



Research Summary

CORRECTIONS RESEARCH AND DEVELOPMENT

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EXPLAINING ABORIGINAL CORRECTIONS

Question: What is the state of knowledge in aboriginal corrections and what are the most critical policy and program issues?

Background: The rate of aboriginal people incarcerated and under community supervision far exceeds that of non-aboriginal people. This factor is the basis for aboriginal-specific policies and programs which have emerged over the past two decades. However, despite these initiatives this over-representation remains. The research sets out some of the reasons for this situation.

Method: Information was gathered by a) a review of the literature; b) a survey of federal, provincial, territorial and aboriginal correctional personnel, select aboriginal offenders and communities; c) reviews of evaluations of aboriginal correctional projects; and d) collections of quantitative data from the Canadian Centre for Justice Statistics, Correctional Service of Canada, and five provinces - British Columbia, Alberta, Saskatchewan, Manitoba and Ontario.

Answer: The rate of crime among aboriginal people increases from east to west and there is variation in the use of imprisonment. There are no major differences in the type of offences committed across the country. For fine defaults, B.C., Quebec and Ontario rely less on imprisonment. The Prairie provinces have the most marginalized aboriginal populations and highest use of imprisonment for life-style related offences such as administration of justice and public order. This partly explains the disproportionate levels of imprisonment.

Aboriginal offenders are over-represented in prisons, and in admissions for violent offences, particularly in federal institutions. Disproportionality is greatest in the Prairie provinces and least in the Maritimes and Quebec. Aboriginal offenders are generally younger, have more prior contact with the criminal justice system, and come from more dysfunctional backgrounds than the non-aboriginal groups. Aboriginal over-representation in correctional institutions

can be explained by a higher rate of reoffending and the commission of more offences that result in imprisonment. Further, existing sentencing policies and practices operating in provinces with the most disadvantaged aboriginal groups will have the most onerous effect on those groups. Less use of probation in Alberta and Saskatchewan may contribute to the over-representation problem.

Federal aboriginal offenders are less likely to receive full parole but seriousness of offence is a factor. Lower parole release rates also reflect difficulty in formulating release plans and receiving support from communities. Federal aboriginal offenders have higher recidivism levels and the risk of recidivism appears to be greatest for Status Indians on and off-reserve.

Policy Implications :

In order to reduce levels of Aboriginal incarceration, particularly at the provincial level, it is necessary to:

1. Minimize reliance upon the criminal justice system to deal with social problems.
2. Encourage alternatives to incarceration programs and widen the eligibility requirements for such programs.
3. Avoid the use of incarceration for certain offences such as fine default, public order, and technical parole and probation violations.
4. Improve understanding of the offender's needs and match these with programming and community resources.
5. Ensure quality and quantity of institutional programs and evaluate programs for effectiveness.
6. Emphasize the reintegrative function of community corrections.

Source: LaPrairie, C. (1996). Examining Aboriginal Corrections in Canada. Ottawa: Aboriginal Corrections, Solicitor General Canada

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