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CCRA 5 YEAR REVIEW

ABORIGINAL OFFENDERS

February 1998

Ce rapport est disponible en français

This report is part of a series of 24 research/evaluation reports (listed below) that were prepared as background to the Consolidated Report of the Working Group studying the provisions and operations of the Corrections and Conditional Release Act and related Consultation Paper.

The Working Group is composed of representatives from the following agencies:

Correctional Service Canada
National Parole Board
Correctional Investigator
Justice
Department of the Solicitor General

Research/Evaluation Reports:

Information about Offenders
Security Classification of Inmates
Judicial Determination
The Temporary Absence Program: A Descriptive Analysis
Personal Development Temporary Absences
Work Release Program: How it is used and for what purposes
Day Parole: effects of the CCRA (1992)
Case Management: Preparation for Release and Day Parole Outcome
Accelerated Parole Review
Statutory Release and Detention Provisions
Community Supervision Provisions
Provisions Relating to Victims
Observers at National Parole Board Hearings
The National Parole Board Registry of Decisions
CSC Human Resources
Administrative Segregation
Search, Seizure and Inmate Discipline
Offender Grievance System
Urinalysis Testing Program
Inmate's Input in Decision-making
Information to Offenders
Aboriginal Offenders
Health Services
Women Offenders

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CCRA REVIEW

ABORIGINAL OFFENDERS

INTRODUCTION

Aboriginal peoples are over represented in the criminal justice system. They comprise about 3% of Canada's population, however, on March 31, 1997, they accounted for 12% of all offenders under federal jurisdiction.

Subject

The subject of this review is the National Parole Board (NPB) and Correctional Service of Canada (CSC) activities with respect to the legislative provisions in the *Corrections and Conditional Release Act* (CCRA) relating to Aboriginal offenders.

CCRA Reference

The only specific legislative reference in the *Corrections and Conditional Release Act* relating to the NPB with respect to Aboriginal offenders is 151(3):

Policies adopted under paragraph (2) (a) must respect gender, ethnic, cultural and linguistic differences and be responsive to the special needs of women and Aboriginal peoples...

Legislative references in the CCRA relating to CSC include sections 80 through 84. These sections require CSC to:

- provide programs and services to meet the needs of Aboriginal Offenders;
- enable the Minister to make arrangements with Aboriginal communities for the care and custody of Aboriginal and Non-Aboriginal offenders;
- establish and maintain a national Aboriginal Advisory committee;
- ensure that Aboriginal spiritual leaders and elders are accorded the same status as other religions and leaders; and
- enable Aboriginal community involvement in the release plans of those offenders seeking to be conditionally released to an Aboriginal community.

Perceived Intent of the CCRA

The overall intent of the inclusion of these reference in the CCRA was to legislatively recognize both the unique circumstances and special needs of Aboriginal offenders and to require CSC and the NPB to develop policies and programs that are responsive and sensitive to this uniqueness.

BACKGROUND

Over the past several years, Aboriginal peoples' involvement in the criminal justice system has been a concern. In March, 1987, the then Solicitor General of Canada established a task force to "...identify the needs of Aboriginal offenders and to identify ways of improving their opportunities for social reintegration as law-abiding citizens". (NPB; 1988) The Task Force's findings indicated that there was a dearth of good statistical information to evaluate the full extent of Aboriginal peoples' representation in the justice system. Also observed, was that Aboriginal offenders: were less likely to be granted parole; were granted parole later in their sentence; and were more likely to have their parole revoked. In conclusion, the Task Force provided 63 recommendations for improving the situation of Aboriginal people in the justice system. (NPB; 1988)

Since this report, there have been numerous other federal and provincial government studies, inquiries, reports, and the Royal Commission which have arrived at similar conclusions. Many of the authors, while observing the unequal treatment of Aboriginal offenders by the criminal justice system, have commented on the unique historical and socio-demographic circumstances of Aboriginal peoples. For example, based on her research findings and an extensive review of the criminological literature, La Prairie (1992;1997) observed that despite the many reforms the criminal justice system has attempted to reduce the over-representation of Aboriginal offenders, they continued to increase in number. She suggested that: "class is a more potent variable than race in explaining the over-representation phenomenon". (La Prairie, 1992)

Evaluations of the detention provisions of the Act (1990: 1995; CSC/NPB) have also indicated that race was not a good indicator of the likelihood of a decision to detain. Although CSC referred a significantly higher proportion of Aboriginal offenders to the Board, the detention rate of Aboriginal and non-Aboriginal offenders has been comparable. The evaluators postulated that the Board's decision to detain was more likely influenced by offenders' criminal history and risk to reoffend rather than their race.

INITIATIVES

National Parole Board

Mission and Policy

The Board recognizes that many factors, in combination, may account for the overrepresentation of Aboriginal peoples in the criminal justice system and is committed to exploring ways of adapting its policies and programs to ensure that they are culturally sensitive and understandable to all offenders.

The Board's Mission statement states (NPB; 1995):

The National Parole Board, as part of the criminal justice system, makes independent, quality conditional release and pardon decisions and clemency recommendations. The Board contributes to the protection of society by facilitating, as appropriate, the timely integration of offenders as law-abiding citizens.

Core value 2 states that the NPB recognizes “the inherent potential and dignity of all individuals and the equal rights of all members of society.”(NPB; 1995) The overrepresentation of Aboriginal peoples in the justice system, makes working with Aboriginal people, community leaders, Elders, Aboriginal organizations, and communities particularly important. This Core value also enjoins the Board to develop policies and practices that “respect gender, ethnic and linguistic differences and are responsive to the distinctive needs and characteristics presented by Aboriginal peoples...” (NPB; 1995).

Board policies are being reviewed and revised to assess their real and potential impact on Aboriginal offenders and to ensure that they are culturally sensitive to Aboriginal cultures and reflect the specific needs of Aboriginal peoples. In the Prairies region, Elders and Aboriginal Board members and staff are consulted on Board policy and initiatives to help ensure that policies and procedures are adaptive.

The National Parole Board Corporate Policy on Aboriginal Offenders April 1996 provides one example of the Board's commitment to this Core value. This policy incorporates the CCRA, the Board's Mission statement, Core values, and strategic objectives. The policy commits the Board to take further action in a number of areas to be as sensitive and responsive as possible to the needs of Aboriginal offenders. This further action relates to areas such as: selection and training of staff and Board members; the hearing process; and investigation of alternative justice approaches.

Board Personnel

In recent years, the number of Board members and staff of Aboriginal ancestry has increased. As of February 18, 1998 there were 36 full-time Board members of which 5 or 13.9% were self identified as of Aboriginal ancestry and 49 temporary Board members of which 5 or 10.2% were self-identified as of Aboriginal ancestry for a total of 10 Aboriginal Board members (11.8%). The following table provides a breakdown of Board members and staff by region and ancestry.

**TABLE 1
NUMBER AND PERCENTAGE OF ABORIGINAL NON-ABORIGINAL BOARD
MEMBERS AND STAFF BY REGION, FEBRUARY, 1998**

Region	Board Members						Non-Aboriginal	Staff		
	Aboriginal							Aboriginal	Non-Aboriginal	Percent Aboriginal
	Full Time		Part Time		Total Aboriginal					
#	%	#	%	#	%	#	%			
HQ	0	0.0	0	0.0	0	0.0	5	3	101	2.9
Atlantic	0	0.0	2	25.0	2	16.7	10	0	30	0.0
Quebec	0	0.0	0	0.0	0	0.0	16	1	46	2.1
Ontario	0	0.0	1	8.3	1	5.3	18	0	40	0.0
Prairies	3	33.3	2	20.0	5	26.3	14	5	44	10.2
Pacific	2	40.0	0	0.0	2	14.3	12	1	23	4.2
Total	5	13.9	5	10.2	10	11.8	75	10	284	3.4

The Board supports the recruitment, selection, and appointment of Aboriginal Board members and staff. Notice of Board member vacancies are advertised in the Canada Gazette.

Vacancies are also communicated to Aboriginal communities and Elders familiar with the Board. In addition, representatives of Aboriginal communities are invited to assist the Board to identify qualified candidates.

A priority for the Board is the provision of cultural awareness training to all Board members and staff to ensure they are sensitive and responsive to the cultures, values, and social realities of Aboriginal offenders. The selection criteria for Board members requires knowledge of and sensitivity to “ethno-cultural differences” (NPB).

The appointment of Board members is the jurisdiction of the Governor-in-Council. The NPB has developed a Board Member Profile Document to identify by region, the number and

percentage of Aboriginal Board members that would be required to ensure Aboriginal representation.

Conditional Release Decision Making

The CCRA provides support for the development of innovative programming for Aboriginal offenders. The development and implementation of alternative models for conditional release decision making with respect to Aboriginal offenders has been an on-going priority for the Board.

Recognizing the low participation rate of Aboriginal offenders in programs, designed by and for non-Aboriginal offenders and the over-representation of Aboriginal offenders in institutions, the Board examined alternative approaches to conditional release hearings. In 1992, the Board initiated Elder-assisted hearings in the Prairies region. These hearings have been expanded to the Pacific region, and the Ontario region is investigating the possibility of also providing these hearings. Elder-assisted hearings are based on the restorative approach with panels comprised of Board members of Aboriginal and non-Aboriginal ancestry who conduct hearings in a culturally sensitive manner with an Elder's assistance. All conditional release hearings held at Maple Creek institution are conducted in a circle. Overall, participants' perceptions of these hearings have been positive.

Elders play an important role in conditional release hearings. They ensure that Board members understand and take into consideration cultural nuances, the cultural perspective of Aboriginal offenders, and the role of Aboriginal specific programs, ceremonies and rituals in healing.

A recent initiative in the Ontario and Atlantic regions includes the participation of Native Liaison Officers at hearings to clarify cultural and community issues to both offenders and Board members.

As part of the Aboriginal Community Corrections Initiative, in partnership with CSC and Aboriginal communities the Board is exploring other program initiatives. The first 'hearing circle' was held in the Prairie region, in April, 1997. Other culturally sensitive innovative initiatives incorporating restorative justice approaches and Aboriginal holistic healing will be investigated.

Recognizing the diversity of Aboriginal peoples, the Board attempts to utilise Elders representing differing needs and concerns of the offender's specific tribe or people at hearings. Where possible, Inuit Elders or representatives of the Inuit community are included at hearings.

Risk Assessment

The Board's commitment to quality decision-making and sensitivity is outlined in Core value 4. "In carrying out our decision-making responsibilities, we undertake assessments that respect the characteristics presented by members of diverse groups in Canadian Society." (NPB;1995)

The Board requires high quality, accurate, and culturally sensitive information to make appropriate conditional release decisions. The Board must also play its own role in interpreting that information during hearings. Board members are provided with training, information, and exposure to Aboriginal ceremonies and teachings to ensure their understanding of and assessment of an offender's healing through participation in Aboriginal programming. Information related to an offender's healing, and work with Elders is an important component of the risk assessment process.

Where available, the Board uses professionals of Aboriginal ancestry for assessments of Aboriginal offenders. The Statistical Information on Recidivism (SIR) scale used by the Board to empirically assess an offender's likelihood of recidivating has not been applied in assessments for Aboriginal offenders. Research validating this assessment tool for Aboriginal offenders has been undertaken and the Board will revisit the application of this tool for Aboriginal offenders.

Sensitivity Training for Board Members and Staff

The NPB is committed to Aboriginal cultural awareness training to sensitize Board members and staff to cultural differences to ensure they have a greater understanding of the unique circumstances of Aboriginal offenders. Sensitization is seen as vital to the conditional release process as Board members require this knowledge to effectively assess risk and readiness for release.

A number of cultural awareness programs have been undertaken:

- Over the past few years, the Board has used General Board meetings and regional meetings as opportunities to provide members and staff with information and sensitivity training on various Aboriginal issues. Aboriginal workshops were a significant part of the 1990, 1991, 1992, 1995, and 1996 General Board meetings. In addition, one day at the 1997 General Board meeting was devoted to Aboriginal issues. Topics at these meetings covered: native perceptions of the parole process, family violence, Aboriginal traditional treatment, risk assessment and violent offending, substance abuse, and reintegration.

- Newly appointed Board members are provided with an Orientation Manual, which includes a chapter on Aboriginal offenders. The intent of this Manual is to provide cultural specific information on: the diversity of Aboriginal cultures; interviewing skills; release planning; and risk assessment.
- Regional orientation sessions for new Board members in the Prairies region have been modified to include two days of Aboriginal specific training.
- Several cultural workshops for headquarters' Board members and staff have been held. Specifically, national office Board members have attended: a 1/2 day session in March, 1994 on self-esteem and Aboriginal offenders as it relates to risk assessment; a two day workshop, in January, 1996 in Belleville to provide first-hand experience and knowledge of the realities of life on a reserve, the role of Elders, and ceremonies; and a 1/2 day session on Aboriginal institutional programming and the assessment of risk.
- In addition, Regional Board members and staff have also participated in several cross cultural workshops.

Liaison and Consultation Between NPB, CSC, and Aboriginal Organizations and Communities

The Board supports greater liaison with Aboriginal organizations and communities and is represented in meetings of regional councils established by CSC. In addition, there has been ongoing contact with Aboriginal organizations and communities in most regions.

- In addition to bringing Aboriginal people to Board offices, Board members and staff visit Aboriginal communities to further promote increased awareness on Aboriginal issues in a first hand way. Through exposure to ceremonies, Board members and staff are orientated to the specific cultures and traditions of their regional Aboriginal population. This has resulted in greater understanding of the place of ceremonies and the role of Elders in Aboriginal offenders' healing.
- Information officers in the Atlantic region have recently visited the village of Nain to experience the reality of Aboriginal communities. Board members and staff from all regions have attended ceremonies in various communities in the Prairies region.
- Many regional Board offices participate on regional Aboriginal councils with CSC. For example, the Prairies region sits on the Regional Correctional Council of Aboriginal Issues which provides advice to the CSC Regional Management Committee, and the Ontario region participates on the CSC Regional Aboriginal Advisory Committee which deals with operational and policy issues.

Openness and Accountability

Aboriginal peoples' lack of understanding of the NPB and the parole process has also been an issue of concern. Regional Board offices have taken a proactive approach and have been going to Aboriginal communities to assist them to better understand the justice system and more specifically, the role of the Board.

The Prairies region, in partnership with CSC, has undertaken the dissemination of information in Aboriginal communities and has visited many communities to promote public education. Regional Board personnel have met with Elders and Aboriginal community leaders to both learn and provide data about the Board.

Ongoing and Planned Initiatives

- development and refinement of the Elder-assisted hearing program;
- exploring additional ways to incorporate Aboriginal restorative justice and holistic healing into the conditional release process;
- ongoing participation with Elders and Aboriginal communities to continue learning, understanding, and sharing;
- maintaining liaison with Aboriginal communities and offenders to explain the conditional release process; and
- participating in joint CSC/Aboriginal community consultations with respect to Sections 81 and 84 CCRA agreements and to make necessary modifications as appropriate.

Correctional Service of Canada

The Correctional Service of Canada, as part of the criminal justice system and respecting the rule of law, contributes to the protection of society by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control.

Aboriginal Specific Provisions: CCRA

Section 80

Without limiting the generality of section 76, the Service shall provide programs designed particularly to address the needs of Aboriginal offenders.

Aboriginal Offender Programs

Section 80 of the *Act* requires that the Service provide a range of programs designed to meet the needs of Aboriginal offenders and which will also contribute to their reintegration into the community. This requirement has been endorsed in published national policy and sets out the conditions in which Aboriginal programs must be developed and offered as an alternative to regular programs.

Core programs or programs designed to address the criminogenic factors of the Aboriginal offenders should be priorities in responding to this legislative requirement. For instance, an Aboriginal addictions' treatment program has been developed and established as an alternative to the regular addictions' treatment program menu.

The Society of Aboriginal Addictions Recovery (SOAAR) is an addictions program for Aboriginal offenders and is the only national core program delivered in all institutions. This program was developed in 1994 by an external agency in Calgary, Alberta.

The program is based on the Aboriginal holistic approach to self-awareness, addictions and interventions, eating disorders, self-esteem, family relationships, sexuality, anger/stress management and sexual/physical abuse. The program emphasizes the understanding of the Aboriginal offender's spirituality and culture in relation to their rehabilitation. It is a six week program which includes classroom time. Usually this program is recommended to all self-identified Aboriginal offenders before they take other programs. This Aboriginal specific program provides the participant with an opportunity to recognize his spirituality and culture which are integral to their recovery and rehabilitation or healing.

Policy and treatment standards for sex offenders have also been expanded to address the cultural needs of Aboriginal offenders. A pilot program geared toward Inuit offenders has been launched in the Prairie region with the objective of establishing a program that meets the treatment needs of this Aboriginal offender group.

In accordance with sections 76 and 80 of the *Act*, Aboriginal specific programs have been developed with a view to addressing the needs of the Aboriginal offenders. The idea is to design programs that are holistic and deal with the spiritual, emotional, mental, and physical aspects of the individual offender and which also contribute to their rehabilitation efforts.

Aboriginal Employment

Although the *CCRA* does not speak directly to Aboriginal employment issues, it is inferred that the new legislation should have a direct effect on Aboriginal employment within the Correctional Service. Specifically, if the Service is required to develop programs and services which respond to the cultural needs of Aboriginal offenders, the only valid response is to use Aboriginal sources to develop and deliver those programs. Aboriginal persons and agencies are contracted to do some of the work, but it would be more cost-effective for some of the work to be done by Aboriginal staff.

The Service has had modest success in Aboriginal employee recruitment under the government policy regarding designated groups (Aboriginal persons, visible minorities, women and handicapped persons). In order to recruit sufficient Aboriginal staff to have a significant impact on program delivery, a more concerted effort needs to be developed. The effort should be guided by a strategy that takes the following factors into consideration:

- the availability of qualified Aboriginal persons;
- the competition for qualified Aboriginal persons by other governments and agencies;
- the negative perception of corrections by many Aboriginal persons;
- the need to support Aboriginal staff once they are appointed;
- the need to recruit Aboriginal persons who can be developed for supervisory and management positions;
- the need for pre-appointment training of Aboriginal persons with potential who are interested in correctional careers but who need some training to meet some selection criteria.

A strategy and a plan for a systematic recruitment effort is the most promising method of attracting the numbers of Aboriginal staff required to have a major impact on federal corrections.

It would seem that the *CCRA*, directly or indirectly, has not had a significant impact on the existing employment growth rate of Aboriginal employees to date as the employment rate for this target group has only increased marginally between March 1993 to March 1997. Moreover, Aboriginal staff is still under-represented in relation to the proportion of Aboriginal offenders that are incarcerated. While the proportion of Aboriginal offenders has increased from 10.4% in March 1993 to 12.4% in March 1997, the percentage of Aboriginal employees for this same period has only increased from 2.4% to 3.2%. The difference between the percentage of offenders and employees is even greater in the institutions.

CSC has retained proportionately fewer Aboriginal employees since the proclamation of the *CCRA* than it had prior to its enactment. Sixty-seven percent (249 out of 370) of Aboriginal persons who were employed as either indeterminate employees or as terms employees of more than three months in March 1993 were still employed at CSC four years in March 1997 compared to 71.6% (96 out of 134) for the four year period ending in March 1992.

Examining promotions among Aboriginal employees is one method of measuring the important aspect of employee development. Data suggests that the development of Aboriginal employees in some key occupational categories may not be adequate. There are more Aboriginal people in the Scientific and Professional group and the Administrative and Foreign Service occupational categories due in part to a few more nurses and senior administrative service officers employed by the Service, but the technical and EX groups seem sorely under-developed. In addition, other indicators suggest that Aboriginal people are not being promoted at the same rate as their non-Aboriginal colleagues. For instance, there were still no Aboriginal people among the senior nurse group levels 4 through 8. However, Aboriginal correctional officers may be in a better position today for promotion than in the past. In 1996, there was a larger concentration of CX 1 and 2 ranks than in 1992. In other words, there may now be the necessary critical mass that could eventually feed the higher CX ranks who are operational employees, but there still remains a need to increase the numbers for the other occupational categories.

Section 81

- (1) The Minister, or a person authorized by the Minister, may enter into an agreement with an Aboriginal community for the provision of correctional services to Aboriginal offenders and for payment by the Minister, or by a person authorized by the Minister, in respect of the provision of those services.*
- (2) Notwithstanding subsection (1), an agreement entered into under that sub-section may provide for the provision of correctional services to a non-Aboriginal offender.*
- (3) In accordance with any agreement entered into under subsection (1), the Commissioner may transfer an offender to the care and custody of an Aboriginal community, with the consent of the offender and of the Aboriginal community.*

Section 81 Initiatives

The development of a process leading to the implementation of Section 81 commenced in early 1995. CSC's objective for section 81 was to design a Section 81 Aboriginal Corrections Implementation Program which would see the transfer of federally sentenced Aboriginal offenders to an Aboriginal community for the provision of correctional services over an undefined period under the authority of the *Act*.

Expenditures, to date, for the Section 81 development have been approximately \$350,000.00 for the 1995/96 and 1996/97 fiscal years. Expenditures include the cost of consultations with communities, a national workshop, and a number of section 81 feasibility studies.

The Correctional Service of Canada has recognized that Section 81 is not self-executing, as it requires Aboriginal communities and CSC to work in partnership on innovative community correctional projects; therefore, the framework was developed as a community-driven approach for implementation and devolves greater responsibility to Aboriginal people.

Currently, the Section 81 Framework is undergoing internal and external consultations, through a series of national and regional consultations. The existing legislation has been designed to allow CSC to develop new care and custody arrangements to be defined by Aboriginal communities who are willing to participate in the delivery of correctional services. The section 81 framework has been developed to ensure that all future agreements are consistent with the mission, objectives, and operating procedures of both CSC and Aboriginal communities.

Although, only one agreement has been officially concluded, CSC has initiated a number of Aboriginal community feasibility studies with various communities to increase the use of this provision. The focus of many of these studies have emphasized the need for post release accommodations and community based healing.

Section 82

- (1) The Service shall establish a National Aboriginal Advisory Committee, and may establish regional and local Aboriginal advisory committees, which shall provide advice to the Service on the provision of correctional services to Aboriginal offenders.*
- (2) For the purpose of carrying out their function under subsection (1), all committees shall consult regularly with Aboriginal communities and other appropriate persons with knowledge of Aboriginal matters.*

Aboriginal Advisory Committee

Section 82 of the *CCRA* requires that the Service maintain an Aboriginal Advisory Committee in order to obtain advice on the provision of correctional services to Aboriginal offenders. The Committee must consult regularly with Aboriginal communities and other appropriate persons with knowledge of Aboriginal matters.

The Service has maintained an Aboriginal Advisory Committee since 1972; however, the Committee's Terms of Reference have been revised to bring them more fully in line with the requirements of the legislation. The Committee's chairperson is selected by the members and the Terms of Reference are sufficiently broad to enable the Committee to address any correctional matter it deems relevant to its mandate. Additionally, the Committee has been organized into sub committees to allow a more thorough examination of issues. These sub committees are tasked with the following:

- contractual arrangements with Aboriginal communities and organizations for the provision of correctional services (S.81 *CCRA*);

- the recruitment and development of Aboriginal personnel;
- programs and services for conditionally released Aboriginal offenders;
- culturally valid treatment for Aboriginal sex offenders;
- Native liaison and Elder services; and
- Aboriginal female offenders.

Since its inception the Aboriginal Advisory Committee has proven to be effective in advising the Service on issues that impact on the Aboriginal offender that are rooted in policy or derive from the CCRA.

Although the *CCRA* does not speak to the establishment of regional Aboriginal advisory committees, the Services has entrenched internal policy which requires each correctional region to establish local Aboriginal advisory committees. To date all regions have established such committees.

Section 83

- (1) *For greater certainty, Aboriginal spirituality and Aboriginal spiritual leaders and elders have the same status as other religions and other religious leaders.*
- (2) *The Service shall take all reasonable steps to make available to Aboriginal inmates the services of an Aboriginal spiritual leader or elder after consultation with*
 - (a) *the National Aboriginal Advisory Committee mentioned in section 82; and*
 - (b) *the appropriate regional and local Aboriginal advisory committees, if such committees have been established pursuant to that section.*

Aboriginal Spirituality, Spiritual Leaders and Elders

Section 83 of the *CCRA* requires that Aboriginal spirituality, spiritual leaders and Elders have the same status as other religions and other religious leaders. Consultations with spiritual leaders and Elders engaged by the Service revealed that they did not wish the title of Chaplain, nor did they wish to be a part of the administrative structure that deals with the activities of Chaplains. In consequence, published national policy supports their separate identity and details the support they must receive in their service to inmates. Specifically, Commissioner's Directive 702 requires that Elders:

- be accorded the same status and compensation as Chaplains;
- be granted the same freedom of movement within institutions as Chaplains;
- be included as participants in case management deliberations;
- be extended the same support and privileges which are provided Chaplains; and
- be protected from the desecration of their sacred bundles by security procedures.

Section 84

Where an inmate who is applying for parole has expressed an interest in being released to an Aboriginal community, the Service shall, if the inmate consents, give the Aboriginal community

- (a) *adequate notice of the inmate's parole application; and*
- (b) *an opportunity to propose a plan for the inmate's release to, and integration into, the Aboriginal community.*

The development of a section 84 strategy is being undertaken by the Service with a view to formalizing a general framework that will allow for increased involvement of aboriginal communities in the delivery of correctional services for the aboriginal offender. The resulting general framework will accommodate variations particular to each aboriginal community interested in accessing this provision. Preliminary discussions have already occurred between the Service and one aboriginal community concerning the utilization of section 84 and another aboriginal community is currently supervising an offender that is consistent with section 84. Moreover, the Service has developed an interim policy with respect to section 84 that will be made available to CSC personnel in the first quarter of 1998.

Major Initiatives

The Women's Healing Lodge

The Women's Healing Lodge, Okimaw Ohci, is one of the sixty five Canadian federal correctional institutions designated for men and women currently serving time for a criminal sentence. The Lodge is owned and operated by the federal government under the legislative mandate of the *CCRA*. The Healing Lodge represents a new correctional approach to incarceration for Aboriginal federally sentenced women. The Lodge nestled in the Cypress Hills, on the Nekaneet Indian Reserve, has to date proven to be a successful integration of Aboriginal corrections and modern Canadian correctional philosophy.

At the Healing Lodge programs and services are offered to the residents with the idea of promoting responsibility and self-sufficiency. This is achieved by encouraging improved relationships between staff and offenders and by promoting responsible behavior among offenders. All programs are based on the needs of Aboriginal women, including, and most importantly, the need to address issues associated with human health issues, sexuality, and physical, emotional, and substance abuse issues which are addressed in a non-threatening environment and delivered by qualified Aboriginal facilitators. A major component of the

delivery of programs is that they are strongly linked to the larger Aboriginal community. Women are provided with opportunities to maintain contact with their children, and are provided with positive role models whom they can share their life experiences with and thereby work on their individual healing. Many of these role models, such as Aboriginal staff, are women from the Nekaneet community who have a well-developed understanding of the needs of Aboriginal women.

The Healing Lodge can be viewed as the first stage in establishing the parameters for Aboriginal communities and new correctional initiatives for Aboriginal offenders. The Healing Lodge has set the foundational “blueprint” for new practical approaches to the delivery of correctional service for Aboriginal offenders. The Healing Lodge has the potential to act as a model for the development of Aboriginal offender correctional programs and the delivery of those programs and services; to encourage Aboriginal community resource involvement in the reintegration plan of the Aboriginal offender, and to provide some coordination to the myriad of tasks required to manage the sentences of Aboriginal offenders more effectively.

Pe Sakastew Centre

The Pe Sakastew Centre is a 60 bed facility with the capacity for 40 minimum security offenders and 20 day parolees. The facility is located on the outskirts of Hobbema, Alberta, a native community with a population of about 5000. The facility and program is the result of a joint initiative between the Government of Canada and the Samson Cree Nation.

The objectives of the facility are to assist in the successful reintegration of native male offenders through the offering of holistic and culturally sensitive programs. Community support was received during the design and construction of the facility and the support continues through the provision of programming and Elder services. The facility became operational in early 1997, and currently houses eighteen offenders.

- The creation and opening of Pe Sakastew Centre is a positive development and is the first facility of its kind in Canada to use this unique approach to rehabilitating male Aboriginal offenders.
- The working relationship between the Aboriginal community and the Correctional Service of Canada which led to the creation of the Centre is positive and hopefully is a sign of things to come.

STATISTICAL ANALYSIS

The statistical analysis undertaken for this review found that Aboriginal peoples are over represented in the criminal justice system. They comprise about 3% of Canada’s population, however, on March 31, 1997, they accounted for 12% of all offenders under federal jurisdiction.

Findings revealed that proportionately, Aboriginal offenders were more likely to be serving their sentence in institutions than in the community on supervision. Aboriginal offenders were also less likely to be released on full parole, more likely to be released on statutory release, and significantly more likely to be referred for detention. When granted full parole, they received it later in their sentence and were more likely to be returned to imprisonment for a technical violation of supervision conditions.

Further, the data indicated that: Aboriginal offenders were being released on day parole at about the same proportion as non-Aboriginal offenders; the proportion of the population under supervision had increased over the past five years; although a higher proportion of Aboriginal offenders was referred for a detention, both racial groups were detained at about the same rate. Also, Aboriginal offenders on conditional release were not revoked for more new offences than were non-Aboriginal offenders.

Based on risk assessment factors such as an offender's Risk/Need Assessment score, offence, and number of prior federal penitentiary terms, Aboriginal offenders posed a higher risk to reoffend. Also, due to their criminal history, they are less likely to be eligible for accelerated parole reviews which could have some impact on the differences found in time served prior to full parole release. In addition, Aboriginal offenders were significantly more likely to waive their full parole review. This could, in part, account for some of the variations in full parole grant rates and time served past parole eligibility found between Aboriginal and non-Aboriginal offenders. These findings may partially explain the proportionately larger Aboriginal institutional population and the greater non-Aboriginal supervision population.

These findings are consistent with data reported in other research. (LaPrairie, 1996; Bonta, 1996; York, 1995; CSC and NPB; 1995). LaPrairie (1996) commented "...that the type of offence and not racial bias appears to be the reason for lower parole rates of Aboriginal offenders." Also noted was that Aboriginal offenders had more problems "formulating release plans because of less education and fewer employment skills, fewer connections to family and communities, and personal problems".

Overview of Statistical Findings¹

- Aboriginal peoples are over-represented in the criminal justice system. They comprise about 3% of Canada's population, however, on March 31, 1997, they accounted for 12% of all offenders under federal jurisdiction.
- Aboriginal offenders were more likely than non-Aboriginal offenders to be serving their sentence in an institution than to be in the community on supervision. Aboriginal offenders

¹ See Appendix 1, *STATISTICAL ANALYSIS OF ABORIGINAL OFFENDERS*, for detailed data.

make up 15% of the federal incarcerated population while they comprise 9% of the population under supervision.

- Aboriginal offenders were more likely to be released on statutory release than on full parole. Of the 609 Aboriginal people on federal day, full, or statutory release supervision, 14% (87) were on day parole, 38% (230) were on full parole, and 48% (292) were on statutory release. Comparable figures for the non-Aboriginal supervised population are: 12% (779) on day parole; 59% (3,744) on full parole; and 29% (1,826) on statutory release.
- The higher proportion of Aboriginal offenders on statutory release may partially account for the greater numbers incarcerated as offenders released on statutory release remain incarcerated for a larger percentage of their sentence.
- There is significant variation in the number and proportion of Aboriginal offenders across the regions. The distribution of federal Aboriginal offenders on March 31, 1997 ranged from lows of 4% in the Atlantic region and 6% in the Quebec to a high of 64% in the Prairie region.
- Analysis of risk assessment factors such as an offender's Risk/Need Assessment score, offence, and number of prior federal penitentiary terms showed that a larger percentage of Aboriginal offenders posed a higher risk.
 - Almost three-quarters (73%) of incarcerated federal Aboriginal offenders were classified as high risk compared to 61% of non-Aboriginal offenders--a difference of about 12%.
 - Aboriginal offenders were more likely to have been incarcerated for violent offences. A larger proportion of incarcerated Aboriginal offenders had been convicted of assault causing injury (28% versus 20%) and manslaughter (10% versus 6%). Aboriginal offenders were also more likely to be sexual offenders (26% versus 20%) and to have committed schedule 1 offences (72% versus 58%).
 - Fewer Aboriginal (59.2%) than non-Aboriginal (65.6%) incarcerated offenders were serving their first federal term while, twice as many Aboriginal (7.6%) as non-Aboriginal (3.8%) offenders had three or more prior terms.
- Differences between Aboriginal and non-Aboriginal day parole grant rates had been consistently widening from 6.2% in 1992/93 to 8.5% in 1995/96. However, in fiscal 1996/97, the federal day parole grant rate for Aboriginal (67.1%) and non-Aboriginal (66.3%) offenders was almost equal.
- Aboriginal offenders were less likely to be granted full parole. Comparatively, in 1996/97, the federal full parole grant rate for Aboriginal offenders was 34%, while it was 41% for non-Aboriginal offenders - a 7% difference.

- Proportionately, fewer of the full parole pre-release hearings for Aboriginal offenders were APR (32%) reviews than those for non-Aboriginal offenders (36%). In 1996/97, the regular full parole grant rate for Aboriginal offenders was 21% compared to 73% for APR reviews. In comparison, for non-Aboriginal offenders the regular full parole grant rate was 22% versus 84% for APR reviews. In the Prairies region, the rates for Aboriginal offenders were 25% and 74% respectively.
- The release rate also showed that proportionately fewer Aboriginal offenders were released on full parole. Aboriginal offenders were more likely to be released at their warrant expiry date (12% of Aboriginal compared to 6% of non-Aboriginal offenders) and less likely to be released on full parole (12% versus 15%).
- Aboriginal full parolees were granted parole later in their sentence than non-Aboriginal offenders. Over the five year period 1992/93-1996/97, the average proportion of sentence served prior to first release on full parole for definite sentenced non-Aboriginal offenders was 39% compared to 41% for Aboriginal offenders--a difference of 2%.
- One factor that could account for differences in full parole grant rates and time served post PED is the higher rate at which Aboriginal offenders (49%) waived their full parole hearing compared to non-Aboriginal offenders (30%). The waiver rate in the Pacific region was high for both groups of offenders (57% and 51% respectively).
- These findings may partially explain the proportionately larger Aboriginal institutional population and the greater non-Aboriginal supervision population. Offenders released on statutory release or warrant expiry are released later in their sentence, and serve a greater part of their sentence in institutions. On the other hand, offenders released on full parole serve more of their sentence in the community.
- Aboriginal offenders were less likely to successfully complete their supervision period in the community and more likely to be revoked for a technical violation than were non-Aboriginal offenders. This finding suggested that Aboriginal offenders posed a higher risk, however, it was impossible from the data available to identify whether the apparent increased level of risk was real or perceived or whether risk management standards were consistent across regions and ethnicity.
- Aboriginal offenders were less likely to complete their supervision period in the community:
 - 77% of Aboriginal day parolees reached their supervision end date compared to 83% of non-Aboriginal day parolees;
 - 53% of Aboriginal offenders completed their full parole supervision compared to 66% of non-Aboriginal full parolees;
 - about half (48%) of Aboriginal offenders released on statutory release reached their WED compared to 58% of non-Aboriginal offenders.

- Aboriginal offenders were more likely to be revoked:
 - 23% of Aboriginal day parolees were revoked compared to 17% of non-Aboriginal day parolees;
 - 46% of Aboriginal offenders on full parole supervision were revoked compared to 32% of non-Aboriginal full parolees;
 - over half (51%) of Aboriginal offenders released on statutory release were revoked compared to 41% of non-Aboriginal offenders.
- Aboriginal offenders were more likely to be returned to prison for a technical violation of release conditions:
 - 20% of Aboriginal day parolees were revoked for a violation of conditions compared to 14% non-Aboriginal day parolees;
 - one-third of Aboriginal full parolees (33%) were reincarcerated for a technical violation of parole compared to 21% of non-Aboriginal full parolees;
 - 39% of Aboriginal statutory releasees were revoked for technical violations compared to 29% of non-Aboriginal statutory releases.
- Almost similar proportions of Aboriginal non-Aboriginal offenders were revoked for a new offence:
 - Aboriginal day parolees (3%) were slightly less likely to be reincarcerated for an offence committed on supervision than were non-Aboriginal day parolees (4%);
 - Aboriginal offenders on full parole were slightly more likely to be revoked for a new offence (12% versus 11%);
 - almost equal proportions of Aboriginal (12%) and non-Aboriginal (12%) statutory releasees were revoked for a new offence.
- A higher proportion of Aboriginal offenders were referred for a detention than non-Aboriginal offenders, however, both groups were detained at about the same rate (87%). Aboriginal offenders were slightly less likely to be released on regular statutory release (1% versus 3%) and slightly more likely to be given statutory release with a residency condition (6% versus 4%).

FUTURE ACTION

National Parole Board

Initiatives implemented by the Board have had an impact. However, while significant progress has been made, the Board recognizes that more must be done, and in cooperation with others.

Findings from the statistical analysis suggested several areas where further work is needed:

- The analysis of release outcome showed that Aboriginal offenders were being returned to incarceration for technical violation of parole conditions; not for new offences. It was impossible, from the data available, to identify whether the apparent increased level of risk was real or perceived or whether risk management standards were consistent across regions and ethnicity. The Board will review the reasons for Aboriginal technical revocations to determine if ways can be found to reduce the incidents of reincarceration for these offenders.
- Research has consistently shown that Aboriginal offenders are less likely to receive full parole and that they are granted parole later in their sentence. The Board will attempt to identify possible reasons for the differences in full parole grant rates and determine whether any action can be taken to address this situation.
- One factor that could explain the variation in full parole grant rates is the higher rate at which Aboriginal offenders waived their full parole hearing. Waiving their parole hearing could partially explain the proportionately larger Aboriginal institutional population as offenders released on statutory release serve a greater part of their sentence in institutions. The Board will work with CSC to identify ways to reduce the waiver rate for Aboriginal offenders.

In addition to the above the Board will undertake activities such as:

- continuing to expand Elder assisted hearings and review the impacts and effects of this approach and follow-up as required; and
- continuing to investigate and participate in other innovative and cooperative approaches with Aboriginal communities and CSC, particularly with respect to Sections 81 and 84 of the Act.

Correctional Service of Canada

Aboriginal Issues Strategy for 1997-98 and beyond

The government has identified the ensuring of public safety and dealing with crime, especially violent crime, as a priority. Aboriginal offenders have a higher rate of violent crime than the general inmate population and unless they receive effective correctional services, those offenders are likely to continue their pattern of offending after their release from incarceration.

The Aboriginal Issues Strategy will include the following:

- As a contribution to the government's initiatives on crime, the Service will accelerate the development and delivery of treatment interventions designed especially for the needs of the Aboriginal offenders.
- The Service will participate in the government's five-year plan to establish alternative justice systems for aboriginal peoples. This will be done through involvement in the planning process with respect to the Aboriginal Justice Initiative. The Initiative deals primarily with alternatives to the regular judicial process; however, federal correctional experience can inform such undertakings. Reciprocally, community treatment resources developed through the Initiative can contribute to the sentence management of federal aboriginal offenders.
- In order to ensure the continuing development of a more effective sentence management process for the aboriginal offender, the Service is establishing a stronger Aboriginal Issues Unit to deal with program development, monitoring and evaluation, as well as developing working relationships with aboriginal communities. The latter is to ensure that offenders' treatment gains are maintained and built upon following their release.
- The Service is developing a Strategic Framework and Operational Plan for the implementation of section 81 of the *Corrections and Conditional Release Act*. The open ended opportunities provided by section 81 are likely to yield the best results if a strategy for their selection is established. A set of objectives and a strategy for their pursuit will be developed to ensure that scarce resources will be invested in initiatives likely to bring about the best correctional benefits.
- The Service will develop a General Reference Document for Aboriginal Offender Programs and Services. The document will contain spiritual and other cultural information from the major cultural regions of the country. It will also contain information on best practices and community resources that can support or provide them.
- The development of a section 84 strategy is being undertaken by the Service with a view to formalizing a general framework that will allow for increased involvement of aboriginal communities in the delivery of correctional services for the aboriginal offender. The Service has developed an interim policy with respect to section 84 that will be made available to CSC personnel in the first quarter of 1998.

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APPENDIX I

STATISTICAL ANALYSIS OF ABORIGINAL OFFENDERS

OFFENDER POPULATION

On March 31, 1997 there were 23,642 federal and provincial offenders under the jurisdiction of the federal criminal justice system. Table 1 provides a breakdown of these offenders by ethnicity (Aboriginal and non-Aboriginal), status (released or incarcerated), and jurisdiction (federal or provincial).

TABLE 1
ABORIGINAL AND NON-ABORIGINAL OFFENDERS UNDER FEDERAL JURISDICTION, ON MARCH 31, 1995-1997

Status	MARCH 1995			MARCH 1996			MARCH 1997		
	Abor	Non-Abor	% Abor	Abor	Non-Abor	% Abor	Abor	Non-Abor	% Abor
Federal									
Incarcerated*	1724	12140	14.2	1935	12563	13.3	2103	12344	14.6
Supervised**	578	7487	7.7	547	6716	7.5	609	6349	8.8
Other***	178	1285	13.9	132	1531	7.9	165	1672	9.0
Total	2480	20912	11.9	2614	20810	11.2	2877	20365	12.4
Provincial									
Supervised	27	452	5.6	49	265	15.6	55	295	15.7
Other	12	58	17.1	5	27	15.6	8	42	16.0
Total	39	510	7.1	54	292	15.6	63	337	15.8
Total	2519	21422	11.5	2668	21102	11.2	2940	20702	12.4

* Incarcerated includes federal male and female offenders incarcerated in a federal or provincial institution (esa), provincial offenders serving their sentence in a federal institution, TA's, bail, and escapees.

** Supervised includes federal male and female offenders on day or full parole or statutory release.

*** Other includes male and female offenders, temporarily detained by CSC, deported, or revoked or UAL from supervision.

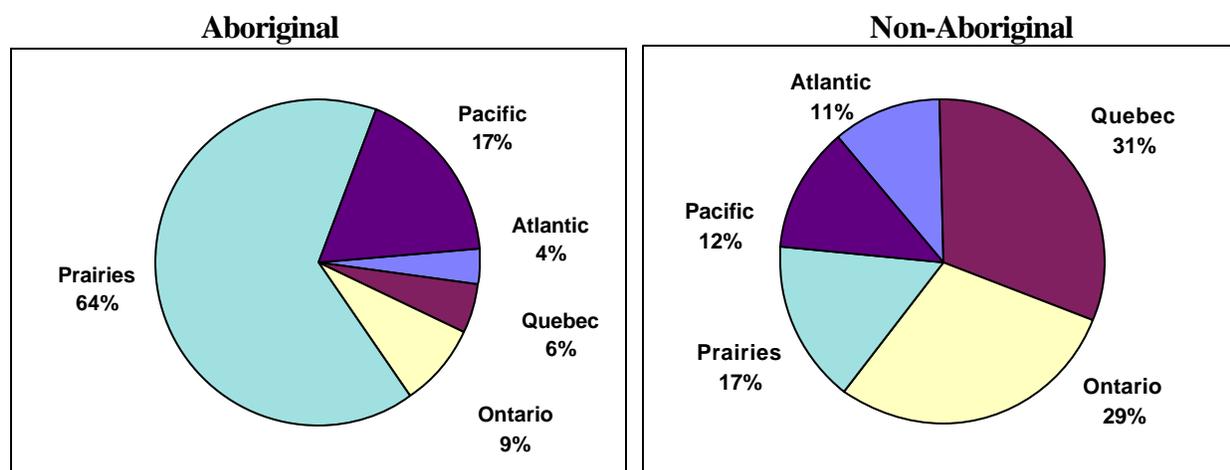
Aboriginal peoples comprise about 3% of Canada's population, however, they accounted for 12.4% (2,940) of offenders under federal jurisdiction on March 31, 1997. Of note is that while Aboriginal peoples make up 12.4% of the total offenders under federal jurisdiction, they comprised 14.6% of the incarcerated population and 8.8% of the federal and 15.7% of the provincial population under supervision.

The proportion of Aboriginal offenders under federal jurisdiction has been fairly stable over the past five years. On March 31, 1991, Aboriginal offenders constituted 11.3% of the offender population under federal jurisdiction.

Regional Distribution

There is significant variation in the number and proportion of federal Aboriginal offenders across the regions. The distribution of federal Aboriginal offenders on March 31, 1997 ranged from a low of 3.6% in the Atlantic region to a high of 64% in the Prairie region. The majority of the 2,877 federal Aboriginal offenders (81.5% or 2,346) are in the Prairie and Pacific regions. Of note, is that while 31.7% of the non-Aboriginal population is in Quebec only 5.8% of Aboriginal offenders are in this region, however, 64% of Aboriginal offenders are in the Prairie region while 16.4% of non-Aboriginal offenders are in this region. This apportioning could impact on the delivery of programs. For example, given the small number of federal Aboriginal offenders in the Atlantic (104) and Quebec (166) regions it is more difficult to support the same number and types of programs that are offered in the western regions.

**FIGURE 1
REGIONAL DISTRIBUTION OF FEDERAL ABORIGINAL AND NON-ABORIGINAL
OFFENDERS, MARCH 31, 1997**



The over representation of Aboriginal peoples in the criminal justice system has been attributed to many factors including: sentencing practices; CSC programming; NPB release decision making; Aboriginal peoples unique “cultural, structural, historical and contemporary situation” and the higher risk posed by Aboriginal offenders (LaPrairie, 1996). LaPrairie was referring to the higher incidences of violence, crime, substance abuse, poverty, unemployment, marginalization, and dependency, and the lower education and loss of tradition among Aboriginal peoples.

This analysis will examine factors related to release decision making and provide comparative information for Aboriginal and non-Aboriginal offenders.

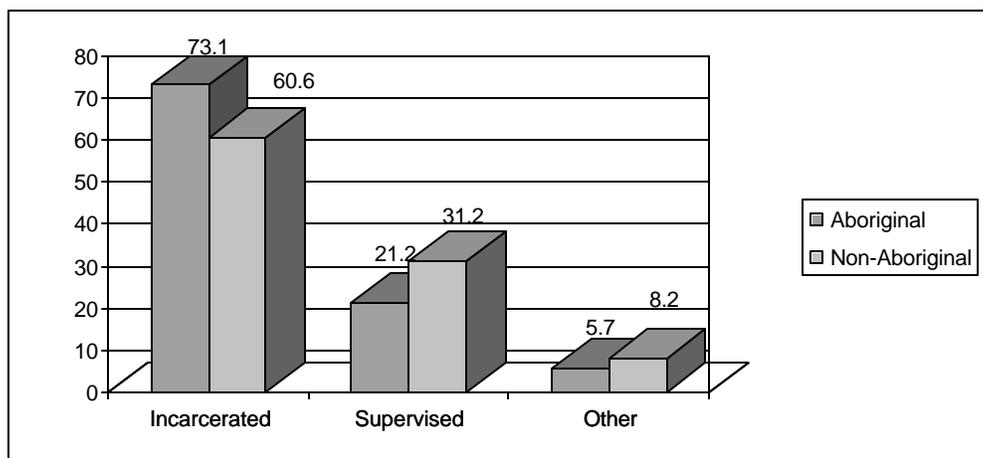
OFFENDER STATUS

Incarcerated

Aboriginal offenders were more likely than non-Aboriginal offenders to be serving their sentence in an institution than to be in the community on supervision.

On March 31, 1997, 63.2% of the total federal offender population was incarcerated, while 29.9% was on supervision and 7.9% was either revoked or suspended and UAL, temporarily detained, or deported. However, almost three-quarters (73.1%) of Aboriginal offenders were incarcerated compared to 60.6% of non-Aboriginal offenders. On the same date, 21.2% of the Aboriginal population was on day or full parole or statutory release supervision compared to 31.2% of non-Aboriginal offenders.

FIGURE 2
FEDERAL ABORIGINAL AND NON-ABORIGINAL OFFENDERS INCARCERATED AND UNDER SUPERVISION, MARCH 31, 1997

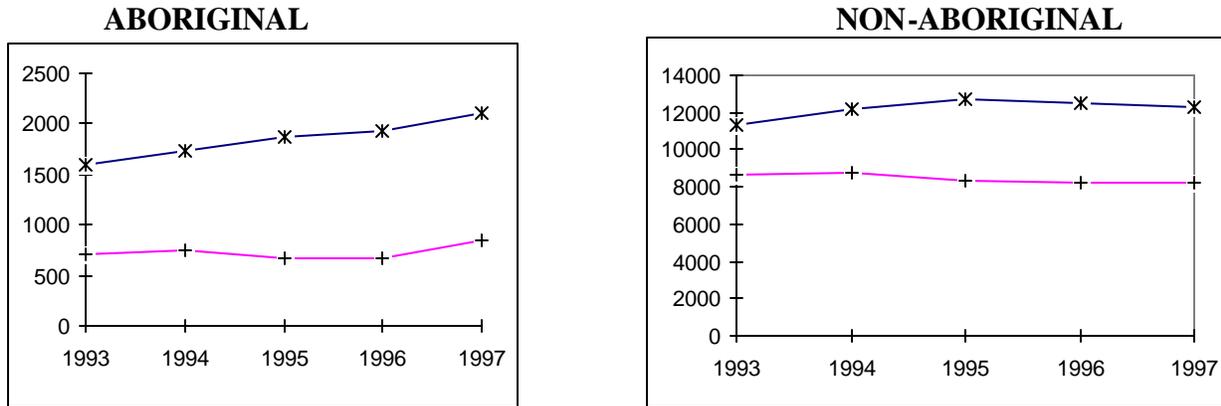


Other includes offenders who were revoked or suspended and UAL, temporarily detained, or deported

Trend analysis indicated that over the past five years there has been an increase in the proportion of federal offenders incarcerated (see Table A1). Over this period, the federal incarcerated population grew 12.2%, from 12,877 to 14,447, while the under supervision population fell 5.7% from 9,328 to 8,795.

The growth in the proportion of the federal population serving their sentence in institutions was greater for Aboriginal offenders. The percentage of federal Aboriginal offenders incarcerated rose 31.5% from 1,599 on March 31, 1993 to 2,103 on March 31, 1997. Over this five year period, the non-Aboriginal incarcerated population increased 9.5% from 11,278 to 12,344.

**FIGURE 3
FEDERAL ABORIGINAL AND NON-ABORIGINAL OFFENDER POPULATION BY
STATUS (INCARCERATED AND UNDER SUPERVISION), MARCH 31, 1993-1997**



* Incarcerated + under supervision

Supervised Population by Release type

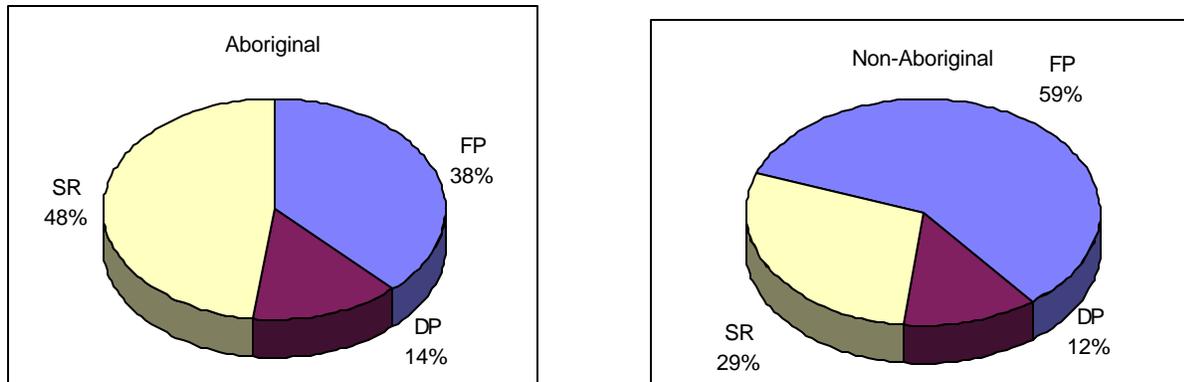
On March 31, 1997, 37.8% of the federal offender population was on supervision. As shown in Figure A1 26.9% of Aboriginal offenders was on supervision compared to 39.4% for non-Aboriginal offenders--a difference of 12.5%.

Over the past five years, the federal population under supervision decreased 5.7%. The proportion of Aboriginal offenders on supervision has increased 8.9% (from 711 to 774), while the percentage of the non-Aboriginal population serving their sentence in the community dropped by 6.9% (from 8,617 to 8,021, see Table A1).

Of the federal offender population on supervision, 29.9% were on day or full parole supervision or statutory release. However, the percentage of Aboriginal offenders on day or full parole or statutory release supervision was 21.2% compared to 31.2% for non-Aboriginal offenders--a difference of 10%.

Figure 4 indicates that almost equal proportions of Aboriginal and non-Aboriginal offenders are in the community on day parole. However, a significantly smaller proportion of Aboriginal offenders were on full parole, while a greater proportion were on statutory release. The higher proportion of Aboriginal offenders on statutory release may partially account for the greater numbers incarcerated as offenders released on statutory release serve a larger percentage of their sentence incarcerated.

FIGURE 4
ABORIGINAL AND NON-ABORIGINAL OFFENDERS UNDER FEDERAL SUPERVISION BY SUPERVISION TYPE, MARCH 31, 1997



There were 609 Aboriginal and 6,349 non-Aboriginal offenders on federal supervision on March 31, 1997. Of the 609 Aboriginal people on supervision, 14.2% (87) were on day parole, 37.8% (230) were on full parole, and 47.9% (292) were on statutory release. Comparable figures for the non-Aboriginal supervised population are: 12.3% (779) on day parole; 59% (3,744) on full parole; and 28.8% (1,826) on statutory release.

Analysis of the population under supervision as an indicator of releases or parole decision-making can result in deceiving conclusions. This statistic provides a count of the number of persons on supervision at a given time and does not represent the number of releases to any particular program.

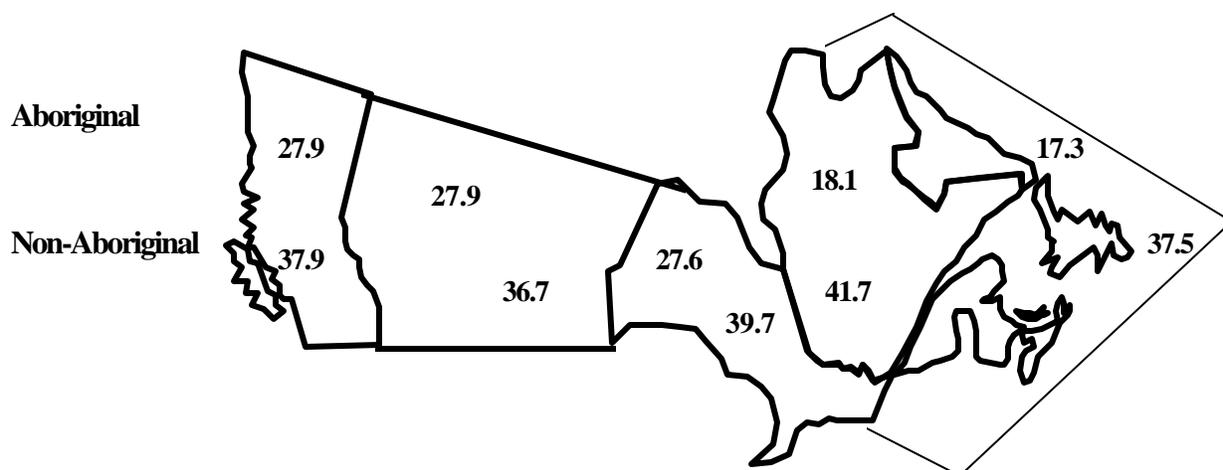
As shown in Table A2, significantly more offenders of both racial groups were released on statutory release than were released to parole. However, as revealed in Figure 4 the proportion of the non-Aboriginal supervision population on statutory release is considerably smaller. This can be explained by the reality of the two programs. Statutory release is usually for the last one-third of the sentence whereas offenders can be released on full parole after serving one-third of the sentence (see Table 7). Also, statutory released offenders have a higher revocation rate (see Table 8). Therefore, although more offenders are released on statutory release, the numbers on this form of supervision on any particular day are not reflective of this.

Regional Analysis

Regionally, there was little variation in the proportion of the non-Aboriginal federal offender population under supervision across the regions, with the exception of Quebec. There was, however, some diversity in the proportion of the Aboriginal federal offender population under supervision although, due to the small numbers, caution should be exercised in interpretation.

Analysis of the federal population under supervision in the Pacific and Prairie regions where the majority (82%) of the federal Aboriginal population reside, revealed some consistency in the proportion of the Aboriginal population on supervision. However, as shown in Figure 5, there was considerable differences in the proportions of the Aboriginal and non-Aboriginal federal offender population under supervision in these regions. In the Pacific region, 27.9% of Aboriginal offenders were on supervision compared to 37.9% of non-Aboriginal offenders--a difference of 10%. In the Prairie region the comparative figures were, 27.9% for Aboriginal offenders and 36.7% for non-Aboriginal offenders--a difference of 8.8%.

FIGURE 5
ABORIGINAL AND NON-ABORIGINAL OFFENDERS ON SUPERVISION* BY
REGION, MARCH 31, 1997



*includes offenders temporarily detained by CSC, deported, or revoked or UAL from supervision
 Aboriginal percentages for the Atlantic, Quebec, and Ontario regions should be interpreted with caution due to the small numbers

CHARACTERISTICS OF FEDERAL ABORIGINAL OFFENDERS

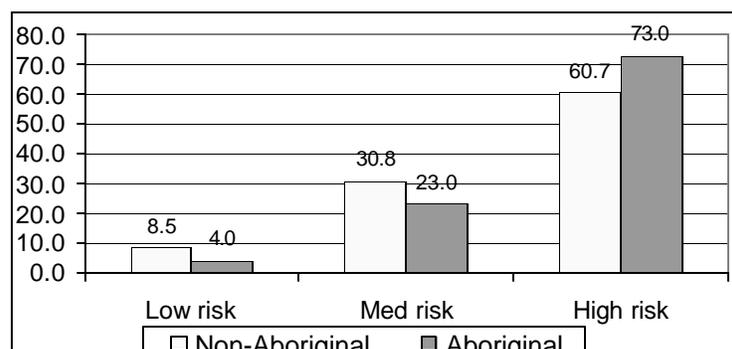
Researchers have commented that the differential risk Aboriginal offenders present could, in part, account for some of the variations in Aboriginal and non-Aboriginal offenders' release type. Analysis of risk assessment factors such as an offender's Risk/Need Assessment score, commitment offence, and number of prior federal penitentiary terms showed that a larger percentage of Aboriginal offenders posed a higher risk.

Risk/Need Assessment

Risk/Need Assessments² are completed by parole officers for most incarcerated offenders (almost 96% of both Aboriginal and non Aboriginal offenders had been assessed).

As shown in Figure 6, Aboriginal offenders scored higher on the Risk/Need Assessment than non-Aboriginal offenders. Almost three-quarters (73%) of incarcerated Aboriginal offenders were classified as high risk compared to 60.7% of non-Aboriginal offenders--a difference of 12.3%. Significantly fewer incarcerated Aboriginal (4.0%) than non-Aboriginal offenders (8.5%) were classified as low risk.

FIGURE 6
RISK/NEED ASSESSMENT FOR INCARCERATED ABORIGINAL AND NON-ABORIGINAL OFFENDERS, MARCH 31, 1997



*Excludes 85 Aboriginal and 442 non-Aboriginal offenders who did not have Risk/Need assessment scores.

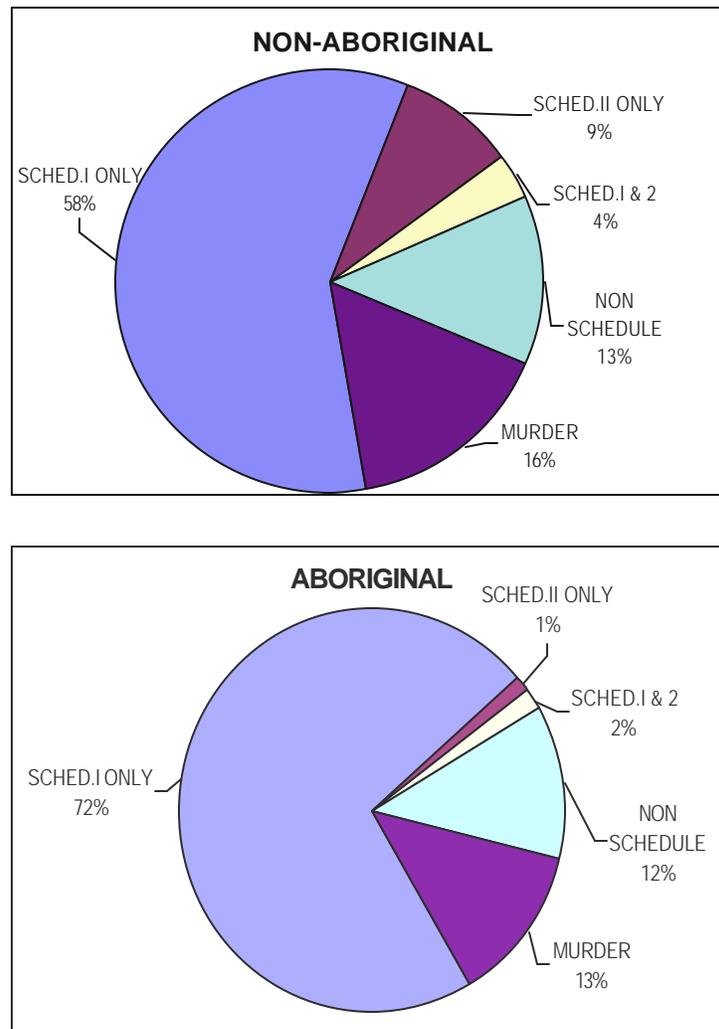
Offence History

Researchers (LaPrairie, 1996; Bonta, 1996; York, 1995; CSC/NPB, 1995) have commented that, in addition to other factors, the offence profile of Aboriginal offenders rather than systemic discrimination could account for the lower full parole grant rates for Aboriginal offenders. A similar finding was reported by CSC/NPB (1995) in their *Report on the Study of the detention Provisions of Corrections and Conditional Release Act* with respect to a study on Aboriginal offenders' overrepresentation in detention referrals. The authors postulated that the Board's decision to detain was more likely influenced by the offender's criminal history and risk to reoffend rather than the offender's race.

² As of January, 1995 CSC completes a Risk/Need Assessment on offenders at their admission as part of the front-end assessment.

Analysis of the original commitment offences of federal incarcerated offenders revealed that a significantly higher proportion of Aboriginal offenders had been incarcerated for schedule 1 offences. Figure 7 shows that 72% of incarcerated Aboriginal offenders on March 31, 1997 had been convicted of schedule 1 offences, compared to 58% of non-Aboriginal offenders.

FIGURE 7
ORIGINAL COMMITMENT OFFENCE CLASSIFICATION OF INCARCERATED
ABORIGINAL AND NON-ABORIGINAL OFFENDERS, MARCH 31, 1997



Statistical data on the specific commitment offences of incarcerated offenders indicated that Aboriginal offenders were more likely to have been incarcerated for violent offences. A larger proportion of incarcerated Aboriginal offenders had been convicted of assault causing injury (27.9% versus 20.2%), manslaughter (9.7% versus 5.6%) and schedule 1 offences (72% versus 58.8%). Aboriginal offenders were also more likely to be sexual offenders (26.2% versus 19.7%).

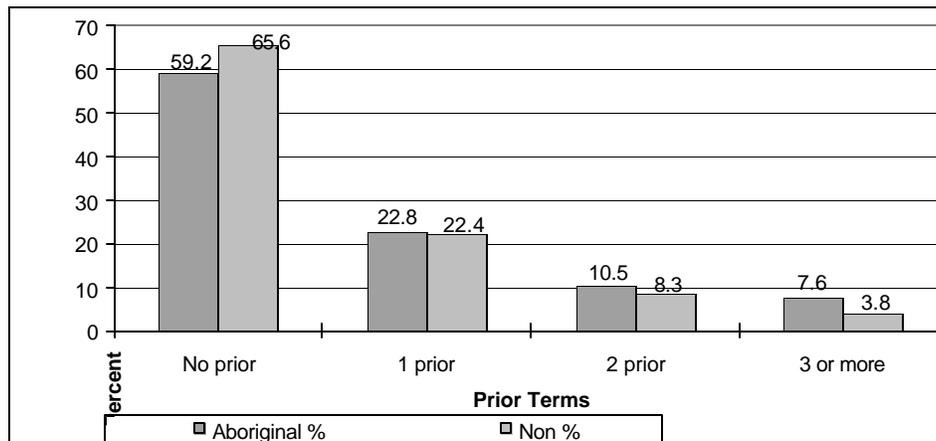
TABLE 2
ORIGINAL COMMITMENT OFFENCES OF INCARCERATED ABORIGINAL
AND NON-ABORIGINAL OFFENDERS, MARCH 31, 1997

Offence	Aboriginal		Non-Aboriginal		Total
	Number	Percent*	Number	Percent*	
Murder 1	63	3.0	635	4.5	572
Murder 2	205	9.8	1592	11.2	1387
Manslaughter	202	9.7	787	5.6	585
Attempt Murder	43	2.1	518	3.7	475
Sexual Assault	186	8.9	1251	8.8	1065
Sex Involv. Child	61	2.9	613	4.3	552
Kidnapping	117	5.6	1138	8.0	1021
Assault causing Injury	582	27.9	2865	20.2	2283
Robbery	501	24.0	4066	28.7	3565
Firearm	129	6.2	1393	9.8	1264
Breach	19	0.9	207	1.5	188
Arson	7	0.3	107	0.8	100
Trafficking	59	2.8	1633	11.5	1574
Import/Export	6	0.3	388	2.7	382
Cultivate	1	0.0	79	0.6	78
Property	3	0.1	135	1.0	132
Schedule I only	1502	72.0	8324	58.8	6822
Schedule II only	29	1.4	1261	8.9	1232
Schedule I&II	34	1.6	517	3.7	483
Non-Schedule excl. Murder	253	12.1	1834	12.9	1581
Sex	547	26.2	2796	19.7	2249
Total Offenders	2086	100.0	14163	100.0	12077
*Percent calculations are based on the number of incarcerated offenders. As some offenders were convicted of more than one offence, they may be in more than one offence category. Thus, the percentages total more than 100.					

PRIOR FEDERAL PENITENTIARY TERMS

As shown in Figure 8, incarcerated Aboriginal offenders were more likely to have prior incarcerations. Fewer Aboriginal (59.2%) than non-Aboriginal (65.6%) offenders were serving their first federal term. Over two percent (2.2%) more Aboriginal offenders had one prior incarceration, while twice as many Aboriginal (7.6%) as non-Aboriginal (3.8%) offenders had three or more prior terms.

FIGURE 8
PRIOR FEDERAL PENITENTIARY TERMS FOR INCARCERATED ABORIGINAL AND NON-ABORIGINAL OFFENDERS, 1996/97



GRANT RATE

Federal Grant Rates

Over the past five years, the overall federal day parole grant rate ranged between 58.8% and 66.4% while, the full parole grant rate was between 33.4% and 40.4%. Table 4 revealed that, over the four year period 1992/93 to 1995/96, the federal day and full parole grant rate had been consistently declining. Also indicated was that the drop in grant rates was more significant for Aboriginal offenders. Figures for 1996/97 show that grant rates have returned to, or, in the case of Aboriginal offenders, surpassed their previous levels.

The differences between Aboriginal and non-Aboriginal day parole grant rates had been consistently widening from 6.2% in 1992/93 to 8.5% in 1995/96. However, in fiscal 1996/97, the federal day parole grant rate for Aboriginal (67.1%) and non-Aboriginal (66.3%) offenders was almost equal.

TABLE 3
**FEDERAL DAY AND FULL PAROLE GRANT RATES FOR ABORIGINAL AND NON-
 ABORIGINAL OFFENDERS, 1992/93 TO 1996/97**

Year	Day Parole				Full Parole			
	Aboriginal		Non-Aboriginal		Aboriginal		Non-Aboriginal	
	Number	Grant Rate	Number	Grant Rate	Number	Grant Rate	Number	Grant Rate
1992/93	490	60.3	4,704	66.5	218	30.5	2,477	38.0
1993/94	431	60.9	3,975	65.6	228	31.4	2,406	38.9
1994/95	349	52.6	3,560	60.7	147	22.0	2,079	34.7
1995/96	254	51.0	2,909	59.5	126	22.7	1,828	35.7
1996/97	277	67.1	2,416	66.3	154	33.7	1,583	41.2

Larger disparities in federal full parole grant rates were noted. The proportion of decisions in 1996/97 ending in a grant of full parole to Aboriginal offenders was 33.7% compared to 41.2% for non-Aboriginal offenders--a 7.5% difference. Over the past five years, Aboriginal full parole grant rates have ranged between 33.7% and 22.0%--an 11.7% variation. Corresponding rates for non-Aboriginal offenders ranged from 41.2% to 34.7%--a 6.5% difference.

Federal Accelerated Parole Review Grant Rate

Over one-third (35.7%) of federal full parole pre-release decisions are accelerated parole reviews (APRI- accelerated parole review initial and APRF- accelerated parole review final). Federal offenders who qualify for an APR review and who are granted full parole are released earlier than most regular full parole releases. APR releasees are usually released at about one-third of sentence while regular, definite sentence full parolees served, on average, between 39 and 41% of their sentence prior to release (see Table 6).

Analysis showed that fewer federal full parole pre-release reviews for Aboriginal offenders (31.6%) were APR than those for non-Aboriginal offenders (36.1%). Table 4 provides information on grant rates for the different types of federal full parole pre-release decisions made by the Board. The APR grant rate was understandably higher than the regular pre-release full parole grant rate, for both Aboriginal and non-Aboriginal offenders. However, significant differences for all grant rates between the ethnic groups were noted.

TABLE 4
FEDERAL FULL PAROLE GRANT RATES FOR ABORIGINAL AND NON-ABORIGINAL OFFENDERS BY TYPE OF REVIEW, BY REGION, 1996/97

Type of Full Parole Review	Atlantic		Quebec		Ontario		Prairies		Pacific		Canada	
	Abor	Non-Abor	Abor	Non-Abor	Abor	Non-Abor	Abor	Non-Abor	Abor	Non-Abor	Abor	Non-Abor
Regular	20.0	29.2	11.1	15.4	9.4	25.0	25.3	29.4	12.0	21.7	20.9	22.3
APRI	50.0	53.6	33.3	68.3	50.0	66.7	60.9	78.9	58.3	89.3	58.9	68.8
APRF	50.0	57.3	50.0	53.8	0.0	46.7	36.1	27.1	20.0	37.5	34.0	48.4
All APR	75.0	80.5	66.7	84.9	60.0	81.4	74.2	84.9	66.7	91.4	72.6	83.6
Other*	0.0	100.0	0.0	33.3	0.0	33.7	0.0	14.3	0.0	50.0	0.0	34.2
Total FP	31.6	48.6	19.0	34.3	16.2	44.4	39.0	47.8	22.6	35.0	33.7	41.2
Pre-release Reviews	21	531	23	1,443	40	1,171	352	740	67	317	503	4,202

*Includes parole for deportation, by exception, and voluntary departure.
 Aboriginal grant rates for the Atlantic, Quebec, and Ontario regions should be interpreted with caution due to the small numbers

In fiscal 1996/97, the regular full parole grant rate for Aboriginal offenders was 20.9% compared to 72.6% for APR reviews, (58.9% for APRI and 34.0% for APRF reviews). In comparison, for non-Aboriginal offenders the regular full parole grant rate was 22.3% versus 83.6% for APR reviews, (68.8% for APRI reviews, and 48.4% for APRF reviews). For the Prairies region, where almost two-thirds (64%) of Aboriginal offenders reside, the comparative grant rates for Aboriginal regular and APR reviews were 25.3% and 74.2% respectively.

Provincial Grant Rate

As shown in Table 5, there has been a decreasing trend in the provincial day parole grant rate over most of the past five years. While the decline in provincial day parole grant rates was more significant for Aboriginal offenders, in fiscal 1996/97, the Aboriginal provincial day parole grant rate (54.5%) surpassed the grant rate for non-Aboriginal offenders (44.2%).

The proportion of provincial full parole decisions in 1996/97 ending in a grant of full parole to Aboriginal offenders was 38.2% compared to 55% for non-Aboriginal offenders--a 16.8% difference. Over the past five years, Aboriginal provincial full parole grant rates have ranged between 43.4% and 29.5%--a 13.9% variation. Corresponding rates for non-Aboriginal offenders were from 66.3% to 52%--a 14.3% difference.

Of note is that the provincial full parole grant rate has been increasing. The rate for Aboriginal offenders rose from 29.5% in 1994/95 to 38.8% in 1995/96 and has remained at this rate. The growth in the provincial full parole grant rate for non-Aboriginal offenders was from 52% in 1995/96 to 55% in 1996/97.

TABLE 5
PROVINCIAL DAY AND FULL PAROLE GRANT RATES FOR ABORIGINAL AND NON-ABORIGINAL OFFENDERS, 1992/93 TO 1996/97

Year	Day Parole				Full Parole			
	Aboriginal		Non-Aboriginal		Aboriginal		Non-Aboriginal	
	Number	Grant Rate	Number	Grant Rate	Number	Grant Rate	Number	Grant Rate
1992/93	23	59.0	357	66.2	20	41.7	673	66.3
1993/94	23	56.1	271	58.2	43	43.4	624	65.8
1994/95	36	49.3	266	52.9	41	29.5	518	55.0
1995/96	41	40.2	245	54.8	57	38.8	385	52.0
1996/97	54	74.0	221	85.0	55	48.7	404	64.7

*Due to reporting changes, 1996/97 figures are not comparable to those reported in prior years.

RELEASE RATE

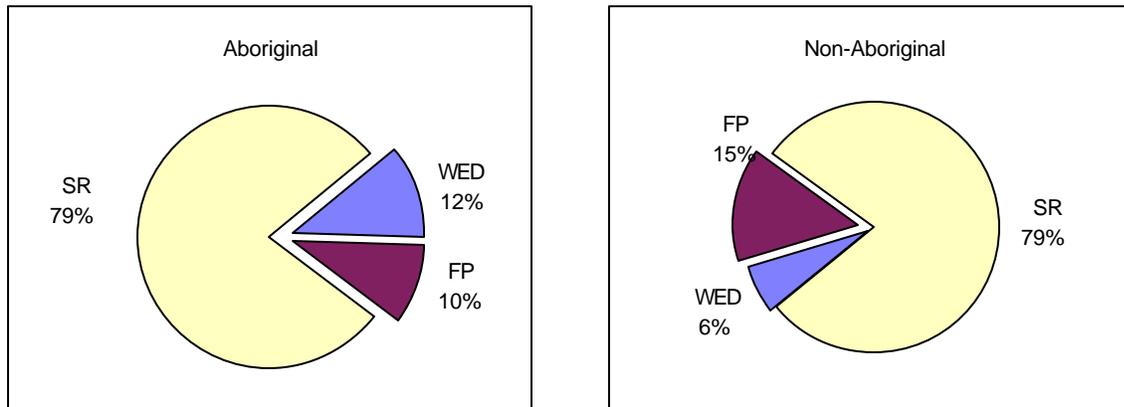
Another methodology for examining Aboriginal and non-Aboriginal conditional release is the release rate--the proportion of releases to each of the different release types. Findings (see Figure 9 and Table A2) revealed that federal Aboriginal offenders were less likely be released on full parole than on statutory release or expiry of sentence.

The proportion of Aboriginal offenders released to full parole in 1996/97 was 9.8% compared to 14.7% for non-Aboriginal offenders. As shown in Table A2, over the past five years 1992/93 to 1996/97, the overall proportion of Aboriginal federal full parole releases has ranged between 7.8% and 22.2% while, the full parole release rate for non-Aboriginal offenders was between 39.9% and 14.7%. These figures indicate that the drop in the parole release rate was greater for non-Aboriginal (25.2%) than Aboriginal (14.4%) offenders.

Also indicated, was that Aboriginal offenders were more likely to be released at their warrant expiry date. Comparable figures for 1996/97 revealed that proportionately, twice as many Aboriginal (12%) as non-Aboriginal (6%) releases were at warrant expiry.

These findings may partially explain the proportionately larger Aboriginal institutional population and the greater non-Aboriginal supervision population. Offenders released on statutory release or warrant expiry are released later in their sentence, and thus, serve a greater proportion of their sentence in institutions. On the other hand, offenders released on full parole serve a larger percentage of their sentence in the community. These figures should, however, be interpreted with caution as the number of releases to statutory release could be inflated. Offenders released on statutory release are more likely to be revoked than those released on parole, and revoked statutory releasees could be released more than once a year because of the shorter length of their supervision period. Also, revoked parolees are more likely to be re-released on statutory release.

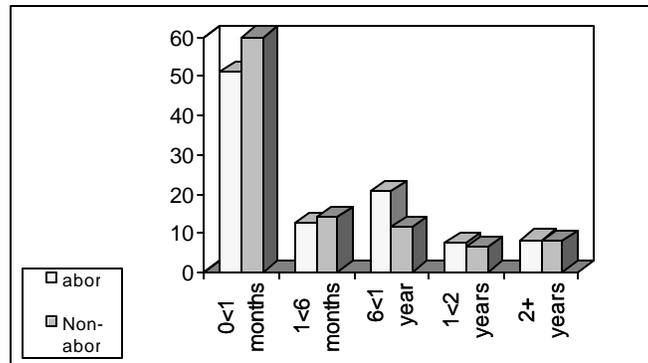
FIGURE 9
PROPORTION OF RELEASES OF FEDERAL ABORIGINAL AND NON-ABORIGINAL
OFFENDERS TO FULL PAROLE, STATUTORY RELEASE, AND WARRANT EXPIRY,
1996/97



TIME SERVED POST PED

Aboriginal offenders released on full parole were granted parole later in their sentence than non-Aboriginal offenders. As shown in Figure 10, non-Aboriginal offenders were released on full parole earlier than Aboriginal offenders. Six-in-ten (59.9%) non-Aboriginal full parolees were released within one month of PED compared to about one-half (51.1%) of Aboriginal offenders. Almost equal proportions of Aboriginal and non-Aboriginal offenders were released between 1 and 6 months and over 1 year post PED. However, almost twice as many Aboriginal (20.7%) as non-Aboriginal (11.5%) full parolees served between 6 months and one year beyond their PED.

FIGURE 10
TIME SERVED POST PED BY FEDERAL ABORIGINAL AND NON-ABORIGINAL
OFFENDERS RELEASED ON FULL PAROLE, 1996/97



PROPORTION OF SENTENCE SERVED PRIOR TO FIRST DAY AND FULL PAROLE

Offenders become eligible for full parole release after serving one-third of their sentence, however, most were released after their parole eligibility date.

Over the five year period 1992/93-1996/97, the average proportion of sentence served prior to first release on full parole for definite sentenced non-Aboriginal offenders was 38.6% compared to 40.7% for Aboriginal offenders--a difference of 2.1%.

Over this same period, the proportion of their sentence that definite sentenced non-Aboriginal offenders released on their first day parole served was 31.8% compared to 34.1% for Aboriginal offenders--a difference of 2.3%.

TABLE 6
PROPORTION OF DEFINITE SENTENCE SERVED PRIOR TO FIRST DAY AND FULL PAROLE RELEASE BY REGION, 1992/93-1996/97

Region	Day Parole				Full Parole			
	Aboriginal		Non-Aboriginal		Aboriginal		Non-Aboriginal	
	Number	Prop Sentence	Number	Prop Sentence	Number	Prop Sentence	Number	Prop Sentence
Atlantic	12	35.0	499	30.6	32	45.1	1,148	39.2
Quebec	17	31.3	1,217	31.7	32	41.5	2,415	38.9
Ontario	32	30.6	680	31.2	47	39.5	2,218	38.7
Prairie	318	34.3	507	31.0	442	40.4	1,386	37.9
Pacific	67	35.7	304	36.6	66	41.6	512	38.2
Total	446	34.1	3,207	31.8	619	40.7	7,679*	38.6

*excludes 4 cases where the region was unknown

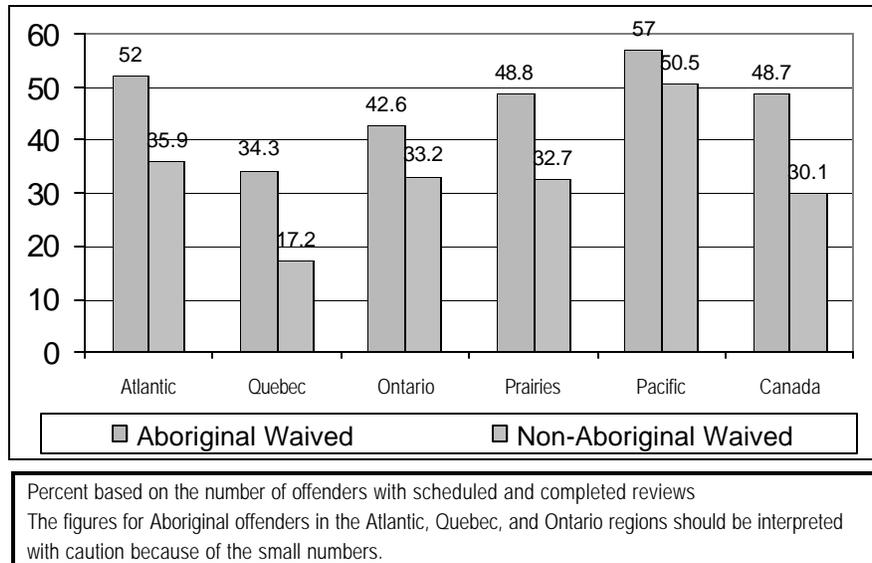
FULL PAROLE WAIVER RATE

Several Inquiries and Reports (Manitoba, 1991; Law Reform Commission of Canada, 1991; Solicitor General Canada, 1988) expressed concern over the number of waivers by Aboriginal offenders.

Findings showed that fewer Aboriginal offenders are granted full parole and that they serve a greater proportion of their sentence prior to release. One factor that could account for these differences is the higher rate at which Aboriginal offenders waived their federal full parole hearing.

In 1996/97, 8,178 federal offenders were scheduled for at least one full parole pre release decision. Analysis indicated that overall about one-third of these reviews were waived. Aboriginal offenders (48.7%) were significantly more likely to waive their full parole review than non-Aboriginal offenders (30.1%). Of note is the higher waiver rate for Aboriginal offenders in the Prairies region (48.8% for Aboriginal compared to 32.7% for non-Aboriginal offenders). The waiver rate in the Pacific region was high for both groups of offenders (57.0% and 50.5% respectively).

FIGURE 11
ABORIGINAL AND NON-ABORIGINAL OFFENDERS
FEDERAL FULL PAROLE WAIVER RATE, BY REGION, 1996/97



OUTCOME

Analysis of several factors thought to be predictive of recidivism indicated that Aboriginal offenders posed a greater risk to reoffend than did non-Aboriginal offenders. Aboriginal offenders had higher Risk/Need Assessment scores, more serious offences, and more terms of federal incarceration than did non-Aboriginal offenders.

Table 7 provides data on conditional release outcomes for fiscal 1996/97, by release type and ethnicity. Statistical analysis revealed that Aboriginal offenders were less likely to successfully complete their supervision period in the community and more likely to be revoked for a technical violation than were non-Aboriginal offenders.

This finding suggests that Aboriginal offenders pose a higher risk, however, it was impossible from the data available to identify whether the apparent increased level of risk was real or perceived or whether risk management standards were consistent across regions and ethnicity.

Day Parole

Analysis indicated that Aboriginal day parolees were less likely to complete their day parole supervision period in the community (77% of Aboriginal day parolees reached their supervision end date compared to 82.6% of non-Aboriginal day parolees).

Aboriginal day parolees (23%) were more likely to be revoked than non-Aboriginal day parolees (17.3%). However, Aboriginal day parolees (20.2%) were more likely to be returned to custody for a technical violation of their day parole than for a new offence.

**TABLE 7
OUTCOME OF ABORIGINAL AND NON-ABORIGINAL OFFENDERS
COMPLETING FEDERAL SUPERVISION IN 1996/97**

Outcome*	Day Parole			Full Parole			Statutory Release		
	Abor #/%	Non- Abor #/%	Total #/%	Abor #/%	Non- Abor #/%	Total #/%	Abor #/%	Non- Abor #/%	Total #/%
Success									
Completed	244 (77.0)	2,334 (82.6)	2,578 (82.0)	105 (53.3)	1,463 (66.3)	1,568 (65.3)	382 (48.4)	2,491 (57.7)	2,873 (56.3)
Revocation									
Technical Revocation	64 (20.2)	387 (13.7)	451 (14.3)	65 (33.0)	468 (21.2)	533 (22.2)	308 (39.0)	1,238 (28.7)	1,546 (30.3)
New Offence Non- Violent	8 (2.5)	76 (2.7)	84 (2.7)	21 (10.7)	193 (8.7)	214 (8.9)	79 (10.0)	434 (10.1)	513 (10.0)
New Offence Violent***	1 (0.3)	25 (0.9)	26 (0.8)	3 (1.5)	39 (1.8)	42 (1.7)	14 (1.8)	95 (2.2)	109 (2.1)
Total Revocation	73 (23.0)	488 (17.3)	561 (17.8)	89 (45.2)	700 (31.7)	789 (32.8)	401 (50.8)	1,767 (41.0)	2,168 (42.5)
Other**	0 (0.0)	4 (0.1)	4 (0.1)	3 (1.5)	43 (1.9)	46 (1.9)	7 (0.9)	57 (1.3)	64 (1.3)
Total	317	2,826	3,143	197	2,206	2,403	790	4,315	5,105
<p>*Release outcome is based on the total number of completions for each release type for the year. The rate is calculated by dividing the total number of completions for each release type over the fiscal year by the number of specific completion types (supervision end date, {WED}, revocation without a new offence, and revocation with a new offence) for each release type.</p> <p>**Other includes: death; supervision inoperative; supervision interrupted; and suspension.</p> <p>***Violent offences includes Schedule 1 offences and first and second degree murder.</p>									

Of note, was that Aboriginal day parolees (2.8%) were slightly less likely to be revoked for an offence committed on supervision than were non-Aboriginal day parolees (3.6%). The recidivism rate for non-violent offences was about the same for Aboriginal and non-Aboriginal day parolees (2.5% compared to 2.7%). Aboriginal people on day parole were slightly less likely to be revoked for violent offences 0.3% than non-Aboriginal day parolees (0.9%).

Full Parole

As discussed previously, Aboriginal offenders on full parole were classified as a higher risk than were non-Aboriginal full parolees. Completion statistics revealed that a smaller proportion of Aboriginal full parolees completed their supervision period in the community.

In fiscal 1996/97, 53.3% of Aboriginal offenders completed their full parole supervision compared to 66.3% of non-Aboriginal full parolees. Aboriginal offenders (45.2%) on full parole were more likely to be revoked than were non-Aboriginal full parolees (31.7%). One-third of Aboriginal full parolees (33%) were revoked for a technical violation of parole compared to 21.2% of non-Aboriginal full parolees.

Aboriginal full parolees were more likely to be returned to a penitentiary for a new offence than were non-Aboriginal full parolees (12.2 % versus 10.5%). Of the Aboriginal full parolees revoked for a new offence, (1.5%) were revoked for a violent offence and 10.7% for a non-violent offence. Comparative figures for non-Aboriginal full parolees were 1.8% for a violent offence and 8.7% for a non-violent offence.

Statutory Release

Slightly less than one-half (48.4%) of Aboriginal offenders released on statutory release successfully reached their WED compared to 57.7% of non-Aboriginal offenders. As with Aboriginal offenders on other release types, a higher proportion was revoked for technical violations (39% versus 28.7%).

Of note, is that slightly fewer Aboriginal offenders on statutory release were revoked for a new offence. Comparatively, 11.8% of Aboriginal and 12.3% of non-Aboriginal statutory releasees were returned to prison for a new offence. Of the Aboriginal offenders on statutory release revoked for a new offence, 10% were returned for a non-violent offence and 1.8% for a violent offence. By comparison, 10.1% of non-Aboriginal offenders on statutory release recidivated with a non-violent offence and 2.2% with a violent offence

Detention

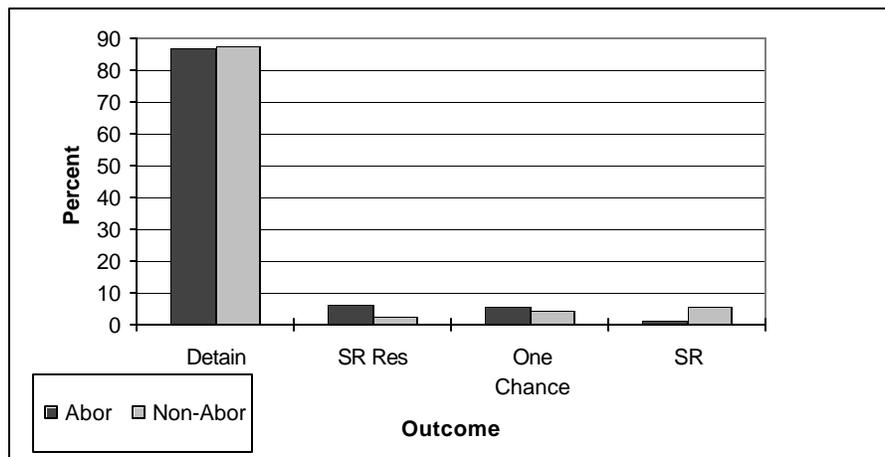
Over the period 1989/90 to 1996/97, 2,597 cases were referred to the National Parole Board (NPB) for a detention review. About one-quarter (25.3% or 656) were for Aboriginal and 74.7% (1,593) were for non-Aboriginal offenders. Most of the detention referrals were direct referrals by CSC (79%

or 1,561), while Commissioner referrals accounted for 21% (415) of the detention referrals to the Board.

Figure 12 provides information on the outcome of 2,597 initial detention reviews. Overall, the Board voted to detain offenders in 87.3% of cases, while 5.7% of referrals were given one-chance statutory release, 4.9% were given statutory release with residency, and 2.2% were released on regular statutory release.

The statistical data show that while a higher proportion of Aboriginal offenders were referred for a detention than non-Aboriginal offenders, both groups were detained at the same rate (86.7% of Aboriginal and 87.4% of non-Aboriginal offenders). However, Aboriginal offenders were slightly less likely to be released on regular statutory release (1.1% versus 2.6%) and slightly more likely to be given statutory release with a residency condition (6.3% versus 4.4%).

**FIGURE 12
OUTCOME OF NPB DETENTION REVIEWS, 1989/90-1996/97**



Over the five year period 1992/93 to 1996/97, 1,948 subsequent reviews were conducted by the NPB. Board members voted to confirm the detention in 86.9% of the cases, while they voted residency in 6% and one-chance statutory release in 1.3% of the cases.

There was little difference in the proportions of both groups who had their detention confirmed (86.5% of Aboriginal and 87% of non-Aboriginal offenders). However, similar to the findings for initial reviews, a slightly higher percentage of non-Aboriginal (1.5%) than Aboriginal (0.6%) offenders were given one chance statutory release, while a higher proportion of Aboriginal offenders was released with a residency condition (7.9% versus 5.4%).

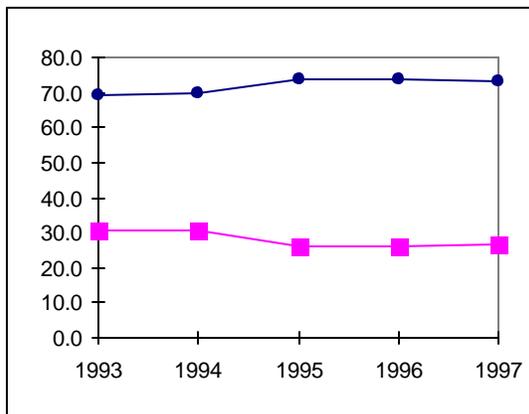
**TABLE A1
FEDERAL ABORIGINAL AND NON-ABORIGINAL OFFENDERS INCARCERATED
AND UNDER SUPERVISION, MARCH 31, 1993-1997**

Year	Aboriginal		Non-Aboriginal		Total	
	Incarcerated	Supervised	Incarcerated	Supervised	Incarcerated	Supervised
March 31, 1993	1599	711	11278	8617	12877	9328
March 31, 1994	1724	756	12140	8772	13864	9528
March 31, 1995	1867	663	12684	8342	14539	9005
March 31, 1996	1935	679	12536	8247	14459	8926
March 31, 1997	2103	774	12344	8021	14447	8795
% change	31.5	8.9	9.5	(-6.9)	12.2	(-5.7)

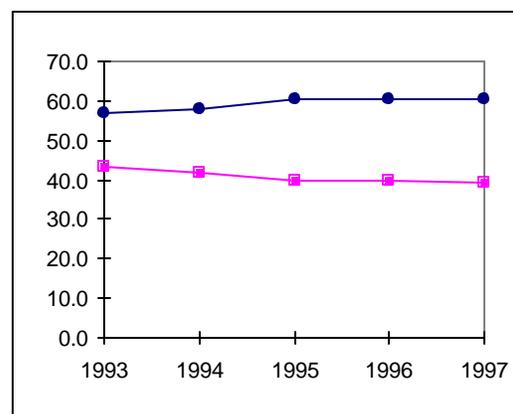
* Incarcerated includes federal male and female offenders incarcerated in a federal or provincial institution (esa), and TA's, bail, and escapees.
 ** Supervised includes federal male and female offenders on day or full parole or statutory release, or temporarily detained by CSC, deported, or revoked or UAL from supervision

**FIGURE A1
FEDERAL ABORIGINAL AND NON-ABORIGINAL OFFENDER POPULATION BY
STATUS (INCARCERATED AND UNDER SUPERVISION), MARCH 31, 1992-1997**

ABORIGINAL



NON-ABORIGINAL



- Incarcerated ± Under supervision

TABLE A2
RELEASES OF ABORIGINAL AND NON-ABORIGINAL OFFENDERS ON FULL PAROLE, STATUTORY RELEASE, AND WARRANT EXPIRY, 1992/93-1996/97

Year	Aboriginal				Non-Aboriginal			
	FP	SR	WED	Proportion Parole Releases	FP	SR	WED	Proportion Parole Releases
1992/93	191	534	135	22.2	2,349	3,105	434	39.9
1993/94	130	622	75	15.7	1,211	2,896	207	28.1
1994/95	66	684	96	7.8	862	3,231	274	19.7
1995/96	71	673	107	8.3	848	3,786	311	17.1
1996/97	98	788	116	9.8	750	4,029	329	14.7

TABLE A3
TIME SERVED POST PED BY ABORIGINAL AND NON-ABORIGINAL OFFENDERS RELEASED ON FULL PAROLE, MARCH 31, 1997

Time	Abor		Non-abor		Total
	#	%	#	%	
0<1 months	69	51.1	878	59.9	947
1<6 months	17	12.6	207	14.1	224
6<1 year	28	20.7	168	11.5	196
1<2 years	10	7.4	96	6.5	106
2+ years	11	8.1	118	8.0	129
Total*	135	100	1467	100	1602
*excludes 4 Aboriginal and 57 non-Aboriginal offenders who were released two months prior to their PED					

TABLE A4
ABORIGINAL AND NON-ABORIGINAL OFFENDERS
FEDERAL FULL PAROLE WAIVER RATE, BY REGION, 1996/97

Region	Aboriginal		Non-Aboriginal	
	Waived		Waived	
	Number	Percent*	Number	Percent*
Atlantic	26	52.0	312	35.9
Quebec	24	34.3	393	17.2
Ontario	46	42.6	674	33.2
Prairies	340	48.8	376	32.7
Pacific	102	57.0	373	50.5
Total	538	48.7	2128	30.1

*Percent based on the number of offenders with scheduled and completed reviews
The figures for Aboriginal offenders in the Atlantic, Quebec, and Ontario regions should be interpreted with caution because of the small numbers.