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# *News Release / Communiqué*

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## **For Immediate Release**

### **The Situation for Aboriginal People under Federal Sentence Remains Unacceptable**

#### ***Lack of sustained progress needs to be addressed by dedicated senior leadership and enhanced accountability***

**OTTAWA, November 13, 2009** – An independent report commissioned by the Office of the Correctional Investigator (OCI) released today confirms that the situation of Aboriginal offenders under federal sentence in Canada remains unacceptable. To address this problem, the OCI once again calls for the appointment of a Deputy Commissioner for Aboriginal Corrections to the Executive Committee of the Correctional Service of Canada. The Correctional Investigator of Canada, Mr. Howard Sapers, commented: “Today my message is clear – given the urgency of the situation, I call upon the Service to do the right thing and immediately appoint a Deputy Commissioner for Aboriginal Corrections.”

The Report, authored by Michelle Mann and entitled *Good Intentions, Disappointing Results: A Progress Report on Federal Aboriginal Corrections*, documents the fact that correctional outcomes for Aboriginal offenders continues to lag significantly behind those of non-Aboriginal offenders on nearly every indicator. On comparison, Aboriginal offenders tend to be:

- released later in their sentence (lower parole grant rates)
- over-represented in segregation populations
- more likely to have served previous youth and/or adult sentences
- more often held to warrant expiry
- classified as higher risk and higher need
- more likely to reoffend and have their conditional release revoked more often.

The Report indicates that Aboriginal people are disproportionately overrepresented in federal correctional populations – despite representing only 4% of the Canadian population, Aboriginal people comprise 20% of the total federal offender population. One in five new admissions to federal corrections is now a person of Aboriginal descent. Among women offenders, the over-representation is even more dramatic – one in three federally sentenced women is Aboriginal. Aboriginal rates of incarceration are now approaching nine times the national average. Demographic projections suggest that disproportionate rates of incarceration of Aboriginal peoples will continue well into the next decade.

The Report acknowledges that many of the circumstances contributing to high rates of Aboriginal incarceration – e.g. poverty, social exclusion, substance abuse, discrimination – go well beyond the capacity of the Correctional Service to address in isolation. Although CSC does not have control over the number of Aboriginal offenders sentenced by the courts, as the Report makes clear, it has

exclusive jurisdiction – and a legal mandate – to ensure Aboriginal people under federal sentence are given every opportunity to access culturally sensitive programming and safely return to their communities. On both points, the federal correctional service is not doing all it can for Aboriginal offenders and their communities.

As Ms. Mann observes, “ongoing gaps in outcomes between Aboriginal and non-Aboriginal offenders raise serious questions pertaining to whether the good intentions underlying CSC strategies and policies in Aboriginal corrections are translating to results.”

Among other findings, the Mann Report documents the following:

- limited use of legislative provisions designed to enhance Aboriginal reintegration, including under-utilization of Healing Lodges
- shortage of Elders and dedicated Aboriginal program delivery officers
- inconsistent access to Aboriginal programming
- lack of an Aboriginal anti-gang management strategy
- lack of an Aboriginal-sensitive classification instrument
- absence of statistical evidence indicating progress or improvement in managing Aboriginal offenders
- lack of capacity to address the unique social and historical circumstances contributing to Aboriginal offending

Noting these disturbing findings, the Correctional Investigator has released the Report pursuant to Section 180 of the *Corrections and Conditional Release Act*. “As I indicated to the Minister of Public Safety in writing, one of the reasons that the Service has struggled to properly address the needs of Aboriginal offenders under federal sentence is the lack of dedicated and focused leadership at the very highest levels of the organization.” Mr. Sapers continued: “The appointment of a Deputy Commissioner for Aboriginal Corrections, a recommendation that I repeated in my latest Annual Report, would address a serious governance and accountability gap in the Service’s public commitment to improve outcomes for Aboriginal offenders.”

The Correctional Investigator is mandated by an *Act of Parliament* to be an independent ombudsman for federal offenders. This work includes ensuring that systemic areas of concern are identified and addressed. To access all of the findings and recommendations contained in this year’s Annual Report, as well as other reports, including a recent series on deaths in custody, visit [www.oci-bec.gc.ca](http://www.oci-bec.gc.ca).

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