

CORRECTIONAL SERVICE CANADA

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Examination of the Drivers of Success for Section 84 Releases to Indigenous Communities

Cultural components, community connections, and offender-driven approaches are the main drivers for successful Section 84 releases.

Why we did this study

Section 84 of the *Corrections and Conditional Release Act* (CCRA) provides the opportunity for Indigenous offenders to serve their conditional or statutory release within the custody and care of an Indigenous community. With the unique needs of Indigenous offenders and the provision of providing culturally responsive services, Section 84 gives Indigenous communities the opportunity to become active partners in the reintegration process. Research has shown that Indigenous offenders with a Section 84 release plan are more likely to complete their supervision successfully compared to Indigenous offenders who do not have a Section 84 release plan. However, what is less known are the reasons behind the success of Section 84s and what opportunities exist for improvement.

What we did

This study employed a mixed-methods approach using a questionnaire containing open- and closed-ended questions. Invitations to complete the questionnaire were sent to a broad range of Correctional Service Canada (CSC) staff and Elders/Spiritual Advisors who were identified as potentially having experience engaging in Section 84 release planning, preparation, and consultation with the community or experience in supporting offenders on a Section 84 release. A total of 164 CSC staff and Elder responses were selected for analysis.

What we found

Overall, the cultural components, community connections, and an offender-driven approach were identified as the main drivers for successful Section 84 releases. One of the most helpful and meaningful elements of the Section 84 process identified by respondents was the opportunity to make connections with members of the Section 84 release community prior to release. Continued cultural engagement post-release was identified as one of the largest indicators of whether an Indigenous offender's release will be successful, as well as the degree to which they can take full advantage of the benefits of a Section 84 release. Lastly, given that offenders are required to take initiative in the planning process, it sets the stage for them to develop skills and understanding that may help them

overcome challenges in the community and remain committed to their release plan.

The findings emphasize opportunities for innovation and improvement. Staff suggested improvements for CSC's relationship with Indigenous communities by placing more emphasis on meaningful consultation and viewing communities as partners. They also recommended allocating more resources to Indigenous Community Development Officers, which would further assist CSC in the process of building relationships with Indigenous communities. The findings stress the importance of not approaching all Section 84s uniformly. Services such as transportation and internet may not be as readily available in some Indigenous communities, especially for those in remote areas. It is thus important to recognize that Indigenous communities are diverse in their access to services and community supports.

What it means

This study points to numerous benefits of Section 84 releases as well as opportunities for conversation, change, and innovation. The results underscore the importance of finding ways for CSC to establish meaningful, respectful, and ongoing connections with Indigenous communities. The findings also stress the importance of a flexible and individualized approach to Section 84 planning, focused on addressing the unique circumstances of each release.

Future research is needed to provide further understanding about the experiences of Indigenous offenders who participate in Section 84s, as well as the Indigenous community partners that support these releases.

For more information

Hanby, L., Voth, K., & Reist, R. (2023). *Examination of the Drivers of Success for Section 84 Releases to Indigenous Communities* (Research Report R-462). Ottawa, Ontario: Correctional Service of Canada.

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