal jurisdiction in 2011/2012, 48% of Aboriginal offenders were under the age of 30, compared to 39% of non-Aboriginal offenders.
  - The median age of Aboriginal offenders at admission is 30, compared to a median age of 33 for non-Aboriginal offenders.
- The over-representation of Aboriginal people in federal corrections is particularly pronounced for Aboriginal women. In 2011/2012, Aboriginal incarcerated women represented 34% of all federally incarcerated women while Aboriginal incarcerated men represent 22% of all federally incarcerated men.
- Aboriginal women accounted for 21% on conditional release as compared to Aboriginal men who accounted for 14% on conditional release across Canada in 2011/2012.
  - The number of incarcerated Aboriginal women nearly doubled between 2002/2003 and 2011/2012 (+97%) while the increase among incarcerated Aboriginal men was 34% for the same period.
  - In 2011/2012, 73% of Aboriginal women offenders were serving a federal custodial sentence for a violent offence compared to 48% of non-Aboriginal women offenders.
- Research on federally sentenced women drug offenders between 2000 and 2004 found that Aboriginal women accounted for a larger proportion of non-drug offences than drug offences (28% versus 16%). In contrast, Black women (21%) and women with other ethnic affiliations (12%) were more commonly represented among drug offenders than for those whose most serious offence was a non-drug offence<sup>42</sup>.



- Aboriginal women accounted for a very small proportion of women drug offenders (2%) who were admitted for importing or exporting compared to Black women offenders (50%), Caucasian (33%) and those with other/unknown ethnicities (15%).
  - Aboriginal women accounted for a larger share of those whose most serious offence was trafficking/possession for the purposes of trafficking: one-quarter of these offenders were Aboriginal (25%) compared to those who were Caucasian (59%), were unknown or of another ethnicity (11%) or were Black (5%)<sup>43</sup>.

## Other socio-demographic characteristics of federal offenders

- Data from a profile of Aboriginal federal offenders found that relative to non-Aboriginal offenders, in 2008/2009 there was a higher proportion of younger (i.e., under 30) (45%) Aboriginal offenders admitted with low reintegration potential (59%), gang affiliations (26%) and who had served a prior youth or adult sentence (93%)<sup>44</sup>.
- Similarly, the same research found that Aboriginal offenders in custody, relative to non-Aboriginal offenders, had a higher proportion of need with respect to involvement with criminal friends (57% versus 47%), and criminogenic attitude (50% versus 28%).
- Custom tabulations from the Canadian Centre for Justice Statistics (CCJS) show that in 2010/2011, Aboriginal federal offenders were more likely to be single at the time of admission compared to non-Aboriginal federal offenders (51% versus 44%). Non-Aboriginal offenders were twice as likely to have been legally married compared to Aboriginal offenders (10% versus 5%)<sup>45</sup>.
- Aboriginal adults admitted to federal custody in 2007/2008 were more likely to have been identified as having a medium or high level of criminogenic need in contrast to non-Aboriginal offenders. Specifically, Aboriginal people were more likely to have been assessed as having a need in the following areas: employment (73% versus 49%), marital/family relationships (51% versus 32%), social interaction (72% versus 61%), substance abuse (82% versus 67%), community functioning (39% versus 27%), personal or emotional needs (82% versus 72%) and criminal attitude (58% versus 55%)<sup>46</sup>.
- The same research found that Aboriginal adults entering a federal penitentiary were assessed as having, on average, a higher number of needs than were non-Aboriginal adults (4.6 versus 3.6 needs).
- Compared to non-Aboriginal offenders, a lower percentage of Aboriginal offenders were classified as minimum security risk in 2011/2012 (16% versus 24%) and a higher percentage were classified as medium (66% versus 61%) and maximum (18% versus 15%) security risk<sup>47</sup>.
- The same report noted that Aboriginal offenders accounted for approximately 25% of all admissions to administrative segregation in 2011/2012.
  - The number of offenders who stay more than 120 days in administrative segregation is the same for Aboriginal (14%) and non-Aboriginal offenders (14%).
- CSC data suggests that the mental health needs of Aboriginal women, assessed at intake, have steadily increased within the past decade in regards to being prescribed psychiatric medication (33% to 44%), previous mental health diagnoses (14% to 27%), and current mental health diagnoses (7% to 22%)<sup>48</sup>.

## Conditional release statistics of federal offenders <sup>49</sup>

- Aboriginal offenders accounted for 15% of the federal conditional release population of federal offenders in 2011/2012, including offenders on day and full parole, statutory release and those under supervision for a Long Term Supervision Order (LTSO).
- As a proportion of the total federal offender population, Aboriginal and Black offenders were more likely to be incarcerated than on conditional release (e.g. day or full parole and statutory release) in 2011/2012, whereas White and Asian offenders were more likely to be on conditional release.
- Over the five-year period between 2007/2008 and 2011/2012, the federal conditional release population increased for Aboriginal offenders (+13%) and Black offenders (+28%), but declined slightly (-1%) for White offenders. The incarcerated population during the same time period demonstrated similar trends, but the increase was more robust for Aboriginal offenders (+19%) and Black offenders (+35%).
- Over the last five years, Aboriginal offenders, in comparison with other groups, were the least likely to be released on some form of conditional release (e.g. parole) and were the most likely among all groups to be released at warrant expiry (WED), the date their criminal sentence officially ends, as imposed by the courts at the time of sentencing<sup>50</sup>.
  - Nearly 5% of Aboriginal people were released at WED compared to 1% of Asian offenders and nearly 3% of White offenders.
  - The use of statutory release was most common among Aboriginal offenders (78%) compared to White (67%), Black (67%) and Asian offenders (43%).
  - In contrast, the use of day parole among those released in the last five years was lowest for Aboriginal offenders (16%), significantly lower than the rate for White (29%), Black (24%) and Asian offenders (48%). Less than 1% of all Aboriginal offenders were released on federal full parole, while full parole accounted for 2% of releases for White offenders, 5% of those for Black offenders and 7% of those for Asian offenders.
- Over the same time period, on average, Aboriginal offenders served 39% of their sentences before being released into the community on their first federal day parole release (the highest proportion) while Asian offenders were released on their first day parole having served 27% of their sentences (the lowest).
- Similarly, Aboriginal offenders served 41% of their sentence prior to their first release on federal full parole, higher than the proportion for White offenders (39%), Asian offenders (36%) and Black offenders (37%).
- Between 2007/2008 and 2011/2012, Aboriginal offenders had one of the lowest grant rates for federal full parole (15%), only slightly higher than the rate for Black offenders (16%). The federal grant rate for White and Asian offenders was higher, at 21% and 23%, respectively.
- In 2011/2012, most offenders supervised for a Long Term Supervision Order (LTSO) were White (69%), followed by Aboriginal (23%), Black (3%), Other (3%) and Asian offenders (1%)<sup>51</sup>.

## Outcome statistics of federal offenders <sup>52</sup>

- Between 2007/2008 and 2011/2012, successful completion rates on federal day parole were lowest for Aboriginal offenders (between 76% and 85%). In contrast, successful completion rates were higher for Asian offenders (between 94% and 96%), Black offenders (84% and 91%), and White offenders (81% and 89%)<sup>53</sup>.

- Similar results were found regarding the successful completion rates on federal day parole: the highest rates were found for Asian offenders (between 85% and 90%) followed by Black offenders (77% to 83%), White offenders (70% to 78%) while Aboriginal offenders reported having the lowest rates (between 55% and 73%). Aboriginal offenders were also the least likely among all groups to successfully complete their statutory release supervision periods (between 50% and 55%).
- Among all offenders who completed their custodial sentences either on full parole, statutory release or were released at warrant expiry, Aboriginal offenders were the most likely to be readmitted on a new federal sentence, and visible minority offenders were the least likely. The rate of readmission ten to fifteen years after sentence completion for offenders released on full parole (for sentences completed between 1996/1997 and 2000/2001), on average, was highest for Aboriginal offenders (12%), significantly higher than the rate for Black offenders (6%), Asian offenders (7%) and White offenders (10%).
- Over the past five years (from 2007/2008 to 2011/2012), Aboriginal offenders were the most likely to be convicted of a violent offence while on conditional release, and Asian offenders were the least likely.
- Recent research from the Correctional Service of Canada on the effectiveness of federal correctional programs found that offenders who participated in programs were less likely to recidivate than non-participants, regardless of ethnic background<sup>54</sup>.
- The same CSC research also found that the highest rates of recidivism were found for Aboriginal offenders (45 per 100 person years), followed by Caucasian (40 per 100 person years), Black (22 per 100 person years), and those with 'Other' ethnic affiliation (13 per 100 person years)<sup>55</sup>.

## Endnotes

<sup>1</sup> A Warrant Expiry Date (WED) is the date a criminal sentence officially ends, as imposed by the courts at the time of sentencing. Offenders who reach Warrant Expiry after completing their entire sentence are no longer under the jurisdiction of Correctional Service Canada (CSC). Readmission to a federal sentence is defined as a new federal sentence as a result of a new criminal conviction following WED.

<sup>2</sup> All data in this section come from the following source, unless otherwise stated: Statistics Canada. 2011 National Household Survey: Analytical Product and Data Tables. <http://www12.statcan.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011001-eng.cfm> AND <http://www12.statcan.ca/nhs-enm/2011/dp-pd/dt-td/Lp-eng.cfm?LANG=E&APATH=3&DETAIL=0&DIM=0&FL=A&FREE=0&GC=0&GID=0&GK=0&GRP=0&PID=0&PRID=0&PTYPE=105277&S=0&SHOWALL=0&SUB=0&Temporal=2013&THEME=94&VID=0&VNAMEE=&VNAMEF=>

<sup>3</sup> Comparison between the 2006 Census and the 2011 National Household Survey should be made with some caution due to the following reasons: slight differences in the wording and in the format of Aboriginal questions; differences in methodology in the 2011 NHS; legislative changes, for example Bill C-31 in 1985 and Bill C-3 in 2011, which affect concepts such as Aboriginal identity and registered Indian status; changes made to the definition of reserves; differences in the list of incompletely enumerated reserves.

<sup>4</sup> Estimates associated with this variable are more affected than most by the incomplete enumeration of certain Indian reserves and Indian settlements in the National Household Survey (NHS). In 2011, there were a total of 36 Indian reserves and Indian settlements that were 'incompletely enumerated' in the NHS. For these reserves or settlements, NHS enumeration was either not permitted or was interrupted before it could be completed, or was not possible because of natural events (specifically forest fires in Northern Ontario).

<sup>5</sup> Statistics Canada, 2006 Census of Population: Analytical Series. Statistics Canada. <http://www12.statcan.ca/census-recensement/2006/as-sa/97-558/p16-eng.cfm>

<sup>6</sup> The median age is the age where exactly one-half of the population is older and the other half is younger.

<sup>7</sup> For more information, see 2011 National Household Survey: Data tables. Catalogue number: [99-011-X2011026](http://www12.statcan.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011026-eng.cfm)

<sup>8</sup> For more information, see <http://www12.statcan.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011001-eng.cfm>; 2011 National Household Survey: Data tables. Statistics Canada. (2011). Catalogue number: [99-011-X2011026](http://www12.statcan.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011026-eng.cfm)

<sup>9</sup> Statistics Canada. (2011) *Population Projections by Aboriginal identity in Canada, 2006-2031* (Catalogue no. 91-552-X): <http://www.statcan.gc.ca/pub/91-552-x/91-552-x2011001-eng.pdf>

<sup>10</sup> Data in this section come from the following sources: Canada Year Book, 2012:

<http://www.statcan.gc.ca/pub/11-402-x/2012000/chap/ap-pa/ap-pa-eng.htm>; Perreault, Samuel and Shannon Brennan. (2010). Criminal victimization in Canada, 2009. Canadian Centre for Justice Statistics: Statistics Canada 85-002-X, Vol. 30, no.1. Ottawa; Perreault, Samuel, (2011). Violent victimization of Aboriginal people in the Canadian provinces, 2009. Canadian Centre for Justice Statistics: Statistics Canada 85-002-X, Ottawa; and Perreault, Samuel and Tina Hotton Mahony (2012). Criminal Victimization in the Territories, 2009. Canadian Centre for Justice Statistics: Statistics Canada 85-002-X, Ottawa.

<sup>11</sup> The General Social Survey (GSS) collects information on the nature and extent of criminal victimization from a representative sample of Canadians aged 15 and over. This self-reported national survey provides data on criminal victimization for the provinces and territories on eight types of crime: sexual assault, robbery, assault, break and enter, theft of motor vehicles or parts, theft of household property, vandalism and theft of personal property. Data collection for the 2009 survey was conducted from February 2 to November 30, 2009 in the ten provinces and from August 31 to December 31, 2009 in the territories. This survey is based on responses from 19,422 respondents in the provinces, and responses are from 1,094 respondents in the territories.

<sup>12</sup> A Different mode of data collection was used in the territories and provinces in 2009. All respondents in the ten provinces were interviewed by telephone. Households without telephones were therefore excluded. Interviews were not conducted by cellular telephone, therefore persons with only cellular telephone service were also excluded. In the territories, the method of collection was a mixture of telephone (CATI) and personal interviews (CAPI). Hence, all residents in the territories aged 15 years and over not living in an institution were part of the target population because those residing in a household without a telephone would be reached in person. The mixture of methods of collection is due to the lower penetration rates of telephone services in the territories

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compared to the provinces, particularly in Nunavut where at least 20% of households did not have a regular land line in 2005.

<sup>13</sup> Due to small numbers, differences noted should be used with caution.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> Information in this section pertains to the findings in the provinces only. 2009 results for the territories were not reported by age and Aboriginal identity.

<sup>18</sup> Information in this section pertains to the findings in the provinces only.

<sup>19</sup> Perreault, Samuel, (2011). Violent victimization of Aboriginal people in the Canadian provinces, 2009. Canadian Centre for Justice Statistics: Statistics Canada 85-002-X, Ottawa. Findings are based on small sample, therefore use with caution.

<sup>20</sup> Closs, William J., Paul McKenna. (2006). Profiling a Problem in Canadian Police Leadership: the Kingston Police Data Collection Project. *Canadian Public Administration*:

<http://www.thefreelibrary.com/Profiling+a+problem+in+Canadian+police+leadership%3A+the+Kingston...-a0148481419>

<sup>21</sup> See Wortley, Scot. (2006). Bias Free Policing: The Kingston Data Collection Project, *Preliminary Results (for the Centre of Excellence for Research on Immigration and Settlement (CERIS))*.

<sup>22</sup> Unless otherwise note, all data in this section can be found in: Wortley, Scot. (2007). *Police Use of Force in Ontario: An Examination of Data from the Special Investigations Unit: Final Report*. Research Project Conducted on Behalf of the African Canadian Legal Clinic for the Ipperwash Inquiry.

<sup>23</sup> See the following for more information: Wortley, Scot. (2006). Bias Free Policing: The Kingston Data Collection Project, *Preliminary Results* (for the Centre of Excellence for Research on Immigration and Settlement (CERIS)); Brennan, Shannon. (2011). "Violent victimization of Aboriginal women in the Canadian provinces, 2009. Juristat. Statistics Canada Catalogue no 85-564-XIE; Wortley, Scot. (2007). *Police Use of Force in Ontario: An Examination of Data from the Special Investigations Unit: Final Report*. Research Project Conducted on Behalf of the African Canadian Legal Clinic for the Ipperwash Inquiry. Fitzgerald, Robin and Peter Carrington. (2011). Disproportionate Minority Contact in Canada: Police and Visible Minority Youth. *Canadian Journal of Criminology and Criminal Justice*, 53 (4): 449-486.

<sup>24</sup> Perreault, Samuel, (2011). Violent victimization of Aboriginal people in the Canadian provinces, 2009. Canadian Centre for Justice Statistics: Statistics Canada 85-002-X, Ottawa. Findings are based on small sample, therefore use with caution.

<sup>25</sup> Fitzgerald, Robin and Peter Carrington. (2011). Disproportionate Minority Contact in Canada: Police and Visible Minority Youth. *Canadian Journal of Criminology and Criminal Justice*, 53 (4): 449-486.

<sup>26</sup> Perreault, Samuel (2011). Violent victimization of Aboriginal people in the Canadian provinces, 2009. Shannon Brennan. 2011. "Violent victimization of Aboriginal women in the Canadian provinces, 2009. Juristat. Statistics Canada Catalogue no 85-564-XIE

<sup>27</sup> See the following: Kong, Rebecca and Karen Beattie. (2005). *Collecting Data on Aboriginal people in the Criminal Justice system: Methods and Challenges*. Canadian Centre for Justice Statistics, Statistics Canada Catalogue no 85-564-XIE: Ottawa; Millar, Paul and Akwasi Owusu-Bempah. (2011). Whitewashing Criminal Justice in Canada: Preventing Research through Data Suppression. *Canadian Journal of Law and Society*, 26 (3): 653-61.

<sup>28</sup> This section is based on research reported in the following articles, unless otherwise noted: Dauvergne, Mia (2012). Adult Correctional Services in Canada, 2010/2011. Juristat. Statistics Canada – Catalogue no. 85-002-X.

<http://www.statcan.gc.ca/pub/85-002-x/2012001/article/11715-eng.pdf>;

Calverley, Donna (2010). Adult Correctional Services in Canada, 2008/2009 Juristat. Statistics Canada – Catalogue no. 85-002-XWE, <http://www.statcan.gc.ca/pub/85-002-x/2010003/article/11353-eng.htm>;

Jodi-Anne Brzozowski, Andrea Taylor-Butts and Sara Johnson. (2006). "Victimization and offending among the Aboriginal population in Canada." Juristat. Statistics Canada – Catalogue no. 85-002-X.

<sup>29</sup> This section is based on research reported in the following articles, unless otherwise noted: Dauvergne, Mia (2012). Adult Correctional Services in Canada, 2010/2011. *Juristat*. Statistics Canada – Catalogue no. 85-002-X.

<http://www.statcan.gc.ca/pub/85-002-x/2012001/article/11715-eng.pdf>;

Calverley, Donna (2010). Adult Correctional Services in Canada, 2008/2009 *Juristat*. Statistics Canada – Catalogue no. 85-002-XWE, <http://www.statcan.gc.ca/pub/85-002-x/2010003/article/11353-eng.htm>

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<sup>30</sup> Fixed follow-up rates for adults who have been released from correctional supervision in fiscal year 2002/2003 and have returned to the same jurisdiction's correctional services system within two years of release. See the following: Beattie, Karen. Adult Correctional Services in Canada, 2004/2005. *Juristat*. Statistics Canada – Catalogue no. 85-002-XIE, Vol. 26, no. 5. More detailed information on the methodology can be found in Johnson, Sara (2005). Returning to Correctional Services after release: A profile of Aboriginal and non-Aboriginal Adults involved in Saskatchewan Corrections from 1999/00 to 2003/04. *Juristat*. Statistics Canada – Catalogue no. 85-002-XIE, Vol. 25, no. 2.

<sup>31</sup> Perreault, Samuel. (2009). The Incarceration of Aboriginal People in Adult Correctional Services. Statistics Canada Catalogue no. 85-002-X. Ottawa. *Juristat*.

<sup>32</sup> Data on the needs of offenders admitted to sentence custody are from Saskatchewan only. Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Correctional Services Survey. Custom tabulation for the Department of Justice. Due to small numbers, the data for needs of females in the marital/family need area are not reported.

<sup>33</sup> Data on the education and employment of offenders admitted to sentence custody are from Nova Scotia, New Brunswick, and Saskatchewan only. Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Correctional Services Survey. Custom tabulation of the Department of Justice.

<sup>34</sup> *Ibid*.

<sup>35</sup> This section is based on research reported in the following articles, unless otherwise noted: Sara Johnson (2006). Outcomes of Probation and Conditional Sentence Supervision: An Analysis of Newfoundland and Labrador, Nova Scotia, New Brunswick, Saskatchewan and Alberta, 2003/2004 to 2004/2005. *Juristat*. Statistics Canada – Catalogue no. 85-002-XIE, Vol. 26, no. 7.

<sup>36</sup> As methods to determine a breach of a conditional sentence varied by each jurisdiction, comparisons among the 4 jurisdictions should not be made.

<sup>37</sup> Data for this section, unless otherwise stated, come from the following report: Public Safety Canada. (2013). *Corrections and Conditional Release Statistical Overview 2012*: <http://www.publicsafety.gc.ca/res/cor/rep/2012-ccrso-eng.aspx#c11>

<sup>38</sup> Regional statistics for the Correctional Service of Canada account for data relating to the northern territories in the following manner: data for Nunavut are reported in the Ontario Region, data for the Northwest Territories are reported in the Prairies region, and data for the Yukon Territories are reported in the Pacific Region.

<sup>39</sup> The data reflect the total offender population, which includes male and female federal offenders who are incarcerated (serving their sentences in federal or provincial institutions and those on temporary absence) and federal offenders who are on community supervision. Community supervision includes federal offenders on day parole, full parole, statutory release, or in the community supervised on a long term supervision order, as well as those who are temporarily detained or paroled for deportation. In cases where the offender is serving a sentence for more than one offence, the data reflect the most serious offence. These figures are based on the offender population as of April 15, 2012. For more information, see: Public Safety Canada. (2013). *Corrections and Conditional Release Statistical Overview 2012*: <http://www.publicsafety.gc.ca/res/cor/rep/2012-ccrso-eng.aspx#c11>

<sup>40</sup> Axford, Marsha (2011). Homicide, Sex, Robbery and Drug Offenders in Federal Corrections: An End-of-2008 Review. Correctional Service of Canada № R-234: Ottawa.

<sup>41</sup> Stys, Yvonne. (2010). *Conditional Release of Federal Offenders Convicted of Criminal Organization Offences*. Correctional Service of Canada №R-227: Ottawa.

<sup>42</sup> Among non-drug offenders, robbery was the most serious offence for the largest proportion of women. Murder / manslaughter, assault, and 'other' property offences (i.e., other than break and enter) were also relatively common offences among non-drug offences. See Gobeil, Renée (2009). Profile of Federally Sentenced Women Drug Offenders. Correctional Service of Canada № R-204: Ottawa. <http://www.csc-scc.gc.ca/text/rsrch/reports/r204/r204-eng.pdf>.

<sup>43</sup> *Ibid*.

<sup>44</sup> For more information, see: The Changing Federal Offender Population Aboriginal Offender Highlights 2009. Research Branch: Correctional Service of Canada. [http://www.csc-scc.gc.ca/text/rsrch/special\\_reports/ah2009/ah2009-eng.shtml](http://www.csc-scc.gc.ca/text/rsrch/special_reports/ah2009/ah2009-eng.shtml)



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<sup>45</sup> Statistics Canada, Canadian Centre for Justice Statistics, Integrated Correctional Services Survey, Custom Tabulation by the Department of Justice.

<sup>46</sup> Perreault, Samuel. (2009). The Incarceration of Aboriginal People in Adult Correctional Services. Statistics Canada Catalogue no. 85-002-X. Ottawa. *Juristat*.

<sup>47</sup> For more information, see: Public Safety Canada. (2013). *Corrections and Conditional Release Statistical Overview 2012*: <http://www.publicsafety.gc.ca/res/cor/rep/2012-ccrso-eng.aspx#c11>

<sup>48</sup> Derksen, D. Booth, L., Taylor, K., and McConnell, A. 2013. *Mental health needs of federal female offenders. Psychological Services*. 10(1), 24-36.

<sup>49</sup> Conditional release is a form of community supervision that allows an offender to serve part of a prison sentence in the community. Examples include full parole, day parole or statutory release, a release into the community for the last third of a federal (two years or more) sentence, where applicable for some offenders (life sentences are excluded from Statutory Release). Data in this section come from the following annual report: Parole Board of Canada. (2013). Performance Monitoring Report 2011/2012: [http://pbc-clcc.gc.ca/rprts/pmr/pmr\\_2011\\_2012/index-eng.shtml](http://pbc-clcc.gc.ca/rprts/pmr/pmr_2011_2012/index-eng.shtml)

<sup>50</sup> A Warrant Expiry Date (WED) is the date a criminal sentence officially ends, as imposed by the courts at the time of sentencing. Offenders who reach Warrant Expiry after completing their entire sentence are no longer under the jurisdiction of Correctional Service Canada (CSC). Readmission to a federal sentence is defined as a new federal sentence as a result of a new criminal conviction following WED.

<sup>51</sup> Long Term Supervision Order (LTSO) is a community supervision order imposed by the court that commences when the offender has finished serving all sentences for offences for which he or she had been convicted. The period of supervision to which the offender is subject at any time must not total more than ten years.

<sup>52</sup> Data in this section come from the following annual report: Parole Board of Canada. (2011). Performance Monitoring Report 2010-2011: [http://pbc-clcc.gc.ca/rprts/pmr/pmr\\_2011\\_2012/index-eng.shtml](http://pbc-clcc.gc.ca/rprts/pmr/pmr_2011_2012/index-eng.shtml)

<sup>53</sup> Successful completion of conditional release (day parole, full parole and statutory release) is defined as the end of a supervision period without a return to prison for a breach of conditions or for a new offence.

<sup>54</sup> Usher, A. & Stewart, L. (2011). *The effectiveness of correctional programs with diverse offenders: A meta-analytic study*. Research Report R 246. Ottawa, ON, Correctional Service of Canada.

<sup>55</sup> *Ibid*. The rate of readmission to custody was calculated for each ethnic group based on the concept of *person-years*. In this case, a person-year is defined as one person in the community for one year. The total numbers of offenders returning to custody both for any reason (conditional release violation or new offence) and for a new offence only were calculated. In this case, new offences included returns to both federal and provincial custody. This was subsequently divided by the total number of person-years spent in the community post-release for each ethnic group. The authors note that readmission base rates for offenders in each ethnic group category may be an over-estimation given that the sample would be comprised of offenders who are higher risk than offenders who are not referred to programs (CSC has a policy of referring offenders to program only if they are assessed as at least a moderate risk to reoffend). Other offenders include Arab/West Indian, Asiatic, East Indian, Hispanic, Chinese, Filipino, Japanese, Korean, Latin American, South Asian, South East Asian, or other ethnic affiliation.