

A profile of Aboriginal sex offenders in Canadian federal custody

Aboriginal offenders⁽²⁾ are over-represented (compared with other Canadians) in federal correctional facilities, and nowhere is this more evident than among sex offenders. Approximately 40% of Aboriginal offenders serving a sentence of two years or longer in a federal correctional facility have been convicted of a sex offence.

However, when you review the Canadian case law and literature on sex offenders, there is virtually no theoretical or empirical study of Aboriginal sex offenders. This article attempts to begin filling this gap by providing a descriptive profile of Aboriginal sex offenders in federal custody based on a 1995 Correctional Service of Canada study. Background In the summer of 1995, the Aboriginal Programming Division of the Correctional Service of Canada hired several law students to carry out a variety of projects. One of their tasks was to answer several pre-determined questions by extracting data from the files of 661 federally incarcerated Aboriginal sex offenders.

This study considered three categories of Aboriginal peoples: Status Indians (as defined in the *Indian Act*), Métis peoples and Inuit peoples. The offender sample included roughly four times as many Status Indian sex offenders as either Métis or Inuit sex offenders. The 440 Status Indian, 118 Métis and 103 Inuit sex offenders were housed in 60 federal correctional facilities across Canada.

Most of the Aboriginal sex offenders were incarcerated in the federal correctional facilities that have a high concentration of sex offenders. These include Mountain Institution in British Columbia, Bowden Institution in Alberta, Stony Mountain Institution in Manitoba, Warkworth Institution in Ontario and La Macaza Institution in Quebec.

Most of the Aboriginal sex offenders in this study also fell into the 19-29 or 30-40 age groups, although almost 30% of the offenders were between 41 and 60 years old. Some of the Aboriginal sex offenders also had a juvenile record of sex offences. More analysis is needed to define the relationship(s) between offender age and other variables. Alcohol and drug use The offender files reveal that approximately 89% of the Aboriginal sex offenders were using alcohol when they committed their sex offence(s). Of these offenders, 32% had identified problems with both alcohol and drug abuse. Just 4% of the Aboriginal sex offenders had no alcohol or drug abuse problems, although the documentation was not conclusive for an additional 7% of the offenders.

The Correctional Service of Canada provides substance abuse programming, including programs such as Alcoholics Anonymous. The offender files indicate that the Aboriginal sex offenders did take part in this programming. Location of offences The study indicates that Aboriginal sex offenders tend to commit their sex offences in northern or urban Aboriginal communities, with many offences taking place on reserves. Approximately 51% of the sex offences examined in this study occurred in urban communities, 34% occurred on reserves and 17% occurred in northern communities ("northern" includes the Yukon, Northwest Territories and other parts of the Canadian North, including Labrador).

This calculation of the number of offences included all sex offences committed by Aboriginal offenders - even when offenders committed more offences than they were convicted of. For example, one offender

may have committed several sex offences against a single victim and received one conviction, while another offender may have committed sex offences with multiple victims and received multiple convictions. One offender had 93 "total" victims. Victims The vast majority of the victims of the Aboriginal sex offenders in this study were women, although almost one-fifth were male children or youths. Preliminary analyses indicate that there were 320 female and 75 male individual victims of the Aboriginal sex offenders in this study. Some of the Aboriginal sex offenders indicated that they had also been sexually abused by adults, usually as children.

When taking into account multiple convictions, more than 80% of the "total" female victims were younger than 18 - 350 were younger than 14, while just 95 were between the ages of 19 and 65. More than 85% of the individual male victims were younger than 14, and more than half were under the age of 10.

Just one-sixth of the "total" victims were non-Aboriginal, although victim race could not be determined for 8% of the files. Aboriginal women and children of both sexes would, therefore, appear to be at the highest risk of being assaulted by Aboriginal sex offenders.

Relatives are also at high risk. This includes wives, daughters, stepdaughters, foster daughters, nieces, sons, mothers, brothers, cousins, stepchildren, blood relations and relatives by marriage. Just 15% of the total victims of the Aboriginal sex offenders in this study were identified as strangers (the relationship between offender and victim was unclear in 2% of the files). Aboriginal sex offenders apparently tend to restrict their offences to the Aboriginal community. A preliminary profile This study indicates that Aboriginal sex offenders almost always sexually assault Aboriginal females under the age of 18, and prefer victims younger than 14.

Most Aboriginal sex offenders abuse alcohol and a significant proportion abuse both alcohol and drugs.

Aboriginal sex offenders also tend to restrict their sex offences to Aboriginal communities, with almost all offences being committed within the family unit.

These results illustrate the need to emphasize substance abuse programming for Aboriginal offenders and to encourage sexual abuse counseling for offenders and victims in Aboriginal communities.

Institutional and community programming should also be emphasized for Aboriginal men who sexually abuse children, Aboriginal incest offenders, and Aboriginal pedophiles.

More research is needed to develop a more complete profile of Aboriginal sex offenders and to develop appropriate culturally sensitive training for those working with Aboriginal sex offenders in the community. The prevention of sex offences and offender relapse must be a priority in Aboriginal communities.

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(2)Please note that Aboriginal includes Status Indian, Inuit and Métis peoples of Canada as defined in the *Constitution Act 1982*.

