

## CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.

## Indigenous Gender Diverse Offenders

*Almost half of all gender diverse offenders were Indigenous; 59% of these offenders were Trans-Women, while over one-quarter (26%) were Trans-Men, and the remainder (15%) were in other gender diversity groups.*

**Why we did this study**

A recent research study<sup>1</sup> that examined the profile and behaviour of federal gender diverse offenders indicated that almost half (47%) were Indigenous. Therefore, an examination of the characteristics and behaviour of Indigenous gender diverse offenders was undertaken.

**What we did**

Forty-six Indigenous gender diverse offenders during incarceration between December 27, 2017 and March 13, 2020 were identified. Over three-quarters (76%,  $n = 35$ ) were First Nations while 24% were Métis ( $n = 11$ ). Data extracted and coded from the Offender Management System (OMS) included demographic, sentence, and offence information, institutional behaviour, and post-release outcomes, as well as operational accommodation preferences and abuse and trauma histories.

**What we found**

Over half (59%) of the Indigenous offenders in the study were trans-women, followed by trans-men (26%) and the “other” group<sup>2</sup> (15%). On average, Indigenous gender diverse offenders were 37 years of age during the study period and almost three-quarters (74%) were single. Almost all offenders in the study were in the Ontario (24%), Prairies (30%), or Pacific (33%) regions. Half of the offenders in the study were housed at women’s facilities.

Forty-two percent of Indigenous gender diverse offenders were serving a second or subsequent sentence, with 87% having committed violent offences – over one-quarter (28%) had a history of sexual offending.<sup>3</sup> Comparable proportions were serving sentences of six years or less or indeterminate sentences (41% each).

Indigenous gender diverse offenders were identified as high static risk (73%) and dynamic need (91%), with 69% having a low reintegration potential. History of trauma (83%), childhood abuse (78%), and abuse during adulthood (24%) was prevalent. Personal/emotional

orientation, substance abuse, and attitudes were the three main criminogenic need areas for offenders in this study.

Individualized protocols (IPs) were available for 80% of Indigenous gender diverse offenders. Among offenders who indicated a preference related to staff interaction,<sup>4</sup> offenders were more likely to identify preferences for female staff. Over half (54%) of offenders indicated spiritual activity participation; of these, 76% requested accommodations.

Two-thirds (65%) of the study group had a guilty disciplinary charge while 78% had committed an institutional incident after the identification of their gender diversity. Assault related incidents were most common, regardless of gender diversity subgroup. Almost all (92%) of the study group completed correctional programs, with 84% completing moderate intensity programming. Seventy-two percent of the study group participated in educational interventions while almost half (48%) participated in institutional employment. One-quarter (24%) were released during the study period; almost half (46%) had a release suspension.

**What it means**

Indigenous gender diverse offenders comprised almost half of all offenders included in the study. Characteristics and behaviour of Indigenous offenders were similar to those in the study population. Future research could explore the intersectionality between Indigenous identity and gender diversity.

**For more information**

Please e-mail the [Research Branch](#).

You can also visit the [Research Publications](#) section for a full list of reports and one-page summaries.

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<sup>1</sup> Farrell MacDonald, S., Smeth, A., Cram, S., Garrel, S. & Derksen, D. Examination of gender diverse offenders (R-442). Ottawa, ON: Correctional Service of Canada.

<sup>2</sup> Gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified.

<sup>3</sup> Eighty-five percent of those who had a sex offence history were Trans-women.

<sup>4</sup> Staff interactions include mental health monitoring, security search interactions (e.g., strip or frisk searches), medical escorts, or staff response to nudity.

