

2011

# Strategic Plan for Aboriginal Corrections

Correctional Service Canada

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Correctional Service  
Canada

Service correctionnel  
Canada



SAFETY, RESPECT  
AND DIGNITY  
FOR ALL

LA SÉCURITÉ,  
LA DIGNITÉ  
ET LE RESPECT  
POUR TOUS



# Strategic Plan for Aboriginal Corrections

*Innovation, Learning & Adjustment*

*2006-07 to 2010-11*

Canada 

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## Senior Deputy Commissioner's Message

Much has been accomplished in the last five years, as CSC has developed and implemented new approaches to Aboriginal corrections. I am proud of the innovation that has occurred. The dedication and commitment of Elders, Aboriginal Liaison Officers, community representatives and Aboriginal organizations in contributing to this work has been invaluable.

There were certainly risks in trying new approaches, but initial results from evaluations and research support further development and implementation. What Aboriginal peoples have long sought in the justice system – an approach that integrates Aboriginal views of justice and reconciliation – is having a positive impact for Aboriginal communities as well as for individual offenders.

We now know what needs to change and why. But just as important, we know what should not be changed. The Aboriginal corrections continuum of care adopted in 2003 is consistent with the four key components of CSC's overall correctional strategy – baseline risk and needs assessment at intake, research-based interventions that respond to those risks and needs, re-assessment for decision-making, and community reintegration.

This strategic plan articulates a vision for Aboriginal corrections that will take us beyond development and implementation of correctional interventions, to enhancing capacities to provide interventions for Aboriginal offenders within a continuum of care model that respects the diversity of First Nations, Métis and Inuit offenders and their communities. It calls for greater integration of Aboriginal initiatives and considerations throughout our organization, with other levels of government and with Aboriginal peoples.

Section 84 of the CCRA legislates community notification and engagement when an Aboriginal offender wants to be released to an Aboriginal community. In practice, we know that community acceptance and capacity to support an offender after release is essential in every case. Not all Aboriginal communities are ready to participate. Immediate needs in the areas of health, housing and infrastructure take priority. As Aboriginal communities define their needs and aspirations in relation to community safety and crime prevention, we need to work with our partners to respond to those needs in a cohesive way. A wholistic approach to community healing and development means working from the community's perspective to identify what we can bring to the process.

Ultimately, our results will be measured in terms of public safety – the contribution that Aboriginal-specific interventions make to reducing the rate of violent re-offending while individuals are under CSC jurisdiction and the contribution that those interventions make to helping offenders sustain progress beyond the end of their sentence.

**Don Head**  
**Senior Deputy Commissioner**

## Director General's Message

This strategic plan articulates our vision for Aboriginal corrections – to ensure a federal correctional system that is responsive to the needs of Aboriginal offenders and that contributes to safe and healthy communities.

For over 20 years, Elders have provided services in institutions during some very challenging circumstances. Beginning with the introduction of Aboriginal Liaison Officers and of healing lodges over the past 10 years, Elders have become integral to every part of CSC's business. More recently, the first phase of the Aboriginal Effective Corrections Initiative gave CSC funding for research to better understand the diverse needs of Aboriginal offenders and to develop and pilot new approaches that incorporate Aboriginal values, cultures and traditions in our correctional operations. CSC now has a continuum of care model that has, at its core, spiritual and cultural interventions provided by Elders and core national correctional programs based their teachings and guidance. The initial results from implementation of interventions within this model are demonstrating positive results. We are making progress, but it takes time.

This strategy builds on the learning of the last 10 years, with three key areas of focus:

- fully developing and implementing the continuum of care and services for Aboriginal men and women offenders, from intake through warrant expiry, in all regions;
- enhancing horizontal collaboration with other levels of government, with Aboriginal communities and with stakeholders; and,
- identifying systemic barriers for Aboriginal offenders and increasing CSC cultural competence to address those barriers.

Our priority in these three areas is to enhance capacities to provide effective interventions for First Nations, Métis and Inuit offenders.

However, we cannot forget that correctional interventions alone will not make a difference. Correctional results are important, but these results, are about people. We cannot impact the over-representation of Aboriginal people, or recidivism rates, without community involvement, support, and capacity. At the end of the day, it will be Aboriginal and Canadian communities which will have the power to change these results. For CSC, this means working to ensure a strong network of support after release, to help Aboriginal offenders sustain the progress made during their sentence. And it means respecting that communities, whether on-reserve or off, rural or urban, remote or Northern, have different capacities to support correctional initiatives.

I am confident that the objectives and initiatives identified in this strategic plan will make a difference in the longer-term. It is essential that we decrease the gap in correctional results between Aboriginal and non-Aboriginal offenders throughout the sentence. Our contribution, through this strategy, will provide offenders with the tools to make better choices to contribute to their community in a more traditional Aboriginal manner. What this means for Aboriginal communities is that their members will return healthier than when they left. Their families and communities will be safer because of these efforts and Canada will be safer.

**Lisa Allgaier**  
**Director General, Aboriginal Initiatives**

## Context

In their 1996 report, the Royal Commission on Aboriginal Peoples brought to the attention of governments and the public the severity of problems for Aboriginal peoples in Canada. The Commission concluded that “the justice system has failed Aboriginal peoples” and the key indicator of this failure was the steadily increasing over-representation in Canadian penitentiaries and prisons. Other research had demonstrated persistent over-representation at all levels of Canada’s justice system. Greater recognition and understanding of Aboriginal community issues and Aboriginal cultures and traditions were identified as crucial to address these problems.

While issues of over-representation presented serious challenges, there was also extensive interest in Aboriginal self-government, a separate justice system, and strategies for supporting the development of Aboriginal communities. Revised legal frameworks and jurisdictional arrangements were central to Aboriginal proposals for legislative reform.

Amendments to the Criminal Code followed, introducing provisions for alternative measures and diversion programs. Section 718.2(e) specifically required that sentencing judges take into consideration all available sanctions other than imprisonment for all offenders, with particular attention to the circumstances of Aboriginal offenders.

In 1999, the Supreme Court of Canada decision *R. v. Gladue* provided further direction on how to apply Section 718.2(e). In this case, the original decision of the Supreme Court of British Columbia ruled that this Section did not apply, as the accused was living off reserve. While the British Columbia Court of Appeal upheld the original decision, Justice Rowles wrote a strong dissenting opinion on the extent of systemic discrimination in the criminal justice system. The Supreme Court ruled that Section 718.2(e) did apply. The Court further required sentencing judges to use a two-part test for considering the circumstances of all Aboriginal offenders:

- the unique systemic or background factors which may have played a part in bringing the particular Aboriginal offender before the courts; and
- types of sentencing procedures and sanctions which may be appropriate in the circumstances because of his or her Aboriginal heritage or connection.

The Court further identified the specific background factors to apply in analyzing individual situations. The decision acknowledged the place in the criminal justice system of Aboriginal beliefs on justice and reconciliation and on the interconnectedness between individuals, families and communities (be it urban, rural or reserve).

## Our Relationship with Aboriginal Peoples

The *Corrections and Conditional Release Act (CCRA) 1992* was one piece in a series of legislative reforms to the criminal justice system. The *CCRA* targeted offenders at highest risk to public safety for the most restrictive provisions of the legislation while providing legislative options for managing lower risk offenders. It made public safety the paramount consideration for all decision-making about an offender. It also responded to some of the most significant issues raised by the Royal Commission on Aboriginal Peoples about the corrections and conditional release system.

The *CCRA* fundamentally redefined the relationship between CSC and Aboriginal peoples when it came into effect on November 1, 1992. For the first time, the law gave Aboriginal peoples a place in the development and delivery of federal correctional policies, programs and services and a place for Aboriginal spirituality and culture in the correctional environment. And it gave CSC an obligation to consider offender health status in all decision-making about offenders – an obligation that is consistent with Aboriginal belief in the inter-connectedness of all aspects of life. Annex A identifies the Aboriginal-specific provisions in the *CCRA*.

CSC's first priority was to develop a policy to accommodate the practice of Aboriginal spirituality and culture within federal penitentiaries. Commissioner's Directive 702 on Aboriginal Programming was issued in 1995, following consultation with Elders and Aboriginal Liaison Officers working in institutions. Inmates belonging to Native Brotherhood and Native Sisterhood groups and working on behalf of Aboriginal offenders participated in this consultation. The policy provided a framework of definitions, considerations and guidelines for implementation. What was still lacking, however, were ways to integrate culturally appropriate operations, programs and services throughout the system and to engage Aboriginal communities in doing so.

The concept of an Aboriginal healing lodge integrating Aboriginal beliefs on justice and reconciliation first emerged from the Task Force on Federally Sentenced Women in 1990. The concept was a collaborative effort with CSC, the Canadian Association of Elizabeth Fry Societies and the Native Women's Association of Canada. Annex B provides a description of the concept presented in the Task Force's final report.

As the Task Force continued development of an operational plan for implementation, a subsequent incident at the Prison for Women in April 1994 provided further impetus for action. It focused public attention on the plight of Aboriginal women offenders, their disconnect from their families and communities and their need for healing. Working with the Nekaneet First Nation in Saskatchewan, the first healing lodge for Aboriginal women, Okimaw Ohci, opened in 1995. The first healing lodge for Aboriginal men followed in 1997.

## The Quest for Correctional Change

The increasingly disproportionate representation of Aboriginal peoples in the federal offender population led to establishment of an Aboriginal Issues Branch as part of the Correctional Operations and Programs Sector at National Headquarters in the early 1990's.

The first task for the Director General, following completion of Commissioner's Directive 702 in 1995, was to lead development of a national strategy for Aboriginal corrections. In 1997, CSC's Executive Committee approved the strategy, with five major objectives:

- 1) to strengthen Aboriginal offender programming;
- 2) to enhance the role for Aboriginal communities in corrections;
- 3) to increase Aboriginal human resources;
- 4) to enhance partnerships and relations; and
- 5) to ensure adequate resourcing.

Key initiatives included:

- creation of a National Aboriginal Advisory Committee and Regional Aboriginal Advisory Committees to support development and implementation of Aboriginal initiatives;
- a National Recruitment Strategy to attract and retain Aboriginal staff, to support implementation of Aboriginal initiatives; and
- development of a framework for enhancing the role of Aboriginal communities in corrections, including specific initiatives and resources for implementation.

### ***Engaging Aboriginal Communities – 2000 to 2005***

A Framework for Enhancing the Role of Aboriginal Communities was completed in 1999. It formed the basis for development of an "Effective Corrections Initiative" in partnership with the then Department of the Solicitor General and the National Parole Board. In July 2000, the federal Treasury Board approved funding for this initiative. CSC received \$18.6 million over five years (2000-01 to 2004-05).

The bulk of the funding (\$11.9 million) was initially dedicated to developing additional Aboriginal healing lodges with Aboriginal communities. Emerging research evidence was demonstrating that reconnection with families and communities improved outcomes and reduced recidivism. But by the end of 2002, several failed attempts to establish and sustain new healing lodges identified two key barriers to progress.

First, while some Aboriginal communities were interested in developing healing lodges, many lacked the capacity and/or expertise to engage in the planning, development and implementation of community-based alternatives. Priorities for rural and remote communities, including the North, were focused on more immediate needs such as health, housing, and economic development. Priorities in urban centres were targeting the same needs, as well as issues related to social marginalization for Aboriginal peoples.

Secondly, an examination in 2002 of outcomes for offenders who had been released from healing lodges, found higher rates of recidivism than for Aboriginal offenders released from CSC minimum security institutions (19% versus 13%). CSC lacked Aboriginal-specific programs in institutions to help offenders prepare for the healing lodge environment. An audit of access to spiritual and cultural services in 2000 had indicated only 3% of Aboriginal offenders identified



affiliation with Aboriginal spirituality on admission, suggesting the need for a continuum of interventions that would begin on admission.

As a result of these findings, CSC refocused efforts on adjusting operational approaches throughout the sentence, to help Aboriginal offenders reconnect with their culture and communities, and to better understand the diverse needs of First Nations, Métis and Inuit offenders and their communities.

At the end of this five-year initiative, CSC had developed and implemented a number of initiatives within a Continuum of Care model created with the guidance of Elders and the participation of national Aboriginal organizations. These included:

- Seven national Aboriginal correctional programs targeting basic healing, violence prevention, family violence prevention, substance abuse and prevention of sexual re-offending by Inuit offenders.
- A Pathways Aboriginal population management strategy that was being piloted in three medium security institutions, to better prepare offenders for transfer to lower security and for conditional release.
- Aboriginal Community Development Officers who had initiated community engagement on release planning for almost 400 offenders.
- Key research studies, published in 2004, that identified the diverse profiles and needs of First Nations, Métis, Inuit and Aboriginal women offenders. Aboriginal research reports are available on CSC's Internet site.

### ***Ongoing Initiatives***

Preliminary results from the Effective Corrections Initiative were encouraging. Enhanced programs and correctional interventions within a Continuum of Care were having a positive impact on public safety – reducing the severity of re-offending and the potential for reincarceration. While much has been accomplished, the preliminary results also suggested the need for further development and evaluation of specific initiatives.

Based on these results, the federal Treasury Board approved \$3.7 million annually in ongoing funding to:

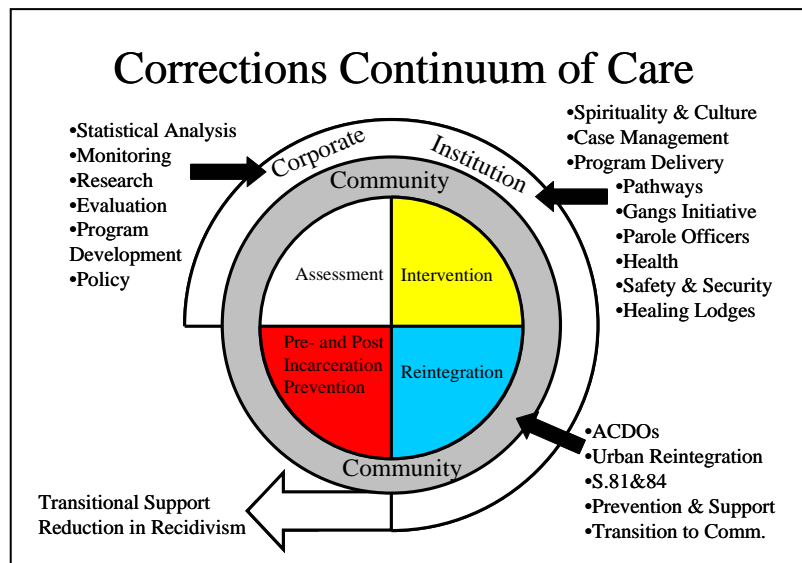
- expand Pathways healing units to the Atlantic, Ontario and Pacific Regions and to one women offender facility, and;
- continue the work of existing Aboriginal Community Development Officers to actively engage Aboriginal communities in release planning for Aboriginal offenders.

As a condition of this approval, CSC must provide Treasury Board with an evaluation by June 30, 2009, of how these initiatives contribute to the broader CSC reintegration results.

## The Aboriginal Corrections Continuum of Care

The Aboriginal Corrections Continuum of Care model (to be referred to as Continuum), introduced in 2003, was developed in consultation with Aboriginal stakeholders working with CSC to develop new approaches to addressing Aboriginal offender needs. Aboriginal community research indicated that the major factors contributing to Aboriginal offenders' success upon release were their participation in spiritual and cultural activities, as well as, programs (preferably delivered by Aboriginal people) and the support they received from family and community.<sup>1</sup>

The Medicine Wheel, found at the centre of the Continuum, reflects research findings that culture, teachings and ceremonies (core aspects of Aboriginal identity) appear critical to the healing process.<sup>2</sup> Representing the cycle of life from conception to return to the Spirit World, the Medicine Wheel is a reminder that correctional interventions developed and implemented for Aboriginal offenders must take into consideration the past, the present and the future direction of Aboriginal peoples as a whole and of the Aboriginal person as an individual.<sup>3</sup>



Surrounding the Medicine Wheel is the Aboriginal community, which includes both on-reserve and urban communities made up of First Nations, Métis and Inuit peoples. The Continuum recognizes that Aboriginal communities must be involved in supporting Aboriginal offenders during their healing journey and reintegration, as they link offenders to their history, culture, and spirituality. The Continuum also reflects the importance of community support at every step during administration of the sentence.

Integrating Aboriginal culture and spirituality within CSC operations, the Continuum:

- starts at intake, to identify Aboriginal offenders and to encourage them to bridge the disconnect with their culture and communities;
- leads to paths of healing in institutions to better prepare Aboriginal offenders for transfer to lower security and for conditional release;
- engages Aboriginal communities to receive offenders back into their community and support their reintegration; and,

<sup>1</sup> Heckbert, D., & Turkington, D. (2001). Turning points: A study of the factors related to the successful reintegration of Aboriginal offenders. Research Report R-112. Ottawa, ON: Correctional Service of Canada.

<sup>2</sup> Trevethan, S.D. (2004). "Is there a need for Aboriginal-specific programming for Aboriginal offenders". By D. Newhouse, & D. Peters (eds.), *Not strangers in these parts: Urban Aboriginal peoples*. Policy Research Initiative.

<sup>3</sup> Whitewolf-John, Sharron (2003). *Aboriginal Spirituality Guide*. Pacific Region Aboriginal Initiatives Branch, Correctional Service of Canada. December 2003.

- ends with establishment of community supports to sustain progress beyond the end of the sentence and prevent re-offending.

## **IMPLEMENTING THE CONTINUUM OF CARE**

### ***Connecting Aboriginal offenders to their culture, families and communities***

#### **Elders**

*First Nations, Métis and Inuit Elders contribute throughout the sentence to meeting the cultural and spiritual needs of diverse Aboriginal offenders. They provide guidance and leadership in correctional planning/intervention for those who wish to follow a traditional healing path*

#### **Aboriginal Liaison Officers**

*Ensure the unique histories and needs of individual Aboriginal offenders in institutions and of their communities are understood and met. Provide liaison between offenders and non-Aboriginal staff to ensure spiritual and cultural needs are addressed.*

#### **Aboriginal Correctional Program Officers**

*Deliver culturally-appropriate programs within institutions to address behaviours that place Aboriginal offenders at risk to re-offend.*

#### **Pathways Healing Units**

*Provide a traditional environment within CSC institutions for Aboriginal offenders dedicated to following a traditional healing path.*

#### **Healing Lodges (minimum security)**

*CSC or Aboriginal community facilities that offer culturally appropriate services and programs in an environment that incorporates Aboriginal peoples' values, traditions and beliefs.*

#### **Aboriginal Community Development Officers**

*Work with Aboriginal offenders who have expressed an interest in returning to their communities. Under Section 84 of the CCRA, ACDOs work with these communities to develop a plan for reintegration of the offender. These release plans are submitted to the National Parole Board for consideration in making a decision on about granting a conditional release.*

#### **Aboriginal Community Liaison Officers**

*Support Aboriginal offender reintegration in urban communities.*

## **INTEGRATING THE ABORIGINAL CONTINUUM OF CARE**

*Corporate and operational policies that are culturally appropriate and recognize the impacts on Aboriginal offenders are key in addressing systemic barriers that result in the over-representation of Aboriginal offenders in the federal correctional system.*

*The decision of the Supreme Court of Canada in R. v. Gladue provides guidance on the factors to be considered in addressing the circumstances of individual Aboriginal offenders. This social history must be taken into consideration in developing policies and in decision-making impacting on the individual offender.*

### **Intake Assessment**

*Parole Officers are required to inform Aboriginal offenders of their rights under the CCRA. They integrate the Elder's Assessment and the offender's Healing Plan in key case management documents.*

*They ensure Elders and Aboriginal Liaison Officers are engaged as ongoing members of the case management team where an Aboriginal offender has indicated an intent to return to an Aboriginal community.*

*They work with Aboriginal Community Development Officers and Aboriginal Community Liaison Officers to ensure victim and community concerns are addressed.*

### **Correctional Programming**

*Aboriginal Correctional Program Officers work with CSC staff and contractors to deliver national Aboriginal programs that are based on Aboriginal beliefs about healing and reconciliation.*

### **Security**

*Security processes must respect the diverse cultures, traditions and practices of Aboriginal peoples. Security examinations of Aboriginal sacred objects will be accomplished in a manner respecting the spiritual nature of the objects and respecting the spiritual practises of the holder of those items.*

*Disciplinary measures will be determined with consideration for the spirit of the Gladue decision and Aboriginal social history.*

### **Health Care**

*Health Care officials, recognizing that Aboriginal offenders have particular needs in relation to health, must address them in an appropriate manner specific to the individual offender's needs.*

### **Case Management**

*Parole Officers have the primary accountability to integrate Aboriginal offender needs as well as victim and community consideration, into correctional planning processes and decision-making documents throughout the sentence. They manage transitional arrangements from institutions to the community and work with receiving communities to ensure a strong network of community support.*

## Aboriginal People in Federal Custody

Aboriginal offenders continue to be disproportionately represented at all levels of the criminal justice system, including in the federal correctional system. At the end of March 2006, Aboriginal people represented 16.7% of federally-sentenced offenders compared to 2.7% of the Canadian adult population.

Statistics Canada population projections to 2017 suggest that the disproportionate representation of Aboriginal peoples among newly sentenced offenders will continue to grow in federal and provincial/territorial correctional systems, particularly in the West and in the North. This expectation is based on projected growth in the 20-29 age group (40% for Aboriginal Canadians compared to 9% for non-Aboriginal Canadians). In 2004-05, 50.4% of offenders admitted to federal custody were under the age of 30, compared to 38.5% of non-Aboriginal offenders.

### ***Aboriginal Offenders on Admission***

A 2004 CSC Research report highlighted the diversity of Aboriginal offenders on admission to federal custody. The report found significant differences in background, offence patterns and the assessed risk among First Nations, Métis and Inuit offenders. Approximately 68% of the federal Aboriginal offender population are First Nations, 34% are Métis and 4% are Inuit.

First Nations offenders were characterized as having extensive previous involvement in the criminal justice system and histories of violent criminal behaviour (homicide offences 28% and serious assault 39%). The seriousness of these offences, along with various other factors, has led to a greater number of First Nations offenders recommended for maximum security, as compared to Métis and Inuit offenders. Métis offenders were incarcerated most often for robbery (40%), drug offences (17%) and break and enters (38%). Two-thirds of the Inuit population (62%) were incarcerated for sex offences, which is substantially higher than First Nations (22%) and Métis (16%) offenders. A larger proportion of Inuit offenders (85%) are classified on admission as high risk to re-offend, as compared to First Nation (73%) and Métis (68%) offenders. For all three groups within the total federal inmate population in 2004, 23% were identified as having gang affiliations, compared to 14% in 1997.

Offenders convicted of a violent offence as defined in the *Corrections and Conditional Release Act* (murder or an offence listed on Schedule I) are systematically targeted at the beginning of their sentence for the most restrictive provision of the legislation – detention beyond their Statutory Release Date.

The following tables identifies the proportion of federal offenders as of April 2005 who were immediately flagged on admission for detention review.

All Federal Offenders	Aboriginal	Non-Aboriginal
<b>Violent Offences (Murder or Schedule I)</b>	<b>82.0%</b>	<b>67.4%</b>
<i>Murder I or II</i>	17.4%	18.6%
<i>Schedule I Offence</i>	64.8%	48.9%
<b>Schedule II Drug Offence</b>	<b>4.5%</b>	<b>16.0%</b>

<b>Women Offenders</b>		
<b>Violent offences (Murder or Schedule I)</b>	<b>80.0%</b>	<b>50.2%</b>
<i>Murder I or II</i>	<i>11.7%</i>	<i>16.2%</i>
<i>Schedule I Offence</i>	<i>68.3%</i>	<i>34.1%</i>
<b>Schedule II Drug Offence</b>	<b>12.7%</b>	<b>32.4%</b>

These are key factors in determining initial security classification within the criteria established in the CCRA and the Corrections and Conditional Release Regulations. Aboriginal offenders are more frequently classified as maximum security on admission.

### ***Public Safety Results***

The proportion of Aboriginal offenders charged or convicted of a violent offence in the community was 3.6% during 2005-06, the lowest since 2000-01. This proportion ranged from 3.9% to 5.5% (in 2001-02) during the previous five years.

However, there is still a significant gap in the rate of violent re-offending between Aboriginal and non-Aboriginal offenders while under supervision in the community. Aboriginal offenders are more than twice as likely as non-Aboriginal offenders, to be charged or convicted of a violent offence while under CSC supervision (3.6% compared to 1.3% in 2005-06).

Data on offenders released from federal custody in 2003-04 reflect that 13.5% of Aboriginal offenders returned within two years with new federal sentences, compared to 10.0% for non-Aboriginal offenders.

### ***Correctional Results***

Compared to non-Aboriginal offenders, the gap in positive results for Aboriginal offenders across the spectrum of correctional processes throughout the sentence remains significant.

Federally-sentenced Aboriginal offenders continue to be more likely to be incarcerated (18.7% of those incarcerated at the end of March 2006) than to be in the community on a supervised release (13.6% of those under supervision).

They serve a greater proportion of their sentences in institutions and have higher rates of reincarceration during periods of conditional release (i.e. revocations of release, with or without a new offence).

Aboriginal offenders under supervision in the community are more likely to be on a more restrictive form of release – either Day Parole or Statutory Release, rather than Full Parole. At the end of March 2006, they represented 16.1% of those on Day Parole, 9.6% of those on Full Parole, and 17.0% of those on Statutory Release.

In 2005-06, 29.8% of offenders released from institutions at their Warrant Expiry Date (62 of 208) were Aboriginal.

## The Way Forward

### OUR VISION

***To ensure a federal correctional system that is responsive to the needs of Aboriginal offenders and that contributes to safe and healthy communities.***

Defining a common vision and priorities is a critical step to building on the learning and innovation of the past 10 years in Aboriginal corrections. Reasonable agreement with regard to involvement and responsibility of key stakeholders is needed to specify what more can be accomplished to reduce the disproportionate representation of incarcerated Aboriginal peoples. Creating the conditions for success requires respecting the jurisdictional mandates of governments, the aspirations of Aboriginal communities and organizations, and the needs of Aboriginal offenders. Communication and partnerships among governments and especially Aboriginal service providers is key to moving forward in meeting our vision.

In October 2005, the Commissioner of Corrections announced a realignment of responsibilities to carry out this work. The Senior Deputy Commissioner assumed direct responsibility for leadership to integrate ongoing CSC initiatives within the broader framework of collaboration and coordination within the federal government, with other levels of government, and with Aboriginal communities.

Projections of greater Aboriginal youth involvement in crime and the impact of that crime may increase resistance to offenders' presence in communities and their participation in community-based healing approaches. However, engaging communities in correctional initiatives can also facilitate innovation and transition as they seek to develop culturally appropriate approaches to prevent crime and victimization.

### ***Improving Public Safety and Correctional Results***

Research and evaluations of Aboriginal-specific interventions developed over the last five years are demonstrating positive results both for public safety and for correctional operations.

Aboriginal offenders who participated in Pathways units had a significantly lower rate of re-offending after release (17% compared to 35% for Aboriginal offenders who have not resided on those units). These units are also proving to be safer environments for CSC staff and for Aboriginal offenders, with lower rates of violent incidents and detected drug use. Data for 2003-04 and 2004-05 reflect similar results for healing lodges – safer work environments for staff and inmates and a greater proportion of Aboriginal offenders who have been released from healing lodges are successfully completing their supervision periods. Similar improvements are evident where Aboriginal Community Development Officers have engaged communities in the development of offender release plans.

The short-term data for offenders who have participated in Aboriginal-specific interventions suggest that the risk of re-offending can be reduced further through culturally appropriate programs and services within the Continuum of Care. However, culturally appropriate programs and services are not yet universally available to Aboriginal offenders within institutions and in communities. Many of the national Aboriginal correctional programs are still being piloted or have only recently been implemented. Ongoing evaluation and adjustment is needed to ensure their effectiveness.

First Nations, Métis and Inuit Elders have played and will continue to play a critical role in narrowing the gap in correctional results between Aboriginal and non-Aboriginal offenders. They participate in the identification and orientation of Aboriginal offenders on admission. They provide access to ceremonies and teachings within their unique cultures. They help them re-establish connections with their families and communities. And they assist CSC and communities in planning for the offender's eventual return. Where an offender chooses to initiate a healing journey, the Elder becomes part of the Case Management Team. He or she participates in developing a healing plan that will guide all CSC staff in supporting the offender during the sentence and to continue their healing journey after release.

#### **OUR PRIORITY**

***Enhanced capacities to provide effective interventions  
for First Nations, Métis and Inuit offenders.***

The Aboriginal Corrections Continuum of Care model now forms the basis by which CSC identifies priorities for action. While much has been accomplished internally, there is a need to further develop and implement Aboriginal initiatives within this model and to fully integrate correctional initiatives with Aboriginal communities and other levels of government. Increased Aboriginal involvement at all levels and across CSC will respond to the needs of the individual offenders once in the community. CSC must also respond to the community's needs, working to build acceptance of the offender back in the community to support the individual to continue their healing journey .



## OUR RESULTS COMMITMENT

**To close the gap in the rate of violent and non-violent re-offending between Aboriginal and non-Aboriginal federal offenders**

Public safety results for Aboriginal offenders will be measured in relation to CSC's overall public safety results by the gap in results between Aboriginal and non-Aboriginal offenders for violent and non-violent re-offending, including:

- charges and/or convictions in communities while under CSC supervision;
- returning to federal custody within two years of the end of their sentence;
- convictions within five years of the end of their sentence.

Effectiveness of Aboriginal-specific interventions in improving outcomes for Aboriginal offenders will be measured in comparison with Aboriginal offenders who do not participate in these types of interventions.

## KEY OBJECTIVES

This strategic plan outlines the initiatives that CSC will undertake over the next five years in order to improve outcomes for Aboriginal offenders. Initiatives will be developed in every area of CSC, at all levels, to address the gaps in implementation of the Continuum of Care. Performance Agreements for all executives in CSC will include accountabilities for contribution to the Aboriginal corrections agenda, to ensure integration throughout the organization. Each year will build on the previous year with measurable results to show at the end of the five year plan. Three key objectives have been identified:

### **1) Culturally appropriate interventions that address the specific criminogenic needs of First Nations, Métis and Inuit men and women offenders**

CSC will take action to fully implement the Continuum of Care model, in consultation with Aboriginal leaders and communities, to respond to the diverse needs of men and women Aboriginal offenders and their communities. Initiatives will focus on:

- *Aboriginal Correctional Programs*: Enhance the delivery of Aboriginal correctional programs to meet the specific criminogenic needs of Aboriginal offenders.
- *Population Management*: Expand Pathways healing units to all regions in both men's and women's institutions; complete the implementation of the Healing Lodge Action Plan; develop a strategy to address the needs of Northern offenders, including the Inuit.

- *Aboriginal Reintegration:* Integrate urban Aboriginal community involvement into the continuum of care and continue Aboriginal community development initiatives through nine existing Aboriginal community development officers.
- *Assessment:* Develop and implement culturally sensitive classification and assessment tools for women.
- *Programming:* Develop and implement culturally sensitive programs for Aboriginal women.
- *Interventions:* Develop and implement targeted interventions for Aboriginal women.
- *Knowledge:* Enhance knowledge of Aboriginal women and effective corrections for that specific population.

## 2) Enhance Collaboration

CSC will enhance horizontal collaboration and coordination within CSC, within the Public Safety portfolio, and with other levels of government, Aboriginal organizations and stakeholders, to contribute to Aboriginal community development and to help Aboriginal offenders initiate and sustain their healing journeys. Initiatives will focus on three key areas:

- *Internal Collaboration:* Ensure that the planning, reporting and accountability mechanisms at all levels of CSC integrate the Aboriginal dimension.
- *Horizontal Collaboration:* Address the gaps in external collaborative capacity through a more coordinated approach within the Public Safety Portfolio, with other federal departments and agencies, and with other levels of government.
- *Aboriginal Community Engagement:* Engage Aboriginal communities in the further development and implementation of new programs and approaches that will contribute to safe and healthy communities.

## 3) Address systemic barriers internally and increase CSC cultural competence

CSC will take action to make the organization more aware of and representative of Aboriginal cultures. Enhancing cultural competence will permit further identification and removal of systemic barriers to ensure that Aboriginal offenders can be successfully and safely reintegrated at the earliest possible time in their sentences. Initiatives will focus on three key areas:

- *Systemic Barriers:* Monitor and identify systemic correctional barriers to Aboriginal offenders on an ongoing basis.
- *Aboriginal Employee Representation:* Enhance recruitment, development and retention of Aboriginal employees at all levels of the organization.
- *CSC Cultural Competence:* Develop cultural competence throughout CSC to facilitate culturally-relevant operations.

Specific actions are included each year in CSC's annual Report on Plans and Priorities to Parliament.

## Who's Accountable?

Every individual working in CSC contributes to achieving measurable improvements in Aboriginal corrections.

### **Results and Performance**

The *Commissioner* of CSC has overall accountability for achievement of public safety results. A *National Aboriginal Advisory Committee*, chaired by the Commissioner, provides expert advice on all aspects of Aboriginal corrections.

The *Assistant Commissioner, Correctional Operations and Program* and the *Deputy Commissioner for Women* share accountability for results throughout the correctional continuum for Aboriginal men and women offenders respectively. They are also accountable to integrate Aboriginal considerations and initiatives within policies, programs and services to achieve those results. The *Director General Aboriginal Initiatives* and the *National Elders Working Group* provide subject-matter expertise within CSC to address cross-sector and operational implementation issues.

*Regional Deputy Commissioners* are accountable achievement of results for implementation of Aboriginal-specific policies, programs and services. They are supported by *Regional Administrators* responsible for Aboriginal Initiatives and *Regional Aboriginal Advisory Committees* who provide functional expertise to address the diverse cultures and traditions of Aboriginal communities in their geographic areas of responsibility.

### **Governance and Strategic Direction**

The *Senior Deputy Commissioner* has direct responsibility for the advancement of Aboriginal Corrections within CSC, to provide leadership in integrating Aboriginal initiatives within the federal government framework for management of Aboriginal Affairs, and for external collaboration and coordination with other levels of government.

The *Director General, Aboriginal Initiatives*, with the assistance of a *National Elders Working Group*, provides strategic advice on the development of intergovernmental initiatives and supports the SDC in his role.

The *Assistant Commissioner, Policy and Research*, is responsible for strategic policy and human rights in relation to Aboriginal offenders. The Sector also ensures that Aboriginal issues raised by the Correctional Investigator, by human rights organizations and through CSC's offender redress system are addressed.

### ***Corporate Accountabilities***

Other Sectors of CSC are instrumental in integrating Aboriginal considerations in corporate policies and processes to support the management of Aboriginal corrections.

*Performance Assurance Sector:* assesses, measures, analyses, evaluates, and monitors operational and management performance in relation to Aboriginal offenders.

*Legal Services* The General Counsel is the focal point for the resolution of legal issues, and interprets policies, directives and guidelines in relation to Aboriginal offenders.

*Human Resource Management* Sector is accountable for integration of Aboriginal considerations in human resource planning for recruitment, retention and development of staff capacity to support implementation of the Strategic Plan.

*Corporate Services* is accountable for the implementation of effective financial management and reporting on expenditures related to Aboriginal corrections, including Parliamentary reporting on spending for Aboriginal corrections.

*Communication and Citizen Engagement* is the focal point for stakeholder engagement at the national level, as well as public education, citizen engagement (voluntary sector, volunteers and Citizen's Advisory Committees) and outreach to Aboriginal communities.

## ANNEX A - Corrections and Conditional Release Act

	79. In sections 80 to 84,
<b><u>Definitions</u></b>	
"aboriginal"	"aboriginal" means Indian, Inuit or Métis;
"aboriginal community" »	"aboriginal community" means a first nation, tribal council, band, community, organization or other group with a predominantly aboriginal leadership;
"correctional services"	"correctional services" means services or programs for offenders, including their care and custody.
<b><u>Programs</u></b>	80. Without limiting the generality of section 76, the Service shall provide programs designed particularly to address the needs of aboriginal offenders
<b><u>Agreements</u></b>	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.
Scope of agreement	(2) Notwithstanding subsection (1), an agreement entered into under that subsection may provide for the provision of correctional services to a non-aboriginal offender.
Placement of 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.
<b><u>Advisory Committees</u></b>	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.
Committees to consult	(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.
<b><u>Spiritual Leaders and Elders</u></b>	83. (1) For greater certainty, aboriginal spirituality and aboriginal spiritual leaders and elders have the same status as other religions and other religious leaders.
Idem	(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.
<b><u>Parole Plans</u></b>	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.
<b><u>Plans with respect to Long Term Supervision</u></b>	84.1 Where an offender who is required to be supervised by a long-term supervision order has expressed an interest in being supervised in an aboriginal community, the Service shall, if the offender consents, give the aboriginal community a) adequate notice of the order; and b) (b) an opportunity to propose a plan for the offender's release on supervision, and integration, into the aboriginal community.

## **ANNEX B – Creating Choices: Report of the Task Force on Federally Sentenced Women April 1990**

### ***The Aboriginal Healing Lodge***

This section of the recommended plan was developed in consultation with Aboriginal members of the Task Force. Further changes may evolve from continuing consultation with Aboriginal communities during the implementation stage of the Report.

A Healing Lodge will be established in a prairie location. Potential locations must be sought by Aboriginal communities, not the Correctional Service of Canada. The location eventually chosen must be acceptable to both Aboriginal communities and the Correctional Service of Canada. The connection of the Lodge to an Aboriginal community will be essential to its survival. The development of the Lodge will also require the expertise of Aboriginal women whose input will be facilitated through the establishment of an Advisory Council to the Correctional Service of Canada for this initiative. Overall responsibility for programs for Aboriginal women will be given to the Elders Council in each region.

The Lodge will be premised on principles which promote:

- A safe place for Aboriginal women prisoners;
- a caring attitude towards self, family and community
- a belief in individualized client-specific planning;
- an understanding of the transitory aspects of Aboriginal life;
- an appreciation of the healing role of children who are closer to the spirit world;
- pride in surviving difficult backgrounds and personal experiences.

### ***Design***

A circular design will define the Lodge's structure, and will compliment the surrounding natural environment. The Lodge will contain a central round meeting room to act as a focal point for ceremonies, teachings, workshops with Elders, etc. The Lodge will also contain an apartment, available on a rotational basis to the Elders, teachers and healers involved in key aspects of the Lodge's activities. A daycare centre will provide on-site opportunities for women to be with their children.

Accommodation options for women at the Lodge will include communal living areas, family living units, and opportunities to live close to the land.

### ***Assessment and Case Planning***

All Aboriginal federally sentenced women will have the opportunity to serve their sentences at the Healing Lodge and they will be made aware of this option through the outreach initiatives of a Community Worker. This individual will make contact with women during the sentencing period prior to their transfer to the federal system, or later at a Regional Women's Facility. It is recognized that some Aboriginal women may choose not to serve their sentences at the Healing Lodge, and that others may go there for all or part of their sentences. Accordingly, transfers

between the Lodge and the Regional Women's Facilities will be arranged.

### *Elders*

Elders and other teachers and healers will be critical to the successful operation of the Healing Lodge. A minimum of one Elder will be available at the Lodge on a full-time basis; however, the position will not always be occupied by the same individual. A rotational position would accommodate the needs of women from different nations, and the four directions, and would provide a variety of necessary spiritual expertise to the women (i.e. Shaman, Medicine Person). Spiritual helpers will also be acknowledged in the healing process, with the understanding that sometimes these helpers will be women serving sentences themselves.

### *Programs*

Programs will be based on a holistic approach to the needs of federally sentenced Aboriginal women, including, most importantly, the need to address issues associated with health, with sexual, physical and emotional abuse, with relationships and with substance abuse. An outreach program will facilitate the transition to "walking in the now forest"<sup>136</sup> by providing community-release preparation in the areas of education, vocational training, employment and life skills. The outreach component of the Lodge will also provide a link to the larger Aboriginal community, as well as a city-based satellite of the Lodge, which will accommodate women under community release supervision. Women will be given opportunities to maintain contact with their children, and will be given positive role models as well as opportunities to share life experiences by staff and other women who will assist in developing parenting skills.

The outreach aspect of the Lodge will also support a minimum of one Community Worker who will establish linkages to Aboriginal women both entering and leaving the correctional system.

### *Administration and Staff*

The Healing Lodge will be administered to the largest extent possible through a non-hierarchical model. There will be a co-ordinator who will have certain responsibilities to other Correctional Service of Canada officials. However, this individual will also have responsibility to liaise and work co-operatively with the Elders' Council, The Aboriginal community and the women. The focus of all these relationships will be based on a sharing of expertise, and an exchange of learning instead of on a fixed structure of reporting relationships.

Staff selected to work at the Healing Lodge will be Aboriginal and will be recruited with high emphasis on their life experience and their ability to act as positive role models for the women serving sentences. There will be a place for professionals in the Healing Lodge, but this role will be supportive rather than central to the leadership of the Lodge. Non-Aboriginal staff may be recruited from time to time in a support role for specific skills and expertise. Staff at all levels must have the ability to live the example of what they are teaching.