***Walls of Red Wing: An Examination of Culturally-Informed Sentencing, Risk/Need
Factors, and Treatment for Peoples of Indigenous Heritage in Canada's Criminal Justice
System***

by

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Abstract

Given the long-standing over-representation of Indigenous peoples in the criminal justice system in Canada, steps have been taken to better understand and enhance the cultural relevance of sentencing, assessment and treatment. Specifically, changes to legislation and sentencing (e.g., s. 718.2 [e] of the *Criminal Code*, introduction of conditional sentence orders), as well as operational changes (e.g., the creation of culturally-relevant correctional programming), were introduced in an effort to address over-representation. More recently, the question of whether commonly-used risk assessment measures contain cultural-bias when applied to Indigenous peoples has been argued before the Supreme Court of Canada (i.e., *Ewert v. Canada*, 2018). Despite these changes over the last two decades, over-representation has increased. To better understand the potential impacts of these legislative and operational changes, as well as to seek to better understand the potentially unique causes of criminal behaviour for Indigenous peoples (i.e., culturally-relevant risk/need factors), three studies were conducted. Study 1 examined the application of conditional sentence orders (CSOs) with a sample of Indigenous offenders ($n = 749$) compared to Caucasian offenders ($n = 1,625$). It was found that Indigenous individuals received shorter CSOs and had a higher likelihood of being convicted of breach. However, no differences regarding the number and type of optional supervision conditions were found between groups, after controlling for individual-level factors (e.g., risk level, severity of offence). Study 2 sought to identify and examine culturally-relevant risk/need factors with an Indigenous Advisory Group ($N = 51$). The process of co-development and thematic analysis resulted in the creation of a *Culturally-Relevant Factors Questionnaire*, consisting of 12 themes (e.g., residential school experience, stability of upbringing, preparation for and experience of discrimination, extreme poverty). The questionnaire was administered to a boutique sample ($N =$

36) of Indigenous males on community supervision in Manitoba. Lastly, Study 3 consisted of a meta-analysis examining the effectiveness of culturally-relevant correctional programming with Indigenous offenders. While considerable methodological limitations were apparent, results based on seven studies ($N = 1,731$) indicated that Indigenous offenders who participate in these programs have significantly lower odds of recidivism (odds ratio = 0.72) compared to Indigenous offenders who participate in generic correctional programs. Taken together, the implications of the three studies lend support to increasing the cultural relevance of sentencing, assessment, and programming. Furthermore, they highlight the need to better understand potentially unique or salient risk/need factors that can enhance the effectiveness of criminal justice strategies aimed at improving outcomes for Indigenous peoples in the criminal justice system.

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To the children of the residential school system and the generations of survivors – past, present and future – I dedicate this dissertation to you.

Walls of Red Wing

By Bob Dylan

Oh, the age of the inmates I remember quite freely:
No younger than twelve, no older 'n seventeen.
Thrown in like bandits and cast off like criminals,
Inside the walls, the walls of Red Wing.

From the dirty old mess hall, you march to the brick wall,
Too weary to talk, and too tired to sing.
Oh, it's all afternoon, you remember your home town,
Inside the walls, the walls of Red Wing.

Oh, the gates are cast iron, and the walls are barbed wire.
Stay far from the fence, with the 'lectricity sting.
And it's keep down your head, and stay in your number,
Inside the walls, the walls of Red Wing.

Oh, it's fare thee well, to the deep hollow dungeon,
Farewell to the boardwalk, that takes you to the screen.
And farewell to the minutes, they threaten you with it,
Inside the walls, the walls of Red Wing.

It's many a guard, that stands around smilin',
Holdin' his club, like he was a king.
Hopin' to get you, behind a wood pilin',
Inside the walls, the walls of Red Wing.

The night aimed shadows, through the crossbar windows,
And the wind punched hard, to make the wall-siding sing.
It's many a night I pretended to be a-sleepin',
Inside the walls, the walls of Red Wing.

As the rain rattled heavy, on the bunk-house shingles,
And the sounds in the night, they made my ears ring.
'Til the keys of the guards, clicked the tune of the morning,
Inside the walls, the walls of Red Wing.

Oh, some of us'll end up, in St. Cloud Prison,
And some of us'll wind up, to be lawyers and things,
And some of us'll stand up, to meet you on your crossroads,
From inside the walls, the walls of Red Wing.

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**CHAPTER 1: *Walls of Red Wing*: An Examination of Culturally-Informed Sentencing,
Risk/Need Factors, and Treatment for Peoples of Indigenous Heritage in Canada's
Criminal Justice System**

The overrepresentation of offenders of Indigenous¹ heritage has been a long-standing issue in the Canadian criminal justice system. Specifically, Indigenous peoples represent approximately 23% of the total federal offender population and approximately 26% of those in provincial and territorial custody, despite accounting for only 4.9% of the general population (Public Safety Canada, 2017; Statistics Canada, 2017). The over-representation of Indigenous offenders has prompted the consideration of more culturally-informed approaches to sentencing, assessing, and treating offenders of Indigenous heritage. For example, in an effort to reduce the system's over-reliance on incarceration, particularly in the case of Indigenous offenders, changes to the sentencing provisions of the *Canadian Criminal Code (CCC)* resulted in the creation of new fundamental principles of sentencing (e.g., section 718.2 [e]). Specifically, the requirement that courts consider "all available sanctions other than imprisonment...with particular attention to the circumstances of Aboriginal people" was introduced to encourage judges to give more intentional consideration to appropriate alternative, community-based sanctions, particularly for Indigenous peoples. Furthermore, the Supreme Court Case (SCC) of *R. v. Gladue* (1999) gave greater weight and influence to the importance of considering the cultural and background factors of Indigenous peoples (i.e., *Gladue* Factors) in sentencing decisions.

In addition to s.718.2 [e], conditional sentences were introduced in an effort to divert offenders from provincial prisons to serve their custodial sentence in the community under strict

¹ The term "Indigenous" is used to refer to three distinct groups of peoples in Canada, including: First Nations (peoples who are neither Métis nor Inuit, including a diversity of nations/tribes/bands), Inuit (Indigenous peoples originating primarily from the northern/arctic) and Métis (peoples of mixed Indigenous and European descent; Crown-Indigenous Relations and Northern Affairs Canada [CIRNAC], 2018).

supervision and conditions. In conjunction with the principles of s. 718.2, conditional sentences were intended to have the greatest impact on the over-incarceration of Indigenous offenders (e.g., Reid, 2017; Roach, 2005). Relatedly, following the introduction of the *Corrections and Conditional Release Act (CCRA)* in 1992, criminal justice agencies were required to incorporate culturally-relevant policies and programs for offenders of Indigenous heritage.

Despite these efforts, the problem of Indigenous over-representation has not diminished; rather, it has shown an *increase* in the last 20 years (e.g., Public Safety, 2017; Roberts & Melchers, 2003; Roberts, 2017; Rudin, 2009). More specifically, research on conditional sentences orders (CSOs) has largely focused on the impacts of CSOs on incarceration trends and therefore, our understanding of how these sentences are applied to and concluded with Indigenous individuals compared to non-Indigenous individuals has been limited. Similarly, there has been a lack of research in the Canadian context on culturally-relevant risk/need factors (as alluded to in *R. v. Gladue*, 1999) for criminal behaviour for individuals of Indigenous heritage. These gaps in research have hindered our ability to effectively assess and treat the most relevant risk/need factors for Indigenous offenders, thus limiting the effectiveness of reintegration and rehabilitation efforts. Furthermore, despite efforts to promote the development of correctional programs that are more culturally-responsive to the needs of Indigenous offenders, our understanding of the effectiveness of these programs for reducing future offending has been similarly insufficient.

Given the current gaps in the literature on cultural-relevance in the criminal justice system, the goals of this research were three-fold. First, the current research aims to add to the literature on conditional sentences by examining how they have been applied (e.g., in terms of sentence length, type and number of conditions) and concluded (e.g., breaches and recidivism)

with a sample of Indigenous compared to non-Indigenous offenders. In an effort to advance both assessment and treatment practices with Indigenous offenders, the second goal of this research sought to identify what culturally-relevant risk/need factors are and how they are represented among a sample of Indigenous peoples under community supervision in Canada. And third, in order to better understand the effectiveness of correctional programming for Indigenous peoples in the justice system, this research quantitatively summarized the existing literature on the effectiveness of culturally-relevant programs for Indigenous offenders compared to outcomes (i.e., recidivism) for Indigenous offenders who participated in conventional or generic correctional programs.

Consistent with the appeals made in the calls-to-action by the *Truth and Reconciliation Commission of Canada* (2015), it is hoped that this work will coincide with efforts being made by governments and criminal justice agencies to reduce the over-representation of Indigenous peoples in the Canadian criminal justice system. In addition to the three goals outlined above, it is hoped that this research will inform and advance both knowledge and practice, as well as inspire further research, that will enhance the relevance of the criminal justice system and promote fair and effective sentencing, assessment, and treatment for peoples of Indigenous heritage.

A Brief History of Indigenous Peoples in Canada

Prior to reviewing the state of the literature on conditional sentences, risk/need factors and assessment, and treatment, a brief overview of the history of Indigenous peoples in Canada is provided. The history of Indigenous peoples, particularly of the marginalization they experienced by European settlers and the institutions that followed, is complex and multifaceted. While a fulsome description of the differing and unique histories of Indigenous peoples

and communities in Canada is beyond the scope of the present review, a high-level summary is important to contextualize the current state of affairs for Indigenous peoples in the criminal justice system. It is this history that has informed the changes that have been made to policies and practices regarding Indigenous offenders. Furthermore, this history is what should inform the current discussions and research on the applicability of culturally (and historically) informed sentencing, risk/need assessment, and treatment with Indigenous offenders.

Although there is considerable debate regarding the reliability of historical accounts of the nature of the relationship between Indigenous peoples and the European settlers, their relationship has been summarized in four main stages (Dockstator, 1993; Royal Commission on Aboriginal Peoples [RCAP], 1996). Using the four stages, as outlined by Dockstator (1993), the relationship between European settlers and the Indigenous peoples in Canada can be delineated as follows: 1) Separate Worlds, 2) Contact and Cooperation, and 3) Displacement and Assimilation. According to Dockstator (1993), we are presently in the fourth stage of Negotiation and Renewal. Figure 1 summarizes the four stage model and how each stage coincides with various key historical events that have taken place between Indigenous and non-Indigenous peoples in Canada (e.g., first treaty in the early 1600s², the *British North America Act* of 1867). The horizontal arrows mark the passage of time, while the vertical arrows denote the levels of collaboration, separation, or oppression originating from each group.

² While the Haudenosaunee (Iroquois) signed the first treaty with New France in 1624, the two-row wampum belt (Gusweñta) between the Haudenosaunee and the Dutch in 1613, representing peace and friendship, is considered by many to be the first treaty between Indigenous and non-Indigenous peoples (Borrows, 2010; Muller, 2007).

Figure 1. Four-stage model of the history of Indigenous and non-Indigenous relations from 1000AD to present. Adapted from Dockstator (1993).

Stage 1: Separate worlds. Stage 1 marks the period of time prior to any relationship between Indigenous and non-Indigenous peoples/societies. Before the early 1500s, Indigenous and non-Indigenous people had essentially no prolonged contact with each other on what is now Canadian soil. Anthropological evidence suggests that the earliest Indigenous peoples traversed the land bridge of Beringia (now the Bering Strait) at a time when the ice ages had lowered the sea levels to allow travel from Asia, by foot. Estimates of the earliest presence of Indigenous peoples in North America range from 15,000 BC to as far back as 50,000 BC (Dickason, 2009; Fladmark, 1983). The unglaciated regions became the most densely populated; however, just prior to the first encounter of North America by Europeans (i.e., the Norse arrived in approximately 1000 AD), it is estimated that there were anywhere from 1.2 to 2.6 million

Indigenous peoples residing in the Canadian region of North America (Dickason, 2009; Ridington, 1982; RCAP, 1996). During this time, the Indigenous population was highly dependent upon the seasons and regional resources for subsistence and survival. The socio-cultural and political way of life of the early peoples has been characterized as egalitarian, democratic, and consensus-regulated (Dickason, 2009).

Stage 2: Contact and cooperation. John Cabot's landing in Newfound Land in 1497 is generally regarded as the inaugural event marking the formal beginning of the coexistence of Indigenous and non-Indigenous peoples in Canada (Miller, 1989). Stage 2 identifies the period of time when European settlers began to arrive in greater numbers to Canada. This type of colonial expansion was not unique to Canada, as it was similarly occurring in Australia, New Zealand and the United States. It was during this time that Indigenous peoples and the settlers preliminarily fostered a collaborative relationship in an attempt to effectively co-exist with one another. The Indigenous peoples provided guidance and training to the new settlers regarding how best to negotiate and survive the unfamiliar land and climate. This cooperation gave way to commerce, in the form of trade, between the two groups, both sides benefiting from new resources (e.g., fur and fish) and novel technologies (e.g., tools and methods of travel; RCAP, 1996). During this time, there is evidence to suggest that there was mutual understanding of the “political equality” and reciprocal benefit provided by each group. Culturally, there was a sharing of traditions, food, clothing, and even inter-marriages took place between the two groups (which led to the distinct culture of the Métis; RCAP, 1996). By the early 1600s, the first treaty occurred between the Europeans and Indigenous peoples (Dockstator, 1993)³.

³ There have been numerous phases of treaty making: early peace and friendship treaties (1725-1779); the Douglas and Robinson Treaties (1850-1854); the eleven Numbered Treaties (1871-1921); and finally, the Modern Treaties (1975 to the present; Miller, 2009). The intent of these treaties, particularly differing conceptions of land ownership, remain points of contention between Indigenous peoples and the Canadian government.

Stage 3: Displacement and assimilation. Stage 3 marks the period of time when the nature of the relationship and balance of power between the European settlers and Indigenous peoples began to shift. By the 1700s, there was a mass influx of European settlers and a considerable decline in the Indigenous population, largely due to foreign disease, for which Indigenous people had no immunity or remedy. For example, by 1680, small-pox had reached the Lake Ontario region, nearly eliminating the Iroquois population and less than a century later, resulted in the death of 30% of the west coast Indigenous population (Waldram, Herring & Young, 2006). By the late 1700s, the ratio of European to Indigenous peoples was 10 to 1 (RCAP, 1996).

In addition to changes in the demographics, during this time, a more intentional displacement (i.e., physical, cultural/spiritual, political, and economical displacement) of Indigenous people began to take place. Settlers built and claimed permanent settlements, aggressively consumed resources (e.g., timber, fish) and claimed lands as their own; and in turn, Indigenous people were denied access to their traditional lands (Dickason, 2009). In denying their access, Indigenous peoples were relegated to designated parcels of land, thus marking the beginning of the reserve system⁴. This coincided with a shift in view of Indigenous peoples — once viewed as collaborative partners were now seen as obstacles to development and colonial expansion. With the decline of the fur trade as a considerable economic base for Indigenous communities (due to the merging of the North West Company and Hudson's Bay company), there was less perceived value in cooperating with the Indigenous peoples, rendering them economically (and politically) disadvantaged (RCAP, 1996). Furthermore, they were forced to

⁴ Reserves are sections of land, held in trust by the Crown and overseen by the Minister of Indigenous Affairs, for “use and benefit by [Indigenous] bands” (*Indian Act*, 1985).

abandon their traditional structures of government and instead adopt more colonial structures and institutions.

With the growing political, economic and military strength of the European settlers, there was increasing conflict between the two groups. Following the War of 1812, targeted efforts were made to eliminate the traditional Indigenous ways of life with the use of various policies brought about between 1830 and 1875 (e.g., the *Gradual Civilization Act* of 1857; the *Enfranchisement Act* of 1869; Milloy, 1983). Under the guise of self-government, the governmental authorities of the time created policies which intentionally facilitated their control over reserve-lands. With political (e.g., rules imposed by the British Imperial Indian Department) and military control (e.g., the decimation of coastal villages by British war ships in the late 1860s), any efforts by the Indigenous peoples to end suppression by the European authorities were unsuccessful (Frideres & Gadacz, 2005; Ward, 1999).

The creation of the *Indian Act* (1876) enabled extensive control by the federal government over reserves and the tribal nations. For example, one of the statutes under the *Indian Act*, indicated that in order for an Indigenous person to be “awarded” land (i.e., a maximum of 20 hectares), they were required to be adjudicated by a board of reviewers who would determine whether the applicant was sufficiently educated, of “good moral character”, and free from debt. Upon passing the examination, the individual would be required to cut ties with their tribal community and be integrated into mainstream society and industry (Milloy, 1983). By the late 19th century, any Indigenous land deemed to be unused was made available to the non-Indigenous peoples. This was facilitated by amendments made to the *Indian Act* (1976), which extended the power of the federal government over reserve lands (e.g., for the creation of roads, public service facilities; Frideres & Gadacz, 2005).

Not only was the political and economic environment changing for Indigenous peoples, there was also a considerable shift in the socio-cultural aspects of life as well. During this time, Indigenous peoples were subjected to forceful and targeted religious missionary activity, which was largely due to increasingly closer relations between the church and state. Efforts by church officials to “civilize” the Indigenous peoples primarily occurred by the passing of legislation banning various cultural and spiritual practices (e.g., traditional dances, ceremonies such as the potlatch) and by the “Christianization” of Indigenous children (Frideres & Gadacz, 2005). The introduction of residential schools (originally referred to as industrial or boarding schools) in the mid-nineteenth century came at the insistence of the Roman Catholic, Anglican and Presbyterian churches, which sought to assimilate Indigenous peoples into “white” society (Bennett, Blackstock & De La Ronde, 2005; RCAP, 1996). With the Davin Report of 1879, the government made it policy for Indigenous children to be removed from their families and communities in order to attend school away from their traditional ways of life. Parents often faced imprisonment if they did not capitulate to the residential school authorities (or police, in some cases).

In residential schools, the children were educated exclusively according to non-Indigenous norms; however, the quality of the schooling was inferior compared to schools attended by non-Indigenous children. Indigenous children were often segregated by gender, forced into manual labour, and subjected to extensive amounts of physical, sexual, spiritual and emotional abuse by the authorities (Bennett et al., 2005; Laprairie, 1995; RCAP, 1996). Efforts were made to extinguish any identification with Indigenous culture. Children were punished for practicing traditional activities (e.g., physically abused for speaking a traditional language), which resulted in a considerable loss of Indigenous traditions and languages. Furthermore,

efforts were made to create shame and opposition in the children toward the teachings of their traditional cultures (e.g., indoctrination of Indigenous teachings as “the devil’s work”; Bennett et al., 2005).

By 1931, there were approximately 80 residential schools across Canada. According to Fournier and Crey (1997), only 3% of Indigenous students ever progressed past grade six by the time the last residential school closed in British Columbia in 1984⁵. Higher education was made inaccessible to Indigenous children, requiring them to renounce their rights (i.e., relinquish Indian status) in order to pursue an education beyond elementary school (Bennett et al., 2005). Children who experienced the residential schooling system have been referred to by some as “cultural refugees” due to the cultural and spiritual history that was stolen. This has resulted in intergenerational loss of cultural history among Indigenous communities (RCAP, 1996). The residential schooling system has been described as the most severe form of cultural racism to have ever been carried out by the Canadian government (Bennett et al., 2005; Boyko, 1995). In 2005, the federal government announced that approximately 86,000 Indigenous people would be eligible for compensation under the Indian Residential Schools Settlement Agreement for being forced to attend (and subjected to the abuses of) residential schools in Canada (CBC News, 2008).

Following World War II, there was growing concern by proponents of the social welfare system regarding the lack of social services afforded to Indigenous peoples living on reserves. Of particular concern was the perceived problem of high rates of neglect of Indigenous children (those on reserve as well as those in residential school). As a result, in 1951 the federal government amended the *Indian Act* to stipulate that it would now be the responsibility of the provincial government to oversee social services (e.g., health, education) for peoples living on

⁵ The last federal residential school in Canada closed in 1996 in Saskatchewan.

reserve (Bennett et al., 2005; Frideres & Gadacz, 2005). Without any additional funding to the provinces (or the Indigenous communities) to increase the quality of life of Indigenous people on reserve, they opted to apprehend Indigenous children, remove them from their homes/communities, and place them into the social welfare system. This change also coincided with a mass “relocation” of Indigenous communities that was occurring at the time. A change in federal policy led to the amalgamation of various Indigenous communities in order to reduce the administrative costs of providing government services to a highly dispersed population (RCAP, 1996).

A period of time which is now referred to as the “Sixties Scoop” resulted in massive numbers of children being placed into foster care or adoption (Bennett et al., 2005; Laprairie, 2002). Many of these children were removed from homes on the basis of their parents having been residential school survivors, deemed to be ill-equipped to care for their children. By 1983, Indigenous children constituted 50 to 70% of children in the child welfare system, despite representing less than 4% of the Canadian population. Most of these children were being raised by non-Indigenous caregivers and many of these children faced extreme discrimination and abuse. In the mid to late 1980s, efforts began to be made to modify child welfare policies for Indigenous children (e.g., Kimelman Report in Manitoba, 1985), calling for greater cultural sensitivity and policies aimed at maintaining Indigenous family structures, rather than dissolving them.

Stage 4: Negotiation and renewal. The final and present stage is that of negotiation and renewal of a (better) relationship between Indigenous and non-Indigenous peoples and institutions (Dockstator, 1993). Many of the most repressive aspects of the *Indian Act*, including bans of potlatches, pow-wows and other cultural ceremonies were removed in 1951. Changes

were also made to the act allowing Indigenous peoples to pursue legal action against the government over land claims, setting the stage for modern negotiations. Progress continued in 1960 when Prime Minister John Diefenbaker gave disenfranchised Indigenous peoples the right to vote in federal elections (Frideres & Gadacz, 2005). Later, Prime Minister Pierre Trudeau considered Indigenous land right claims too broad, and in 1969, his government proposed in the White Paper to terminate the legal distinction between Indigenous and non-Indigenous people. This would involve repealing the *Indian Act*, canceling various treaties, eliminating Indian Affairs, and granting control of reserves to the individual nations/bands (Dickason, 2009). Indigenous representatives were skeptical and concerned this would abolish recognition of First Nations' special rights. The White Paper was retracted and led only to a significant handing-off of responsibilities to the provinces.

The modern breakthrough for Indigenous negotiations was the James Bay and Northern Québec Agreement (1975-2002). The Québec provincial government sought large portions of land in the northern half of the province for the purposes of building hydroelectric dams. The Inuit and Cree peoples in northern Québec negotiated the transfer of land to the provincial government in exchange for \$225 million, as well as hunting and fishing rights. This was the first major land deal signed since the early twentieth century (Peters, 1999). The *Constitution Act* (1982) included the *Canadian Charter of Rights and Freedoms*, which guaranteed the rights and freedoms of all Indigenous peoples (Section 25). It affirmed existing Indigenous treaty rights as well as an added stipulation that these treaties be open to further negotiation (Section 35). This recognition of rights was formalized with amendments to the *Indian Act* in 1985, which officially provided Indian Status to the Métis, all enfranchised Indigenous peoples living off reserve land, and all Indigenous women who had lost their status by marrying a non-Indigenous man. When

the 1987 Meech Lake Accord sought to gain the acceptance of Québecers of the Canadian Constitution, many Indigenous peoples felt excluded (Kallen, 1988). The Meech Lake Accord needed to be ratified by the provinces to be enacted. Elijah Harper, a Manitoba Indigenous MLA, opposed the accord for only including the English and French as the founding nations of Canada. By keeping the legislature from debating and giving assent to the accord by the deadline, it collapsed (Kallen, 1988; RCAP, 1996).

Similarly, the failures of Charlottetown and the Oka Crisis both raised awareness of Indigenous rights. Municipal leaders in Oka, Québec, allowed construction of a golf course on the burial grounds of a Mohawk reserve. Militant protesters blocked off all roads leading into their reserve and a Québec police officer was killed when charging the barricades (Swain, 2010). After these crises, the 1992 Charlottetown Accord included significant consultation with Indigenous leaders. The Accord would provide Indigenous peoples an inherent right to self-government, recognition of Indigenous governments as a third order of government, as well as official Senate representation (Dickason, 2009). Ultimately, this accord was defeated; but, widespread awareness of Indigenous concerns led to a *Royal Commission on Aboriginal Peoples* (RCAP) and an associated report in 1996, to identify problems and develop a plan for solutions to address issues facing Indigenous peoples in Canada.

Leaders in Indigenous communities have continued making strides towards restoring the power imbalance between Indigenous and non-Indigenous institutions/groups through activism and negotiation. There have been great successes in this regard, politically (e.g., the creation of the territory of Nunavut in 1999), economically (e.g., Nisga'a Treaty 1996 – 2000), and socially (e.g., official apology from the Canadian federal government to residential school survivors and the approval of the Indian Residential School Settlement Agreement in 2008). More recently, the

Truth and Reconciliation Commission (TRC) was established to acknowledge the impact and experiences of Indigenous peoples as a result of the residential school system, as well as bring awareness to Canadians regarding the negative effects of colonization. The TRC provided 94 calls-to-action for the Canadian government (federal, provincial and territorial) to implement in order to improve the overall conditions for Indigenous peoples in Canada.

A Contemporary Profile of Indigenous Peoples in Canada

Today, there are approximately 1.6 million Indigenous peoples in Canada, representing 4.9% of the general population. Of the total Indigenous population, 58.4% identify as First Nations, 35.1% as Métis and 3.9% as Inuit (Statistics Canada, 2018). The term “Indigenous” will be utilized throughout the document; however, it is important to acknowledge that there is a diversity of Indigenous peoples and cultures within the broader Indigenous population, with varied histories for each group. For example, there are approximately 617 First Nations communities, representing 50 distinct nations and over 50 Indigenous languages across the country (Indigenous and Northern Affairs Canada, 2015). Indigenous peoples represent the fastest growing population in Canada. The national birth rate among Indigenous peoples per 1,000 is over double that of non-Indigenous people (i.e., 30 versus 13; CIRNAC, 2018). Approximately 50% of the Indigenous population are children or youth (e.g., the median age of the Indigenous population and the non-Indigenous population is 29 and 41, respectively; Statistics Canada, 2018).

According to the 2016 Canadian Census, approximately 52% of Indigenous peoples live in a metropolitan area⁶; and, approximately 34% of First Nations peoples live on-reserve. There have been considerable and ongoing issues of poverty and lack of social services for people living on reserve, which has led to a variety of social/health crises (e.g., Kashechewan water

⁶ Metropolitan is defined as an area with a population of over 30,000 inhabitants (Statistics Canada, 2016).

crisis in 2005; Attawapiskat housing issues in 2011). Indicators of social well-being have been found to be consistently lower/poorer among the Indigenous population compared to their non-Indigenous counterparts. For example, the median total income of the Indigenous population of the core working age (25 to 54 years of age) was just over \$25,526 per year compared to \$34,604 for non-Indigenous people (Statistics Canada, 2016). For First Nations people living on reserve, the median annual income was \$16,907. In terms of prevalence of low income, 23.6% of the Indigenous population compared to 13.8% of the non-Indigenous population met the criteria for low-income status. Relatedly, Indigenous peoples were approximately twice as likely as non-Indigenous peoples to live in unsuitable housing and three times more likely to live in a dwelling in need of major repair (Statistics Canada, 2016).

The unemployment rate for Indigenous peoples (i.e., 25 to 54) was 15.2% compared to 7.4% for non-Indigenous individuals. Approximately 34% of Indigenous adults had less than a high school education, compared to the 17% of non-Indigenous adults (Statistics Canada, 2016). Some of the most concerning social statistics that have garnered a considerable amount of attention is the level of involvement of Indigenous peoples in the criminal justice system. Today, Indigenous peoples are over-represented as both accused offenders as well as victims of crime relative to their proportion of the general population.

Indigenous Peoples in the Canadian Criminal Justice System

The over-representation of Indigenous people in the Canadian criminal justice system was first officially recognized in a 1984 report titled *Sentencing*, and has since been referred to as a “national disgrace” (Office of the Correctional Investigator [OCI] Annual Report, 2006). Specifically, Indigenous offenders represent a disproportionately large number of the offender population compared to their proportion of the general Canadian population. The problem of

over-representation in Canada came about following World War II, and persists despite legislative measures (e.g., amendments to section 718.2 [e] of the *Canadian Criminal Code*) that have been instituted in efforts to address this problem (Roberts & Melchers, 2003; Rudin, 2005; Rudin & Roach, 2002). These measures will be discussed in greater detail in a later section.

Compared to their non-Indigenous counterparts, Indigenous offenders experience greater disadvantages at various stages and levels of the justice system. For example, they are under-represented in community supervision populations, over-represented in maximum security facilities, more likely to be placed and spend more time in segregation, more likely to have served a youth and/or adult sentence, more likely to have their parole revoked, have higher risk/need ratings, and serve more of their sentences behind bars (e.g., OCI, 2014; OCI, 2017; Public Safety Canada, 2016; Statistics Canada, 2008). The problem of over-representation exists in both the federal and provincial justice systems across Canada, although there is variability in the severity of over-representation across the country, with greater severity in the prairie region (e.g., Calverly, 2010; Laprairie, 2002; OCI, 2013).

There are a number of factors that have been identified in the literature as potential causes and perpetuators of over-representation. Although the over-representation of Indigenous people in the criminal justice system is not the main focus of the present study, knowledge of the potential causes serves to inform how current practices related to sentencing, risk/need assessment, and treatment may have an impact on over-representation. A brief overview of the four main issues identified in the literature is summarized as follows: 1) Higher (and more violent) crime rates, 2) Culture Clash, 3) Effects of Colonization, and 4) Systemic Discrimination.

Higher (and more violent) crime rates. One of the causes of over-representation that has garnered agreement in the literature is that the crime rate among Indigenous peoples is simply higher compared to non-Indigenous people (Bonta, Laprairie, & Wallace-Capretta, 1997; Brzozwski, Taylor-Butts, & Johnson, 2006; Laprairie, 1996; Quann & Trevethan, 2000). For example, the General Social Survey (2004) results showed that the crime rates on reserves were three times higher than the general national crime rates in Canada (Brzozwski et al., 2006). In addition to the higher crime rates, some research has found that the types of offences committed by Indigenous peoples tend to be more serious in nature (e.g., violent crime). This makes them more likely to come into contact with the justice system, which could in part explain their over-representation. For example, Quann & Trevethan (2000) compared the violent crime rates of Indigenous and non-Indigenous peoples in Saskatchewan; they found that the violent offence rate per 10,000 among Indigenous peoples was 13 times higher than the non-Indigenous rate (626 versus 50, respectively).

Culture-clash. One of the historical causes of over-representation that has been identified by scholars is the incompatibility of cultures that has led to a “culture-clash”. Namely, the differing conceptualizations of justice between Indigenous and non-Indigenous peoples has been cited as a major cause of this growing problem (Laprairie, 1996; Rudin, 2005). Within this view, when the definition of justice is incompatible for one group (e.g., Indigenous peoples) in the context of a larger group (e.g., non-Indigenous “mainstream” society), the smaller group will be over-represented within the larger justice system. Clashing definitions of justice can take various forms. For example, the notion of taking responsibility for one's actions is highly valued in many Indigenous conceptions of justice processing; in a non-Indigenous justice context, this may translate into a larger number of guilty pleas by Indigenous people for acts that would

otherwise be legally defensible (Rudin, 2005). Recognizing culture-clash as a legitimate cause of over-representation has prompted efforts to increase knowledge of the mainstream justice system among Indigenous peoples. For example, some provinces have developed positions, such as Indigenous court workers (e.g., Ontario), who function as an intermediary between Indigenous clients and the court system (Rudin, 2005). Within the federal system, one of the main functions of Indigenous Liaison Officers is to provide education and awareness among Indigenous inmates regarding the various regulations and rights surrounding their sentence and release (Correctional Service of Canada, 2012).

Effects of colonization. Related to culture-clash is the negative impact of the colonization of Indigenous peoples in Canada. The history of marginalization of Indigenous peoples is among the most widely cited causes of their disproportionate representation in the justice system (Laprairie, 1996; RCAP, 1996; Rudin, 2005). As suggested by Broadhurst (1996), in addition to the social and economic marginalization that has occurred, the process of colonization has led (historically and presently) to the over-*criminalization* of Indigenous peoples. Proponents of this perspective contend that the outcomes of colonization (e.g., the creation of the reserve system) have created an environment within which Indigenous people are at a greater and disproportionate level of disadvantage (e.g., isolation from mainstream society, poorer land and resources, lack of access to social services and opportunities for individual/social development). These disadvantages therefore have created a disproportionate level of vulnerability among Indigenous communities to crime. Ultimately, this has resulted in Indigenous peoples representing a disproportionate subset of the offender population (Aboriginal Justice Inquiry, 1999; Laprairie, 1996; Rudin, 2005). This view would suggest that the solution to over-representation will only occur following changes to the societal structure (e.g., reduction

in poverty, Indigenous self-government, economic prosperity and independence), not simply by changes to criminal justice system policies and practice (RCAP, 1996).

Systemic discrimination. Closely tied to the third cause is the role of systemic discrimination (i.e., by the criminal justice system) in the advent and maintenance of over-representation. Systemic discrimination refers to the differential treatment of Indigenous peoples by the various levels of the justice system, based on racial/cultural prejudice (Rudin, 2005). Although some argue whether this is a legitimate cause of over-representation (e.g., Stenning & Roberts, 2001; Tonry, 1994), both the RCAP (1996) and reports by the Office of Correctional Investigator (e.g., OCI Annual Report, 2010; OCI Special Report, 2012) have highlighted the issue of discrimination as a major determinant. These concerns have prompted some efforts by criminal justice jurisdictions (e.g., 2006 Strategic Plan for Aboriginal Corrections suggesting over 200 action items for reform; Mann, 2009) to review their policies in order to address how Indigenous peoples are treated within the justice system (to be elaborated on in a later section). Recommendations have been made to address specific issues facing Indigenous offenders including, but not limited to, the following: longer sentences, institutional security over-classification, infrequent/untimely access to relevant programming, overuse of segregation, low numbers of offenders appearing before the parole board, lower parole grant rates, and greater parole revocations for minor infractions (e.g., Laprairie, 2002; Mann, 2009; OCI, 2010, 2012; Webster & Doob, 2004).

In addition to the potentially discriminatory factors that have kept Indigenous offenders within the provincial and federal correctional system, the issue of over-policing has also garnered attention as a contributor to over-representation (Laprairie, 1996; Rudin, 2005). Over-policing (i.e., focusing attention on one group/region based on discretion and potential discrimination) of

Indigenous peoples has been a widely-used practice throughout history (e.g., use of police by government to enforce racist policies of the *Indian Act*). Although research is very limited in this area, it is suspected that Indigenous peoples/communities experience over-policing today, which has been implied by changes to laws aimed at ameliorating this perceived problem (e.g., Ontario NDP repealed a provision of law that enabled people to be put in jail for non-payment of fines for public drunkenness due to the racist application among Indigenous peoples; Rudin, 2005). Information on the frequency of policing of Indigenous peoples compared to non-Indigenous, although difficult to explore empirically, would provide insight into how and why Indigenous people first come into contact with the justice system.

Within the domain of systemic discrimination is the link that has been made between the use of risk assessments (developed on largely non-Indigenous samples) with Indigenous offenders. It has been argued that the use of (potentially) inappropriate assessments make Indigenous offenders “appear” higher-risk because they are being assessed using risk factors that are potentially irrelevant to Indigenous offenders (Martel, Brassard, & Jaccoud, 2011). It is argued that this practice therefore results in more (and prolonged) contact with the criminal justice system (e.g., serving longer sentences, lack of identification of relevant targets for rehabilitation, higher security classification; Allan & Dawson, 2004; Laprairie, 1995; Martel et al., 2011; Whiteacre, 2006). Research and criticisms regarding risk factors and assessments as they apply to Indigenous offenders will be discussed in a later section.

"Indigenizing" the Criminal Justice System: The Road to Cultural-relevance

In light of the increasing pressure on the federal government to address the issue of Indigenous over-representation, specifically the RCAP (1996) report prompted what Martel et al. (2011) call a series of efforts to "indigenize" the criminal justice system. In other words, efforts

to introduce culturally-responsive practices related to sentencing and programming were initiated by the courts and correctional systems.

Legislative changes and the introduction of CSOs. In 1995, an acknowledgement by Parliament of the problem of the over-reliance on incarceration as a method for addressing crime prompted the introduction of Bill C-41, section 718.2 [e] in the *Canadian Criminal Code (CCC)* to address this issue. As described earlier, this section includes the following instruction for the courts: “all available sanctions or options other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of Aboriginal people”. The meaning of this sentencing provision was further elaborated on in 1999 by the SCC decision of the landmark case of *R v. Gladue*. This case was the first time this sentencing provision had been considered by the courts. In the court decision, the SCC clarified that the s. 718.2 [e] provision applies to *all* Indigenous peoples, not only those living on reserve. In the decision, the sentencing judge further highlighted that not only are Indigenous peoples over-represented in prisons, but that they face disadvantage due to “*Gladue* Factors” that bring them into contact with the justice system at disproportionately high rates (Mann, 2011; see Table 1 for a list of *Gladue* Factors). The importance of these factors with regards to the causes of crime, recidivism, and rehabilitation among Indigenous peoples was emphasized in paragraph 68 of the SCC decision, as follows:

It is true that systemic and background factors explain in part the incidence of crime and recidivism for non-aboriginal offenders as well. However, it must be recognized that the circumstances of aboriginal offenders differ from those of the majority because many aboriginal people are victims of systemic and direct discrimination, many suffer the legacy of dislocation, and many are substantially affected by poor social and economic conditions. Moreover, as has been emphasized repeatedly in studies and commission reports, aboriginal offenders are, as a result of these unique systemic and background factors, more adversely affected by incarceration and less likely to be “rehabilitated” thereby, because the internment milieu is often culturally

inappropriate and regrettably discrimination towards them is so often rampant in penal institutions.

The findings of *Gladue* were meant to give greater emphasis to s. 718.2 [e] and to provide judges with a different approach to sentencing Indigenous peoples, with greater consideration given to restorative justice and traditional methods of punishment. The function of this provision, and the clarification provided by *Gladue*, do not suggest that Indigenous peoples were to receive a “get out of jail for free” card (e.g., decision of *R v. Wells* [2000]). More recently, the importance of considering *Gladue* factors was reiterated by the findings of *R v. Ipeelee* (2012), in which the SCC reaffirmed the applicability of *Gladue* to a variety of contexts, such as breaches of long term supervision orders. In the decision, the judge further highlighted the negligible impact s. 718.2 [e] has had on reducing the over-representation of Indigenous peoples; rather, the problem has worsened since its inception in the *CCC* (*R. v. Gladue*, paras. 62-63).

Table 1

Culturally-specific Factors Identified in R. v. Gladue (1999)

Gladue Factors

history of dislocation such as residential school experience or family history of residential schools

unemployment due to a lack of opportunity or options

lack or irrelevance of education

history of substance abuse

history of systemic and direct discrimination

history of previous experience involving restorative /community based sanctions

history of participation in Indigenous traditional teachings, ceremonies and activities

history of living on or off reserves

low income

Fetal Alcohol Spectrum Disorder

history of being a child in care

experience of racism

community breakdown

history of family violence

family history of substance abuse

Adapted from Mann (2011; 2012)

Conditional sentences. As a part of the suite of legislative changes made to the CCC in 1996, conditional sentences were introduced as a way to reduce the over-reliance of the system on incarceration, particularly in the case of Indigenous peoples (e.g., Roach, 2005; Reid, 2017). Furthermore, conditional sentences were seen as a way to incorporate concepts of restorative

justice into sentencing in order to enhance accountability and reparation (MacKay, 2005).

Conditional sentence orders (CSOs) offered a sentencing option whereby individuals could be sentenced to a custodial sentence that is served in the community under supervision by a probation officer and under the terms of conditions outlined in a supervision order. CSOs have been described as the midway point between probation and imprisonment. Specifically, they are a sentence served in the community under order of conditions; however, the conditions are intended to be stricter than those imposed for a probation sentence and the consequences of breaching the terms are more punitive (i.e., can result in jail time; see *R. v. Proulx*).

The provisions of CSOs are set out in section 742 to 742.7 of the *CCC*. Judges have the discretion to sentence an individual to a CSO under the conditions that: 1) no mandatory minimum sentence exists for the offence; 2) the offence is subject to a term of imprisonment of less than two years; 3) serving the sentence in the community does not endanger society; and, 4) the judge is satisfied that the CSO would be consistent with the fundamental purpose of the sentencing principles (i.e., s.718 to 718.2 of the *CCC*). Upon the sentencing of a CSO, judges apply mandatory conditions as well as optional conditions. As outlined in section 742.3, mandatory conditions include the following five conditions: 1) keep the peace and be of good behaviour; 2) appear before the court when required; 3) report to a supervisor when required; 4) remain within the jurisdiction of the court, unless written permission to go outside that jurisdiction is obtained from the court/supervisor; and, 5) notify the court or the supervisor in advance of any change of name or address, and promptly notify the court/supervisor of any change of employment or occupation.

In addition to mandatory conditions, judges have the discretion to apply optional conditions based on the perceived circumstances of the individual. Optional conditions can

include both punitive or restrictive conditions (e.g., conditions to abstain from substances, curfew or house arrest, no-contact orders) as well as rehabilitative conditions (e.g., conditions to attend counselling as directed by the supervisor). In the event a breach (i.e., violation/non-compliance) of the conditions takes place, judges have four possible courses of action: 1) take no action; 2) amend the conditions of the CSO; 3) suspend the CSO for a specified period, during which time the offender serves this portion of the sentence in custody, and upon expiry of the suspension is released to serve the remainder of the CSO in the community; or, 4) terminate the CSO and require the individual to serve the remainder of the CSO in custody.

While the initial intent was to utilize CSOs for the purposes of diverting cases of minor offences from prison, CSOs have been used in cases of serious offences, which has been a practice met with considerable criticism (MacKay, 2005). Specifically, the use of CSOs for cases of sexual assault, violence, and driving offences causing death or severe harm have raised concerns that allowing serious offenders to serve their sentence in the community, despite demonstration of manageable risk, has the potential for bringing CSOs specifically, and the criminal justice system generally, into disrepute.

CSO Case Law. Given that the two main criticisms of CSOs relate to their use with serious offences and Indigenous offenders, the following highlights the two prominent cases (i.e., *R. v. Proulx* and *R. v. Wells*) in which the SCC and the relevant Courts of Appeal have provided clarity on the use of CSOs in these cases.

R. v. Proulx (2000). The case of *R. v. Proulx* is considered the most defining case for understanding the application of conditional sentences, as it required the courts to examine the use of CSOs for a serious offence (i.e., dangerous driving causing death and bodily harm). Further to *R. v. Proulx*, the SCC made changes to how CSOs should be applied and clarified the

intention of this sentence. Consequently, the SCC provided 12 principles related to CSOs; the most transformative of which are the following five principles: 1) unlike probation, CSOs are intended to be both rehabilitative *and* punitive; 2) there is no presumption that CSOs are not appropriate for specific offences; 3) the more serious the offence, the more onerous the CSO should be; 4) if the objectives of rehabilitation and reparation and promotion of a sense of responsibility may be achieved, a CSO will likely be the appropriate sanction, subject to consideration of deterrence and denunciation; and, 5) CSOs were enacted to reduce reliance on incarceration and increase the principles of restorative justice in sentencing.

R. v. Wells (2000). Similar to *R. v. Proulx*, in the case of *R. v. Wells*, the SCC further elaborated on the use of CSOs in the case of a serious offence (i.e., sexual assault), however, with specific consideration of the individual's Indigenous heritage. Given that CSOs were in large part introduced to reduce the over-incarceration of Indigenous peoples in the criminal justice system, through *R. v. Wells*, the SCC clarified that the same judicial procedures for determining the appropriateness of a CSO still apply in the case of Indigenous offenders. However, judges are to consider two additional stipulations: 1) judicial notice of the “systemic or background factors that have contributed to the difficulties faced by Indigenous people in both the criminal justice system and throughout society at large”; and 2) inquiry into the unique circumstances of the offender, including any evidence of community initiatives to use restorative justice principles in addressing particular social problems. As clarified in *R. v. Proulx*, while there is no presumption that CSOs are not appropriate for specific offences (e.g., serious offences), s.718.2 [e] does not have greater weight than the principles of denunciation and deterrence, particularly in cases involving a serious offence.

Research on CSOs. Despite existing as a sentencing option for over two decades, CSOs represent only a small proportion of all sentences in Canada. For example, in 2015/16, CSOs accounted for 4% of all sentenced cases (Statistics Canada, 2018). A recent study examined the use of CSOs over the last 15 years and found that one in every five sentences of imprisonment in Canada was served in the community under a CSO (Reid, 2017). In terms of how CSOs have been applied to Indigenous compared to non-Indigenous individuals, the trends have fluctuated since 1996. Specifically, in the first decade following the introduction of CSOs, Indigenous offenders were comparatively given more CSOs than non-Indigenous offenders, and since 2008/09, the trend has reversed. And while there has been a general decline in prison sentences in the last few years overall, the relative use of CSOs has declined at a faster pace (Reid, 2017).

The majority of research on CSOs has focused almost exclusively on the impacts of CSOs on trends of admissions to custody for Indigenous and non-Indigenous offenders (e.g., Roberts & Gabor, 2003; Roberts & Melchers, 2003; Reid, 2017). Johnson (2006) is the only large-scale examination that has compared outcomes for Indigenous and non-Indigenous offenders on CSOs. Specifically, she found that in two Canadian provinces, Indigenous offenders were found to have higher breach rates than non-Indigenous offenders on CSOs (e.g., in Saskatchewan, the breach rate for Indigenous versus non-Indigenous offenders was 47% and 28%, respectively). The study did not however control for individual-level factors related to breaches (e.g., risk, offence severity) and therefore, the interpretability of the comparison between groups is limited. Furthermore, while this study examined the types of optional conditions most frequently applied to community supervision orders (i.e., attend counselling and abstain from alcohol/drugs); the conditions associated with probation orders were not disaggregated from CSOs.

Currently, very little is known regarding how CSOs are applied to the individuals who receive these sentences (e.g., lengths of sentences, types of conditions, breaches and recidivism). Furthermore, despite having been introduced as a mechanism by which the over-incarceration of Indigenous offenders could be ameliorated, there is a dearth of research comparing how CSOs are applied to Indigenous compared to non-Indigenous offenders. In light of how other criminal justice responses have been misused with Indigenous peoples (e.g., over-policing, over-classification, overuse of segregation, underuse of community supervision, underuse of conditional release), there has been a considerable amount of skepticism regarding how CSOs have been applied to Indigenous offenders. Specifically, concerns regarding the use of CSOs as a potential net-widening mechanism (i.e., one that brings Indigenous offenders into custody *more so* than prior to its inception) has been speculated (e.g., Roach, 2005). For example, the potential overuse of breaches with Indigenous offenders that could result in potentially more jail time, has been raised as a specific concern. Currently, the absence of research on how CSOs are applied and concluded for Indigenous offenders limits our ability to determine whether these sentences are having the intended impact on the over-incarceration of Indigenous peoples in the criminal justice system.

In the years immediately following the introduction of s.718.2 [e] and the creation of CSOs, Indigenous admissions to custody rose by 3%, whereas non-Indigenous admissions decreased by 22% (Roberts & Melchers, 2003). From 2002 to 2006, there was an overall decrease in prison admissions by 9%; however, Indigenous rates increased by 4% (Rudin, 2009). According to the OCI, since 2005, the federal inmate population has increased by 17.5%; over the same period of time, the Indigenous inmate population grew by 47.4%.

In 2001, the Speech from the Throne pledged that the over-representation of Indigenous people in the justice system would be eliminated within a generation via changes to legislation and correctional practice. Unfortunately, there is evidence to suggest that there is sparse application of *Gladue* in the sentencing of Indigenous offenders and little is known regarding the impacts of conditional sentencing for Indigenous offenders (Rudin, 2005; Rudin & Roach, 2002). This could in part be explained by judges not receiving adequate information on culturally-relevant factors for their consideration in sentencing or the absence of community-based mechanisms for appropriate diversion (Makin, 2012).

Correctional initiatives and programming. In addition to the legislative changes that were prompted by the RCAP (1996), the advent of the *Corrections and Conditional Release Act* (CCRA, 1992) identified the specific areas in which federal corrections required changes to the way they managed Indigenous offenders. Sections 79 to 84 of the CCRA describe the requirements for greater cultural-specificity in relation to Indigenous programming, release, oversight and the involvement of Indigenous communities (Correctional Service of Canada [CSC] Strategic Plan for Aboriginal Corrections, 2007). Following the creation of a number of strategies and frameworks (e.g., Enhancing the role of Aboriginal Communities, 1999; Continuum of Care Model, 2003), in 2006, CSC developed a Strategic Plan for Aboriginal Corrections, containing more than 200 proposed initiatives relating to the management of Indigenous offenders. In 2008, the Commissioner's Directive (CD 702) was revised to specify the how CSC would accomplish what was outlined in the CCRA (e.g., more attention to *Gladue* factors, greater availability of culturally-specific programming, data collection and reporting on Indigenous issues separately; CSC Strategic Plan for Aboriginal Corrections, 2007).

Culturally-informed correctional programming. One of the key changes to the federal correctional system following the creation of the *CCRA* was the introduction of culturally-informed correctional programming. The correctional system considers social history factors when making a variety of decisions pertaining to the management of Indigenous offenders (e.g., security classification and placement, institutional transfers, etc.) and is legally required under section 80 of the *CCRA* to provide programs designed specifically to address the needs of Indigenous offenders. Relatedly, additional initiatives, such as the implementation of healing lodges and access to Elders and traditional ceremonies, were introduced to increase the cultural relevance of the system. Although the various responses demonstrate efforts to address the needs of Indigenous peoples in Canada, a recent report by the OCI, indicated that the inconsistent application of these strategies has rendered them inadequate (OCI, 2016). For example, although social history factors are supposed to be considered when assigning institution and security placements, they are rarely identified in the rationale provided by decision-makers (OCI, 2016).

Identifying effective strategies for reducing Indigenous overrepresentation in part relies on understanding what approaches lead to more successful outcomes (e.g., reductions in re-offending) for this population. The last 30 years of research on correctional interventions has yielded considerable evidence regarding “what works” in general for offender treatment. The most prominent approach has been the risk, need, responsivity (RNR) model of offender rehabilitation (Andrews, Bonta, & Hoge, 1990). Based on a general psychological social learning perspective, this model stipulates that treatment should be matched to the offender’s level of risk-to-reoffend, focus on addressing risk and need factors related to re-offending (i.e., criminogenic needs), and employ cognitive-behavioural methods within an engaging learning environment (e.g., Andrews & Bonta, 2010; Bourgon & Bonta, 2014). Correctional programs

that incorporate the principles of RNR have demonstrated significant reductions in recidivism compared to non-RNR programs (e.g., Andrews & Bonta, 2010; Dowden & Andrews, 1999a; Smith, Gendreau, & Swartz, 2009). Numerous meta-analytic reviews have found that greater adherence to the RNR principles can result in greater reductions in recidivism for a variety of offender types, outcomes, and treatment settings (e.g., women offenders, Dowden & Andrews, 1999a; young offenders, Dowden & Andrews, 1999b; and sex offenders, Hanson, Bourgon, Helmus, & Hodgson, 2009).

Correctional Programming with Indigenous Offenders. Although a considerable amount of research has enabled the identification of effective correctional strategies for offenders in general, less is known about what works specifically with Indigenous peoples. A recent meta-analysis examined the effectiveness of correctional programming for Indigenous offenders serving federal sentences in Canada (Usher & Stewart, 2014). The review identified eight reports that included 5,755 Indigenous offenders and indicated that Indigenous offenders who participated in treatment experienced lower odds of being readmitted to custody than a comparison group, who did not participate in treatment. Although these findings provide further evidence that accessing correctional programming is more beneficial than no programming at all, the review did not examine the effectiveness of culturally-relevant programming compared to generic correctional programming.

Although there is scarce empirical research on the benefits of culturally-relevant programming for Indigenous offenders, some research has found positive effects on a variety of outcomes of interest. For example, although not statistically significant, Ellerby and MacPherson (2002) demonstrated that participants of a sex offender program that integrated traditional healing approaches with contemporary cognitive-behavioural techniques demonstrated higher

completion rates (83.3%) than Indigenous offenders who participated in the standard program (55.2%) and were more likely to voluntarily continue their treatment in the community after release. Similarly, preliminary findings from a culturally-relevant Inuit sex offender program ($n = 27$) highlighted positive effects for participants, including high rates of completion, reductions in overall need areas following treatment, and increased satisfaction (Trevethan, Moore, & Naqitarvik, 2004). Importantly, almost all participants (91%) indicated they were very satisfied with the role of Inuit healers in the program and highlighted that having a link with their culture and community had a positive impact on them. Improving an individual's connection to the community has been identified as a potential protective factor among Indigenous peoples, with community involvement related to positive coping skills, self-esteem, and resilience (e.g., Heckbert & Turkington, 2001; Shepherd, 2015).

The cultural competence of program facilitators has been described as critical to creating an effective therapeutic environment (Mals, Howells, Day, & Hall, 2000). It is argued that, in doing so, program deliverers can more readily convey the program material in a culturally informed manner that should facilitate uptake. For example, a sample of service providers ($n = 14$) were interviewed for their perspective on the importance of tailoring violence prevention programs for Australian Aboriginal offenders. A common theme across the respondents was the belief that programs that address the unique needs of the participants would lead to greater cohesion in the treatment setting, including a stronger therapeutic relationship with service providers (Mals et al., 2000). Similarly, results from a survey of incarcerated Indigenous offenders also suggest that Elders or spiritual leaders would be the preferred individuals to act as counsellors (Johnston, 1997).

Providing an individual with the opportunity to engage with their culture through programming can also contribute to the creation of a stronger cultural identity, which some have described as critical to the healing process for Indigenous peoples in the justice system (e.g., Trevethan et al., 2004). It is argued that the development of a cultural identity also reinforces prosocial identity, an internal mechanism that in turn supports the process of desistance (e.g., Chiricos, Barrick, Bales, & Bontrager 2007; Maruna, 2001). A review of the factors that contribute to successful reintegration for a sample of Indigenous offenders ($n = 68$) indicated a majority of respondents (76%) believed having a strong sense of identity positively influenced their ability to initiate a transition from crime (Heckbert & Turkington, 2001). Additionally, 94% indicated that having strong personal values and identity was helpful for remaining crime free for over two years. Results further indicated that the majority of respondents perceived family supports, Indigenous spirituality, and cultural activities as positively influencing their ability to remain crime free. While there has been strong anecdotal, legislative, political and social support for the creation of culturally-informed programming, there has been little empirical effort to evaluate the effectiveness of these programs for reducing future criminal behaviour for Indigenous peoples in the justice system.

Culturally-relevant Assessment of Risk/Needs. Identifying the most relevant targets for programming requires the identification of appropriate risk/need factors. Consequently, most decisions throughout an offender's progression through the criminal justice system involve risk assessment, including sentencing, security classification, parole decisions, treatment needs, and supervision conditions/intensity. Recent decades have yielded considerable advances in the field of risk assessment, with the development of dozens of scales that can predict recidivism with moderate to high levels of accuracy (Hanson, 2005; Singh et al., 2014). Given the consequences

of risk assessment for offenders, and the implications for public safety, it is important that risk assessments be theoretically-founded, empirically based, objective, transparent, and reliable. It is particularly important that risk scales be empirically validated in order to defend their use. Empirical support enables the application of cumulative knowledge about factors (linked to recidivism) to the individual offender in order to assess their likelihood of recidivism. An underlying assumption, however, to the proper application of cumulative knowledge is that offenders being assessed are not meaningfully different (in risk-relevant ways) from those included in the development and validation research. It goes without saying that no two offenders are exactly alike; however, from a prediction perspective, the extent to which differences matter will depend on whether those differences impact the predictive accuracy of the risk assessment scale. And from an applied perspective, the utility of risk factors has implications for appropriate case management and programming services that are provided, which are in part informed by the guidance and direction of risk assessment.

A Critical Look at Risk Factors and Assessment with Indigenous Offenders. Risk assessments that are commonly used today have primarily been developed on largely Caucasian male offenders; therefore, their use with offender subgroups (e.g., women offenders, ethnic minorities) has been criticized (e.g., Allan & Dawson, 2004; Bloom, Owen, & Covington, 2003; Laprairie, 1995; Martel et al., 2011). When assessments are applied to groups that differ significantly from the construction samples, they are criticized for making the assumption that the assessments, and the risk items comprising the assessment, are equally valid to the new group. This criticism is prevalent among feminist scholars (e.g., Hannah-Moffat & Shaw, 2001; Holtfreter, Reisig, & Morash, 2004), and it has also been raised by those questioning their validity among African-American and Hispanic minority groups (e.g., Whiteacre, 2006). These

criticisms are premised on the assumption that these instruments may not be valid measures of risk (or provide appropriate intervention targets) for these sub-populations, as they were not included (sufficiently, if at all) in the development of these assessments (Hannah-Moffat & Shaw, 2001; Whiteacre, 2006).

Within the larger debate concerning risk assessment with minority offenders, many have specifically questioned the applicability of commonly used risk assessments with Indigenous offenders, given their over-representation in the criminal justice systems of Canada, Australia, New Zealand and the United States. In Canada, risk assessment instruments developed on non-Indigenous male offenders are, for the most part, also administered to Indigenous offenders. A number of scholars have suggested that the lack of culturally-specific factors within these assessments introduces a cultural bias in the estimation of risk with Indigenous offenders (Laprairie, 1995; Martel et al., 2011). Some have argued that this cultural bias creates a disadvantage for Indigenous offenders due to the potential incongruences between the currently used risk factors and those that are indeed related to recidivism for Indigenous offenders (Allan & Dawson, 2004).

Furthermore, it is argued that the use of these assessments, founded on cultural values/experiences largely representative of a non-Indigenous society, not only improperly capture the true risk of an Indigenous individual to re-offend (due to the inadequacy of the factors), they serve to further disadvantage Indigenous offenders when used for criminal justice decision-making (e.g., risk assessment, security classification, program allocation; e.g., Allan & Dawson, 2004; Hann et al., 1993; Martel et al., 2011). They argue that the factors Indigenous offenders are being assessed for make them *appear* higher risk, which is a reflection of the inappropriateness of the factors, and may not represent the actual risk level of the individual. Or,

if they are in fact high risk, we need to gain a better understanding of which factors are (potentially uniquely) criminogenic for Indigenous offenders so we can target them more effectively through programming. By assessing Indigenous offenders on factors that were not developed according to their own historical, cultural and experiential reality, we run the risk of superimposing a framework of assessment onto a group for whom, for the most part, it does not fit (Day, Howells & Casey, 2003).

For example, Martel et al. (2011) suggest that current risk assessments (potentially artificially) classify Indigenous offenders as higher risk and this inappropriate classification of risk level leads to fewer treatment opportunities for Indigenous offenders, as they are more likely to be placed in maximum security and granted less access to programming. This practice ultimately serves to isolate these offenders and exclude them (contrary to the “socialization” goals of group programming), which is “paradoxically reflective of their socio-historical experience of colonization”. Martel et al. (2011) describe these culturally-biased practices in risk management as engendering a “discriminatory effect” for Indigenous offenders. By having these offenders cycle through the system without adequate programming, this effect, in turn, materializes as an over-representation of Indigenous peoples in the justice system.

The assumption that Indigenous offenders require different, culturally-specific assessments of risk is, in part, attributable to the view that Indigenous offenders possess different cultural values/practices compared to non-Indigenous offenders (e.g., Heckbert & Turkington, 2001; Laprairie, 1995; Martel et al., 2011). These differences are in large part due to the historical marginalization and discrimination Indigenous peoples have experienced either directly (e.g., through the experience of residential schools), or indirectly (e.g., through intergenerational/vicarious trauma). It is argued that these differences are relevant to

understanding Indigenous offenders' criminal behaviour. These historical/cultural differences are what proponents of this view suggest are indicative of differential risk factors, which if targeted, would reduce risk (e.g., Allan & Dawson, 2004; Ellerby & MacPherson, 2002; Heckbert & Turkington, 2001; Laprairie, 1996).

Despite the importance of understanding potentially unique differences in risk factors for Indigenous peoples in the justice system, there has been surprisingly little empirical research to-date defining or examining the relationship between culturally-specific risk factors and re-offending. Some have suggested factors such as cultural isolation, experience of residential schools, attitudes towards marginalization, intergenerational/vicarious trauma of colonization, and loss of Indigenous spirituality/practices are important to understanding Indigenous offending; however, these factors have only been modestly explored in a largely narrative manner (e.g., Ellerby & MacPherson, 2002; Heckbert & Turkington, 2001; Trevethan, Auger & Moore, 2001).

Should We Expect Risk/Need Scales to Perform Differently for Indigenous and non-Indigenous Offenders? One of the most robust findings in the literature on Indigenous offenders is that they tend to score significantly higher than non-Indigenous offenders on most risk/need factors. On average, Indigenous offenders are younger (Babchishin, Blais, & Helmus, 2012; Statistics Canada, 2006); have lengthier criminal histories, particularly early onset (Babchishin et al., 2012; Dell & Boe, 2000; Holsinger, Lowenkamp, & Latessa, 2003; Shepherd, Adams, McEntyre, & Walker, 2014) and report more negative childhood histories (Ellerby & MacPherson, 2002; Johnston, 1997; Trevethan, Auger, Moore, MacDonald, & Sinclair, 2001). In adulthood, Indigenous offenders are rated as higher need in the domain of family and/or marital problems (Shepherd et al., 2014; Trevethan et al., 2002), as well as education/employment and

substance abuse (Ellerby & MacPherson, 2002; Shepherd et al., 2014). Indigenous sex offenders have been found to have significantly higher lack of concern for others, impulsivity, poor cognitive problem-solving, and problems cooperating with supervision (Helmus, Babchishin, & Blais, 2012); they are also more likely to abuse substances during the commission of the offence (Ellerby & MacPherson, 2002; Nahanee, 1996; Rastin & Johnson, 2002; Rojas & Gretton, 2007).

Indigenous offenders have also been found to have higher recidivism rates than non-Indigenous offenders (Gutierrez, Wilson, Rugge, & Bonta, 2013; Sioui & Thibault, 2002). Among sex offenders, Indigenous offenders show higher rates of sexual recidivism (Rastin & Johnson, 2002; Rojas & Gretton, 2007; Williams, Vallee, & Staubi, 1997), violent recidivism (Rojas & Gretton, 2007), and general recidivism (Rastin & Johnson, 2002; Rojas & Gretton, 2007). Importantly, however, it does not necessarily follow that because Indigenous offenders are assessed as higher risk than non-Indigenous offenders, risk factors (or scales) will predict recidivism differently for Indigenous offenders. Although higher risk scores among Indigenous offenders should be a call for greater services (e.g., treatment), it is not in and of itself a form of test bias (Warne, Yoon, & Price, 2014). A key issue regarding the suitability of risk scales for Indigenous offenders concerns whether the predictive accuracy of the scale differs between Indigenous and non-Indigenous offenders. Furthermore, it is important to consider how any observed differences could lead to harmful impacts for already disadvantaged groups. Certainly, over-representation of Indigenous offenders and higher prevalence of risk factors makes this an important research question.

Risk/Need Factors. Most risk assessment scales tend to incorporate at least some information from the Central Eight risk factors for recidivism (Andrews & Bonta, 2010): history of criminal behavior, procriminal personality, procriminal associates, procriminal attitudes,

family/marital problems, education/employment problems, poor use of leisure/recreation time, and substance abuse. A recent meta-analysis of 49 independent samples ($n = 57,315$ Indigenous and 204,977 non-Indigenous offenders) found that all Central Eight risk factors were significantly predictive of general and violent recidivism for Indigenous offenders (with Cohen's d 's ranging between 0.11 to 0.56; Gutierrez et al., 2013). However, for all but two of the domains (procriminal attitudes and leisure/recreation problems), predictive accuracy was lower for Indigenous offenders compared to non-Indigenous. Interestingly, 'Emotional Problems' was found to be a modest predictor of general recidivism for Indigenous offenders. Comparatively, in a meta-analysis of general offenders, Gendreau et al. (1996) found a mean Cohen's d of 0.10 for their variable of Emotional Distress (converted from the Pearson's r reported in the original report). Gutierrez et al. (2013) also found a similar effect size of $d = 0.18$ for Indigenous offenders. What is different between the two findings is that Gendreau et al. (1996) found emotional distress to be a significantly poorer predictor of recidivism relative to all of the Central Eight factors, whereas Gutierrez et al. (2013) found that the predictive ability of the Emotional Problems variable did not significantly differ from three of the Central Eight domains; two of which are in the Big Four (i.e., pro-criminal associates, pro-criminal attitudes and leisure/recreation). Similarly, the variable 'History of Victimization' predicted general recidivism as well as most of the Central Eight (criminal history and antisocial personality pattern excluded) for the Indigenous sample.

Importantly, these findings suggest that emotional problems and a history of victimization may act as potential criminogenic risk/need factors for Indigenous offenders. Although these two variables have often played an important theoretical role in the aetiology of women offenders (Hannah-Moffat & Shaw, 2001), domestic offenders (Kashani & Allan, 1998),

and sex offenders (Stripe & Stermac, 2003), they have been largely ignored in models of general offenders. It is reasonable to hypothesize that the observed findings are in part explained by the fact that many Indigenous peoples may be exposed to very high rates of violence and of dysfunctional family and community dynamics. Greenfield and Smith (1999) reported that Native Americans had the highest victimization rates of any racial group and LaPrairie (1995) also reported that three-quarters of Canadian Indigenous inmates were raised by non-biological step- and foster-parents, most of whom were abused by their caregivers. Therefore, the high prevalence rates of violence and exposure to a stressful environment may have had a unique influence on many Indigenous individuals in the justice system. Yessine and Bonta (2009) also found that major problems within the families of Indigenous youth significantly increased the odds of chronic criminal behaviour but the same was not true for non-Indigenous offenders. This further emphasizes the need to explore factors outside of those that have been identified in the general literature, in order to better understand how to (more accurately) measure risk with Indigenous offenders.

Risk/Need Scales. In addition to examining the utility of risk factors for understanding criminal behaviour, as described earlier, given that most decisions throughout the criminal justice system are in part based on the outcomes of a risk assessment, it is important to understand their reliability and validity when applied to Indigenous offenders. In another meta-analysis, Wilson and Gutierrez (2014) examined different versions of the Level of Service (LSI) risk scales⁷ in 15 unique samples ($n = 21,807$ Indigenous and 42,515 non-Indigenous offenders). LSI total scores significantly predicted general recidivism for Indigenous offenders with moderate accuracy ($d = 0.62$), and all subscales also predicted recidivism (d 's between 0.24 to 0.60). Similar to Gutierrez

⁷ The Level of Service scales are of the most popular and widely used family of risk/needs assessments in the correctional system (e.g., LSI-R, LSI-OR, LS/CMI). They are theoretically and practically structured according to the GPCSL and the Central Eight risk/need factors.

et al. (2013), however, five of the eight subscales (criminal history, employment/education, companions, alcohol/drugs, and procriminal attitude-orientation) had lower predictive accuracy for Indigenous offenders compared to non-Indigenous offenders.

Wilson and Gutierrez (2014) also examined the calibration of the LSI (Ontario revision) in a single sample of 1,692 Indigenous offenders and 24,758 non-Indigenous offenders from Wormith and Hogg (2012). Following Reynolds (2000), this study computed separate logistic regression equations (intercept, slope) for the two groups. The recidivism rates predicted from the LSI-OR were well-calibrated for moderate and high scoring Indigenous offenders, but underestimated the absolute recidivism rates of low scoring Indigenous offenders. In other words, recidivism rates for Indigenous offenders with low scores on the LSI-OR were higher than what would be predicted by the risk scale. This suggested that actuarial risk scales may actually under-classify low-scoring Indigenous offenders.

There is one meta-analysis examining Static-99R and Static-2002R with Indigenous sex offenders (Babchishin et al., 2012). This study included five Static-99R samples ($n = 319$ Indigenous and 1,269 non-Indigenous sex offenders) and three Static-2002R samples ($n = 209$ Indigenous and 955 non-Indigenous sex offenders). Static-99R was found to predict sexual recidivism with similarly high levels of predictive accuracy for both Indigenous and non-Indigenous offenders (AUC of .71 vs .74). Static-2002R, however, predicted sexual recidivism for Indigenous offenders (AUC = .61), but the effect size was small and was lower than the accuracy found for non-Indigenous offenders (AUC = .76).

Additionally, Olver (2016) summarized the existing research on the predictive validity of the Hare Psychopathy Checklist – Revised (PCL-R; Hare, 1991, 2003), Violence Risk Scale – Sex Offender Version (VRS-SO; Wong, Olver, Nicholaichuk, & Gordon, 2003), and Statistical

Information on Recidivism (SIR; Nuffield, 1982). For the PCL-R, Olver, Neumann, et al. (2013) and subsequent analyses in Olver2 (2016) revealed that the magnitude and pattern of prediction for total scores (e.g., AUC values ranging from .71 to .73 for both groups) as well as the PCL-R factor structure were similar for Indigenous and non-Indigenous individuals. They also found however that Indigenous ancestry predicted higher observed rates of recidivism while controlling for PCL-R total scores, suggesting that other unmeasured factors beyond the individual differences in PCL-R scores contributed to the differences between Indigenous and non-Indigenous groups.

For the VRS-SO, while not statistically significant, the trend for the AUC magnitudes were higher for non-Indigenous compared to Indigenous offenders on most of the risk measures, except for the domain measuring treatment change, where there were no differences between groups (Olver et al., 2013; Olver2, 2016). Finally, for the SIR, while a higher predictive accuracy has been consistently demonstrated for non-Indigenous offenders, there is a wealth of evidence to suggest that the scale predicts recidivism with offenders of Indigenous heritage (e.g., AUC magnitudes of .63 to .73; Hann & Harman, 1993; Nafekh & Motiuk, 2002).

Why the discrepancy in predictive ability? Although the research generally finds empirical support for the predictive accuracy of risk scales with Indigenous offenders, there is a fairly consistent pattern of lower accuracy compared to non-Indigenous offenders. The reason for the pattern, however, is not clear. Wilson and Gutierrez (2014) proposed four possible explanations for the pattern of lower discrimination for risk scales among Indigenous offenders. The first is racial discrimination in the criminal justice system. It may be harder for risk scales to classify low risk and high risk offenders if recidivism rates are inflated due to systemic bias, rendering common risk assessments less predictive with Indigenous offenders. In addition to

artificially increasing prior offences and recidivism for Indigenous offenders, this may also alter the thresholds for risk factors. In other words, if Indigenous offenders are more exposed to risk factors and more likely to be detected and prosecuted for criminal behaviour, it is possible that a greater potency of risk factors is needed to predict recidivism for Indigenous offenders.

The second possible explanation is that although the risk factors for recidivism are the same for Indigenous and non-Indigenous offenders, Indigenous offenders exhibit many more risk factors, largely due to historical, social, and economic disadvantages. Predictive accuracy for one factor may be low for Indigenous offenders because low-scoring individuals may still be high risk on other factors compared to non-Indigenous offenders (Wilson & Gutierrez, 2014). This hypothesis implies that reduced accuracy for Indigenous offenders should be less of a problem on total scores of risk scales because they would presumably incorporate the other factors, or at least many of them. The more comprehensive the risk scale is, the more this problem should be ameliorated.

The third possible explanation reviewed by Wilson and Gutierrez (2014) is that the unique present and historical circumstances of Indigenous peoples are neglected in risk factors. For example, Wilson and Gutierrez (2014) hypothesize that broader conceptualizations of family in Indigenous communities may not be incorporated when assessing risk factors in the family/marital domain. This is similar to the argument of Helmus and colleagues (2012) that the risk-relevant constructs may be the same for Indigenous and non-Indigenous offenders, but that the indicators of those constructs may differ, or the meaning of those indicators may be different. For example, whereas substance abuse may reflect self-regulation problems for non-Indigenous offenders, it may reflect self-medication to cope with trauma or other adverse conditions among Indigenous offenders. This would mean that it could be possible to develop risk scales with

equivalent accuracy for Indigenous and non-Indigenous offenders if the indicators of the underlying constructs are defined in a way that is culturally generalizable. This may involve coding manuals that specifically indicate how these risk constructs may be particularly manifested for Indigenous offenders.

A fourth hypothesis is that there are risk/need factors unique to Indigenous offenders that are not captured in current risk scales. This suggests that risk scales specific for Indigenous offenders should be developed, or that culturally-specific risk factors should be incorporated into current assessments. As described earlier, Heckbert and Turkington (2001) suggested that cultural or spiritual isolation (e.g., reserve system and effects of assimilation due to residential school experience) is a prominent issue for Indigenous peoples in the justice system, and that it plays a significant role in the healing and successful reintegration of offenders back into the community. Other examples of culturally-specific factors/domains that have been raised in the literature include the following: loss of native language (Ellerby & McPherson, 2005; Laprairie, 1996; Mann, 2009); impact of residential schools (Royal Commission on Aboriginal Peoples, 1996; Mann, 2009); lack/loss of pride in heritage (Heckbert & Turkington, 2001); and Fetal Alcohol Spectrum Disorder (FASD; Mann, 2012). It may be that Indigenous offenders score high on more culturally-specific items that are not currently captured in risk assessment, which would account for the poorer predictive ability for Indigenous offenders. Unfortunately, as observed by Gutierrez et al. (2013), little research has empirically examined how these potential risk/need factors/domains relate to recidivism; therefore, our knowledge regarding their utility in risk prediction and treatment is limited.

Ewert v. Canada (2018). More recently, the issue of cultural bias in risk assessment was given prominence by the case of *Ewert v. Canada (2018)*. Mr. Ewert is a federal inmate and

identifies as Métis and was serving two simultaneous life sentences for murder and attempted murder. In this case, Ewert argued that the risk assessment tools used to make decisions about his case management were created based mostly on non-Indigenous offenders; and therefore, they are less applicable to him and any Indigenous individual. He further contended that CSC was not following the law by using these tools on Indigenous offenders without proof that they worked. The Federal Court agreed with Ewert; however, this decision was overturned by the Federal Court of Appeal. Ewert in turn appealed to the SCC.

In a judgement rendered by the SCC in June 2018, Ewert's arguments regarding violations of his Charter rights were rejected; however, the ruling granted a declaration that CSC was not obeying the law. The six Justices concluded that CSC had not taken reasonable steps to ensure that the five impugned tools (i.e., PCL-R; Hare, 1991, 2003; Violence Risk Appraisal Guide; [VRAG; Harris, Rice, & Quinsey, 1993]; Sex Offender Risk Appraisal Guide [SORAG; Quinsey, Rice, & Harris, 1995]; the Static-99 [Hanson & Thornton, 1999]; and, VRS-SO; Wong, Olver, Nicholaichuk, & Gordon, 2003) gave accurate and complete estimations of risk for Indigenous offenders, despite knowing that there were concerns regarding their reliability and validity. The justices further expressed concerns regarding the growing gap in treatment between Indigenous and non-Indigenous offenders in the criminal justice system. They identified this gap was due in part to policies that, while appearing neutral, actually discriminate against Indigenous offenders. As Justice Wagner writes in the decision:

The CSC must provide for the humane custody of offenders, using measures that are limited to what is necessary and proportionate... It must also assist in their rehabilitation and their reintegration into the community in order to contribute to the maintenance of a just, peaceful and safe society... To achieve these objectives relative to Indigenous offenders, the CSC must ensure that its policies and programs are appropriate for Indigenous offenders and responsive to their needs and circumstances, including needs and circumstances that differ from those of non-Indigenous offender populations. For the correctional system, like the criminal

justice system as a whole, to operate fairly and effectively, those administering it must abandon the assumption that all offenders can be treated fairly by being treated the same way (*Ewert v. Canada*, 2018, para 59).

The SCC further commented that if CSC continues to use the psychological tests for decision-making, it must at a minimum conduct research related to cultural bias and Indigenous offenders.

Where are we now?

A review was conducted by the OCI evaluating the progress of CSC in implementing initiatives to improve the management and treatment of Indigenous offenders; however, the outcomes of this review were underwhelming. In their report titled, “*Good Intentions, Disappointing Results: A Progress Report on Federal Aboriginal Corrections*” (2009), they found that although the various plans set out by CSC were promising, the inadequate and inconsistent execution of these plans did not result in the intended impacts (Mann, 2009). Namely, insufficient access to programming, security over-classification, inconsistent offender release practices, poor data collection/reporting, and insufficient implementation and access to healing lodges are among the shortcomings they identified in the report (Mann, 2009). More specifically, for example, despite the intentions as stated in policy for correctional staff to give greater consideration to *Gladue* factors, there appears to be little practical evidence of how this would be accomplished (e.g., Correctional staff did not have access to *Gladue* reports, as written by Aboriginal Court Workers).

In 2016, the Office of the Auditor General of Canada (OAG) similarly conducted a review of practices related to the reintegration of Indigenous offenders from the federal system and found that fewer Indigenous offenders were released on parole compared to non-Indigenous offenders (i.e., 31% versus 48%), and 70% of Indigenous offenders were released upon their

statutory release date, many of whom were released into the community directly from maximum security facilities (OAG, 2016). Relatedly, in 2017, the House of Commons Standing Committee on Public Safety and National Security (SECU) undertook a study of Indigenous inmates in the federal correctional system and the issues related to their re-integration into the community. In their report tabled in parliament in June 2018, the committee made a total of 19 recommendations to the federal correctional system; including the following three: 1) CSC must develop risk assessment tools that are more sensitive to Indigenous reality and review its security classification assessment process; 2) in its security classification and risk assessment, CSC should consider the need to provide Indigenous offenders with appropriate treatment and rehabilitation, and work to increase the number of Indigenous inmates eligible to serve their sentence in healing lodges or have access to culturally appropriate programming; and, 3) CSC should implement correctional programs designed specifically to meet the needs of Indigenous young adults in the correctional system (Canada, 2018). An official government response to the recommendations and an associated action plan regarding next steps for enhancing the use of culturally-relevant risk assessment and programming is forthcoming.

Overview of Purpose

The gaps in knowledge on culturally-relevant approaches to assessment and treatment, as well as the unknown impacts of culturally-informed changes to sentencing (e.g., conditional sentences), have resulted in a lack of progress in the justice system in their ability to respond to the growing issue of Indigenous over-representation. The current study therefore seeks to add to the knowledge base by: a) examining the application (e.g., sentence length, number and type of conditions) and outcomes (i.e., breaches and recidivism) of conditional sentence orders (CSOs) for a large sample of Indigenous offenders compared to non-Indigenous offenders (Study 1); b)

exploring what culturally-relevant risk/need factors are and how they apply to a small sample of Indigenous individuals on community supervision in Canada through the application of a *Culturally-relevant Factors Questionnaire* (Study 2); and, c) summarizing the literature evaluating the impacts of culturally-relevant correctional programming for Indigenous offenders for reducing future offending behaviour (Study 3). Together, it is hoped that increasing knowledge on culturally-informed approaches to working with Indigenous peoples in the justice system and more appropriately assisting them through the correctional and reintegration process will ultimately promote individual as well as community-level safety.

CHAPTER 2: Study 1 – Examining Outcomes for Indigenous versus Caucasian Offenders on Conditional Sentence Orders

Purpose

The introduction of conditional sentence orders (CSO) came in response to a perceived over-reliance by the justice system on the use of imprisonment. While the objective of diverting offenders from custody to serve their sentence under community supervision was the overarching goal, the creation of CSOs was specifically expected to address, at least in part, the over-incarceration of Indigenous offenders (Reid, 2017; Roach, 2001). Despite CSOs being an available sanction for over 20 years, there has been surprisingly little research examining how these sentences are applied (e.g., sentence length, types of supervision conditions), their associated outcomes (e.g., breaches, recidivism), and specifically, whether they are applied differently to Indigenous versus non-Indigenous offenders. The use of conditional sentences has garnered considerable skepticism, given the troubling trend of over-representation of Indigenous peoples in the justice system. Specifically, it is feared that conditional sentences have been used as yet another mechanism by which Indigenous offenders are given longer sentences, harsher terms of supervision, get breached more often, and spend more time in custody than they would have otherwise (i.e., had they been given a probation sentence), or compared to their non-Indigenous counterparts (e.g., net-widening effect; Roach, 2001).

Previous research on CSOs has largely focused on its impacts on the trajectory of incarceration rates over time (i.e., general decline following the introduction of CSOs in 1996; Roberts & Melchers, 2003; Reid, 2017). Some preliminary evidence however has demonstrated that Indigenous offenders on CSOs have fared worse than non-Indigenous offenders in terms of breach rates (e.g., higher breach rates in Alberta and Nova Scotia between 2003 and 2005;

Johnson, 2006) and admissions to custody (e.g., higher admissions to custody as a result of a breach in Saskatchewan; Johnson, 2006). This research however has focused on broad trends, not accounting for individual level factors (e.g., risk, criminal history, severity of index offences), and many aspects of CSOs have simply gone unexplored (e.g., the frequency and type of conditions imposed).

Given the lack of information on how CSOs have been applied to Indigenous individuals, the observed increase in the over-representation of Indigenous peoples, and the consistent pattern of poorer outcomes for Indigenous offenders generally in the criminal justice system, the present study aimed to examine and compare how CSOs have been applied to Indigenous versus non-Indigenous offenders. Specifically, this study examined sentence length, the use of optional conditions, convictions for breaches and the associated days spent in custody as a result of a breach, and recidivism. Furthermore, given that research has largely focused on trends not accounting for important confounding variables, the present study examined these elements of CSOs while accounting for these individual-level factors (e.g., offence types, risk, age).

Research Questions & Hypotheses

The research questions and associated hypotheses are as follows:

Research Question #1: Are Indigenous offenders more likely to receive longer conditional sentences than non-Indigenous offenders? In line with previous findings on sentence length (e.g., OCI, 2006) and the broader differential treatment of Indigenous offenders that has been observed, it was anticipated that Indigenous identification would be related to longer CSOs than identifying as non-Indigenous, after controlling for age, gender, severity of index offence, and risk for recidivism.

Research Question #2: Are Indigenous offenders more likely to receive more optional conditions than non-Indigenous offenders? This research question is exploratory, however, given that Indigenous offenders tend to receive longer sentences, receive more breaches, and have been found to receive differential treatment in the criminal justice system compared to non-Indigenous offenders, it was expected that Indigenous offenders would be more likely to receive more conditions than non-Indigenous offenders, while controlling for index offence, age, gender, risk and sentence length. No previous research has compared Indigenous and non-Indigenous offenders on number of conditions associated with community supervision orders.

Research Question #3: Are Indigenous offenders more likely to receive more punitive/restrictive optional conditions and fewer rehabilitative conditions compared to non-Indigenous offenders? Consistent with research question #2, this research question is largely exploratory given that there has been no previous research comparing the use of punitive/restrictive and rehabilitative conditions for Indigenous and non-Indigenous offenders. However, given the previous findings of higher breach rates for Indigenous offenders, the generally more punitive approach to managing Indigenous offenders, and the higher recidivism rates, it was anticipated that identifying as Indigenous would be related to having more punitive/restrictive conditions and fewer rehabilitative conditions compared to offenders who identify as Caucasian, while controlling for index offence, age, gender, risk, and sentence length.

Research Question #4: a) Are Indigenous offenders more likely to receive a conviction for a breach of their CSO than non-Indigenous offenders? b) For those who receive a breach, are Indigenous offenders more likely to spend more of their CSO in custody compared to non-Indigenous offenders? Consistent with previous research on

breaches for CSOs (e.g., Johnson, 2006), it was anticipated that Indigenous identification would be related to receiving more breaches and therefore, Indigenous offenders will spend more time in custody as a result of a breach compared to Caucasian offenders, after controlling for index offence, risk, sentence length, age and gender.

Research Question #5: Are Indigenous offenders more likely to commit a new offence than non-Indigenous offenders (i.e., receive a new conviction for a non-breach related offence) while on a CSO? Consistent with previous research on recidivism (e.g., Gutierrez, et al., 2013; Sioui & Thibault, 2002; Rojas & Gretton, 2007), it was expected that Indigenous individuals would be more likely to be convicted of a new offence than their non-Indigenous counterparts, after controlling for age, gender, index offence, risk and sentence length.

Method

Sample

The present sample was derived from an archival dataset based on a larger study examining the effectiveness of a training program for probation officers (PO) and the associated outcomes for offenders on community supervision in a western Canadian province⁸. The present sample ultimately consisted of Indigenous ($n = 749$) and non-Indigenous (i.e., Caucasian $n = 1,625$) provincial offenders who commenced a conditional sentence order between 1996 and 2015. The research questions of interest examined the relationship between Indigenous status (i.e., Indigenous vs. non-Indigenous) and sentence characteristics and outcomes; therefore, for the non-Indigenous group, the sample was restricted to including only Caucasian offenders. The decision to exclude other ethnic/racial minorities (e.g., Black, Asian, Hispanic offenders) was

⁸ The training program for probation officers was designed to enhance the effectiveness of community supervision in reducing re-offending. For more information, see: <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2010-01-rnr/index-eng.aspx>

done to eliminate the potential confounding effects of including other minority offenders in the non-Indigenous sample. There is evidence to suggest that other racial/ethnic minority groups are over-represented in the criminal justice system (e.g., Black, Hispanic/Latino); whereas, other groups are not (e.g., Asian offenders; Brankley, Lee, Hanson & Zabarauckas, 2017; Trevethan & Rastin, 2004); and therefore, including these groups could potentially obscure the comparison of interest. The sample of non-Caucasian/non-Indigenous offenders was too small ($n = 260$) to analyze separately by ethnicity. More importantly, given that there is currently insufficient research examining the potential differential outcomes for other racial minorities, the decision to restrict the sample was justified.

Samples from archival dataset. The sample of individuals in the larger archival dataset ($N = 6,816$) from which the present study is derived was comprised of four separate offender groupings that were created for the purposes of the larger research study that examined the impacts of training. Specifically, the four groups sampled from each PO's caseload were identified based on when each PO attended the training. Therefore, the four offender groupings, each of which consisted of up to six medium/high risk offenders⁹, were categorized as the following: 1) Pre-training random sample, 2) Baseline random sample, 3) Experimental random sample, and, 4) Post-training random sample. Specifically, the pre-training sample consisted of offenders who were randomly drawn from each PO's supervision history between two years and 60 days prior to them attending training. The baseline random sample consisted of offenders on community supervision who were asked to have a session audio-recorded within the six months prior to their PO attending the training. The experimental sample consisted of offenders on community supervision who were asked to audio-record three of their supervision sessions after their PO attended the training. Lastly, the post-training random sample consisted of individuals

⁹ The aim was to achieve a ratio of four high-risk to two medium risk offenders per PO.

who were on the PO's caseload within a year following the PO's attendance at the training. This resulted in each PO having up to 24 clients randomly selected to represent their caseload in the larger study. The training initiative commenced in the province in 2012 and concluded in 2015.

Procedures

The data for the archival dataset was drawn from the provincial ministry's centralized information management system, and was provided as separate data extracts. This data included each individual's entire provincial conviction history¹⁰, up to the date of the extract (i.e., either August 2014 or October 2015 extract). Demographic and criminal history information was provided for each individual (i.e., date of birth, gender, ethnicity, criminal history variables), as well as information related to the index offence, disposition and related order, and for a subsample, the conditions associated with the community supervision order. Breach and provincial reconviction information was provided as a third extract in November 2017.

Exclusion criteria applied to sample. The initial sample ($N = 6,816$) was reduced by applying various exclusion criteria (see Figure 2). First, only individuals who ever had a conditional sentence order ($n = 4,078$) in the province were retained. As previously described, only Caucasian and Indigenous individuals were retained for the current sample (i.e., $n = 260$ were eliminated). Furthermore, all non-Criminal Code of Canada violations were also excluded from the sample (e.g., violations of the *Fisheries Act*). For a given sentencing occasion, individuals could have received multiple CSOs to be served concurrently (i.e., at the same time) or consecutively (i.e., one immediately following the previous). Given that there was no variable indicating whether an individual was serving a consecutive or concurrent order, consecutive orders were identified by calculating the number of days between the issue dates of the orders.

¹⁰ The disposition history for one extract was truncated; therefore information on the history of orders was limited for a subsample of the offenders.

Concurrent orders were easily identified, given that they had the same start dates and issue dates. Orders with start dates that differed, but were issued on the same date, were identified as a consecutive order. Ultimately, consecutive orders were eliminated from the study sample, as there was insufficient information to accurately calculate sentence length for these orders. This resulted in the exclusion of 186 orders (representing $n = 180$ individuals). Of those 180 individuals with at least one consecutive order, a total of 72 were ultimately removed from the sample because the consecutive orders represented the only CSO they had in their history. Lastly, a small sample had a CSO of less than one month in length (i.e., 60 unique orders, representing 58 individuals). There was concern that including these short sentences could inaccurately portray the typical CSO, as such short sentences were atypical, it was therefore decided to remove these orders from potential selection (see below). Of these short CSOs, 32 individuals were completely removed from analyses as they did not have another CSO on record to be eligible for inclusion in the study. The remaining 26 individuals had another CSO with an eligible CSO length to be included in the analyses.

Selecting a CSO. Each individual could have multiple CSOs in their history, therefore for the purposes of the present study, selecting one CSO per individual rather than conducting analyses at the order level was most appropriate given that the research questions were focused on individual offender characteristics (i.e., Indigenous vs. Caucasian status). Random selection of a CSO per individual was done to eliminate the bias that would be introduced by either selecting the first or last order for each individual (e.g., could bias the observed breach and recidivism rates). Therefore, one order was randomly selected using stratified random sampling within each individual. While an attempt was made to code for the sequence of the CSO selected (i.e., whether it was the first, second, third order for each individual) to confirm the equivalency

of groups following randomization, information on the full order history for one of the data extracts was truncated (i.e., missing information for orders prior to 2006); therefore, it was not possible to assess the sequence of orders for a large portion of the sample.

After having applied the exclusion criteria and reducing the sample to one CSO per individual, the resultant total sample size was $N = 2,374$ (i.e., $n = 749$ Indigenous and $n = 1,625$ Caucasian individuals; see Figure 2 for a summary of the sample reduction).

Figure 2. Process for reducing initial archival sample to the current CSO study sample.

Measures

Risk and criminal history. While the province utilizes a risk assessment measure, there were a number of issues that rendered the risk assessment information unusable. First, approximately 20% of the study sample was missing all risk information. For those who had risk assessment information, the dates these assessments were conducted did not align with the start dates of the CSOs; in fact, for most of the sample, the information provided was based on assessments that were conducted more than a year before or after the CSO commenced. Given these issues, a proxy for risk was created using criminal history items, based on the criminal history subscale of the Level of Service Case Management Inventory (LS/CMI)¹¹.

The LS/CMI criminal history subscale consists of the following eight items: 1) Any prior youth dispositions or adult convictions; 2) Two or more prior youth/adult dispositions/convictions; 3) Three or more prior youth/adult dispositions; 4) Three or more present offences; 5) Arrested or charged under age 16; 6) Ever incarcerated upon conviction; 7) Ever punished for institutional misconduct or a behavior report; and, 8) Charge laid, probation breached, or parole suspended during prior supervision. Based on numerous meta-analyses, this subscale has been found to be predictive of a variety of recidivism outcomes (e.g., general recidivism, $r = .28$, 95% CI [.25, .32]; violent recidivism, $r = .21$ 95% CI [.16, .24]; Olver, Stockdale & Wormith, 2014). Based on the information provided in the data extracts, it was possible to code for the presence/absence of the following items and compute a total criminal history score: 1) Any prior adult convictions; 2) Two or more prior adult convictions; 3) Three or more prior adult convictions; 4) Three or more present offences; 5) Arrest or conviction under the age of 17; 6) Ever incarcerated upon conviction; 7) Disciplinary charge any time before

¹¹ The LS/CMI (Andrews, Bonta, & Wormith, 2004), is an actuarial risk assessment tool that measures items/factors used to assess risk for re-offending, as well as factors considered important for treatment and case management.

starting CSO; and, 8) Any convictions for a breach of community supervision order prior to the start of the CSO.

Index offence categories and most serious offence. To examine the types of offences for which individuals received a CSO, offences were grouped into nine offence categories: 1) administration of justice (e.g., disobeying a court order); 2) firearms/weapons offences (e.g., unauthorized possession of a firearm); 3) public order (e.g., obstructing justice); 4) property (e.g., possession of stolen property); 5) driving (e.g., dangerous driving causing bodily harm); 6) drug (e.g., possession of controlled substance); 7) non-contact sexual (e.g., indecent act in a public space); 8) violent (e.g., assault); and, 9) sexual (e.g., sexual interference). Given that an individual could have multiple offences for each CSO, the most serious index offence was identified for each offender based on the hierarchy of offences listed, where higher numbers corresponded to the more serious offences (i.e., administration of justice offences are the least serious and sexual offences are the most serious offences).

Conditional Sentence Order Outcome Variables

Sentence length of CSO. Sentence length (i.e., number of days/months an individual was required to comply with a given conditional sentence order) was provided in the data extract for all individuals included in the sample. Given that CSOs are provincial sentences, the maximum sentence length for a CSO was two years less a day. In addition to the CSO, judges often include a period of probation immediately following the expiry of the CSO at sentencing. As a result, it was possible to identify whether each individual also received a period of probation immediately following expiry of their CSO and the length of that probation period.

Total number and types of optional conditions. Individuals on CSOs are required to comply with conditions that are stipulated by the courts. These conditions are grouped into two

categories: 1) compulsory or mandatory conditions, to which all offenders are required to adhere; and, 2) optional conditions that are determined at the judge's discretion and, as described in *R. v. Proulx* (2000), "the court may order that the offender comply with such other reasonable conditions as the court considers desirable for securing the good conduct of the offender and for the preventing a repetition by the offender of the same offence or the commission of other offences".

Optional conditions can include rules that are directly related to the offence (e.g., a "no-contact" condition that prohibits the individual from being in contact or in the presence of a person involved in the offence, be they the victim or co-accused). Alternatively, optional conditions can be related to factors the judge believes to be related to the individual's risk for committing a new offence (e.g., no weapons requirement, attend alcohol/drug counselling).

Given the intended dual purpose of CSOs to be both punitive and rehabilitative in nature (see *R v. Proulx* [para 127]), optional conditions can indeed be interpreted as either restrictive/punitive (e.g., house arrest/electronic monitoring, curfew) or rehabilitative in nature (e.g., attend counselling or treatment as directed, attend school or seek employment). For the purposes of the present study, the total number of optional conditions and whether they were "restrictive/punitive" or "rehabilitative" was coded. The coding of the optional conditions into two categories was done by two independent coders. The decision of whether a condition was deemed punitive/restrictive versus rehabilitative was based on the intended purpose or goal of the condition itself. There was 96% agreement between the two coders, and a consensus categorization was achieved on the two optional condition types where there was initial disagreement (i.e., community work service hours and requirement to attend residential treatment).

Ultimately, there were a total of 18 optional conditions represented in the current sample of CSOs. As shown in Table 2, optional conditions consisted of a total of six rehabilitative conditions and 12 restrictive/punitive conditions. It should be noted that information related to the optional conditions was only available for a subsample of individuals (i.e., 46% [$n = 746$] of Caucasian and 51% [$n = 379$] of Indigenous individuals).

Table 2

Categorization of Optional Conditions as Punitive/Restrictive or Rehabilitative

Optional Condition	Punitive/Restrictive or Rehabilitative
1. Abstain from Intoxicants	Punitive/Restrictive
2. Obey Curfew	Punitive/Restrictive
3. No-Go to Specified Area	Punitive/Restrictive
4. No Contact	Punitive/Restrictive
5. No Weapons	Punitive/Restrictive
6. No-Go to Licensed Premises	Punitive/Restrictive
7. Pay Restitution	Punitive/Restrictive
8. Remain in Residence	Punitive/Restrictive
9. Carry Copy of Order	Punitive/Restrictive
10. Do Not Drive	Punitive/Restrictive
11. Submit to Breath, Blood or Urine Test	Punitive/Restrictive
12. Report to Police	Punitive/Restrictive
13. Attend Counselling or Treatment as Directed	Rehabilitative
14. Community Work Service	Rehabilitative
15. Attend School or Find Employment	Rehabilitative
16. Attend Alcohol/Drug Counselling	Rehabilitative
17. Apology to Victim	Rehabilitative
18. Attend Residential Program	Rehabilitative

Breaches of CSO and Days in Custody. Breaches included any convictions resulting from a violation of one or more conditions of the CSO over the duration of the sentence. The dichotomous outcome of whether there was a conviction for a breach, as well as the total number of breaches during the CSO, and the number of days to the first breach, were identified. It was not possible, however, to obtain information on breaches that were put forward to the court, but did not result in a conviction; nor was it possible to obtain the reasons for breach, as this information is not systematically tracked by the ministry. For those individuals who received a breach during their CSO, it was possible to determine the total number of days they spent in custody as a result of the conviction for the breach. It was not possible however, given the manner in which the data was provided, to determine whether the days in custody were due to a suspension of the order (i.e., the individual was ordered to serve a specified portion of the CSO in custody) or a termination of the order (i.e., the individual was ordered to serve the remainder of their CSO in custody).

Recidivism. Recidivism was defined as any new conviction resulting in a provincial sentence (excluding breaches). A fixed two-year follow-up was utilized for the main recidivism analyses¹². The source of the recidivism information was limited to provincial convictions/sentences. Any new convictions for federal sentences (i.e., sentences of two years or more) were not captured by the current data/analyses; therefore, it is likely that the recidivism in the present study is an underestimate. The dichotomous outcome of whether there was a new conviction and the number of days to first recidivism event were retained. Time-at-risk was calculated by subtracting the number of days the individual spent in custody from the follow-up length.

¹² Additional analyses using a longer, variable follow-up period, examining recidivism during each individual's CSO plus one year following expiry of the CSO, were also conducted.

Data Analysis

Data were first screened for the presence of outliers and to examine normality, and descriptive analyses were conducted on the demographic variables. Differences between Indigenous and Caucasian individuals on categorical variables were analyzed using Pearson's chi-square analyses with odds ratios as the associated effect size (Fleiss, 1994). Fisher's exact test was interpreted when expected cell counts were less than five. The 95% confidence intervals for the odds ratio were computed, with intervals not including one indicating that the comparison was statistically significant at the .05 level.

For continuous variables, independent-samples *t*-tests were utilized, with Cohen's *d* as the effect size representing the standardized mean differences between groups. The conventions for interpreting Cohen's *d* indicate that values of .20 are considered "small", values of .50 are "medium", and values greater than .80 are "large" (Cohen, 1988). The 95% confidence intervals for the Cohen's *d* were computed, where intervals not including zero indicate that the comparison was statistically significant at the .05 level.

Logistic regression. In order to assess the relationship between Indigenous status and the outcomes of sentence length, number of optional conditions, number of punitive/restrictive and rehabilitative conditions, number of days in custody, and reconvictions, logistic regression was utilized. Logistic regression is a form of regression that estimates the relationship between a continuous variable and dichotomous variable of interest, while controlling for the influence of covariates. In logistic regression, the dichotomous dependent variable is transformed into log odds (Hosmer & Lemeshow, 2000). For the purposes of the present study, the independent variable (i.e., Indigenous vs. Caucasian) served as the dichotomous variable, with the continuous dependent variable (e.g., sentence length of CSO) as the predictor variable.

Logistic regression estimates two regression coefficients ($B0$ and $B1$), where $B1$ represents the average change in the dichotomous variable with every one unit increase in the continuous variable, expressed as a log odds ratio (e.g., increase/decrease in the odds of being Indigenous with every one month increase in sentence length), while controlling for other variables related to the outcome (e.g., severity of index offence, criminal history). One of the benefits of logistic regression is that it is robust to violations of the standard assumptions associated with linear regression (e.g., linearity, normality, homoscedasticity). The assumptions of independence and no multicollinearity were examined and were satisfied.

Survival analysis (Cox regression). To examine the relationship between Indigenous status and convictions for breaches, survival analysis using Cox regression (proportional hazards model; Allison, 1985) was used. Cox regression estimates the relationship between multiple predictors and outcomes through hazard ratios. In other words, it estimates the likelihood of a failure event as a function of the predictor variable(s). Cox regression can be applied when follow-up times vary (and a fixed follow-up cannot be created) and when there are censored cases (i.e., individuals with no breaches).

The dependent variable was days-to-event (i.e., survival time) and each individual was identified as having a failure event (i.e., a breach) or being a censored case (i.e., survival to the end of follow-up). Survival analysis also enables controlling for the influence of other variables in its estimation (e.g., severity of index offence, criminal history, age). The hazard ratio, expressed as $\text{Exp}(B)$, indicates the factor by which the likelihood of experiencing the outcome changes as a function of a one-unit increase in the predictor/covariates. The Wald statistic is interpreted to determine the significance of the covariates. The assumptions of multicollinearity and proportional hazards were examined and were satisfied in the main analyses.

Results

Sample

A total of $N = 2,374$ (i.e., $n = 749$ Indigenous and $n = 1,625$ Caucasian) individuals who were on a CSO between 1996 and 2015 were compared on the available demographic information. Overall, Indigenous offenders were found to have been significantly younger ($M = 31.41$, $SD = 9.21$) than Caucasian offenders ($M = 34.72$, $SD = 10.20$) at the commencement of their CSO, $t(1597) = 7.84$, $p < .001$, $d = -0.33$, 95% CI $[-0.41, -0.24]$. In terms of gender, the Caucasian group had significantly more males in their sample than the Indigenous group (84.6% vs. 81.2%), $\chi^2(1, 1982) = 4.25$, $p = 0.04$, $OR = 1.27$, 95% CI $[1.01, 1.59]$. Within the Indigenous sample, ethnicity was broken down by “Aboriginal/Native” ($n = 618$) and Métis ($n = 131$); unfortunately, given the manner in which the ethnicity was defined by the jurisdiction, it was not possible to determine the proportion of First Nations or Inuit peoples in the sample. For this reason, it was decided to collapse Métis and Aboriginal/Native into one Indigenous category.

Table 3 presents the proportion of CSOs that had a start date in each timeframe. The majority of CSOs commenced between 2010 and 2015 ($M = 2009$; $Mdn = 2011$) for both groups. Given that the present sample was derived from a larger study examining the impacts of probation officer training, Indigenous and Caucasian individuals were compared on membership to the four comparison groups (i.e., pre-training, baseline, experimental, and post-training). There were no significant differences between the two groups on membership to each of the four groups (see Appendix A, Table A1 for a breakdown of the number of offenders in each of the four groups, by Indigenous/non-Indigenous status)¹³.

¹³ A small portion of the Indigenous group (11.5%) and the Caucasian group (13.4%) consisted of clients who were identified as being in the experimental group, and the CSO for which they were randomly selected for this study fell within the program implementation timeframe (2012 to 2015).

Table 3

Timeframes for Commencement of CSO for Indigenous and Caucasian samples

Timeframes	Indigenous % (n)	Non-Indigenous % (n)
1996 to 2000	3.1(6)	5.2 (85)
2001 to 2009	32.9 (246)	29.5 (480)
2010 to 2015	70.2 (497)	65.3 (1,060)

Criminal History

As a proxy for risk, criminal history was scored using a modified version of the LS/CMI criminal history subscale. Indigenous offenders were found to have significantly higher criminal history scores ($M = 5.38$, $SD = 1.64$) than Caucasian offenders ($M = 4.93$, $SD = 1.87$), $t(2372) = -5.62$, $p < .001$, $d = 0.25$, 95% CI [0.16, 0.34]. Specifically, Indigenous offenders had more arrests/charges under the age of 16 (58.4% vs. 44.7%, $\chi^2(1, 1139) = 37.70$, $p < .001$, $OR = 1.74$, 95% CI [1.46, 2.07]), more breaches prior to their CSO (78.2% vs. 68.2%, $\chi^2(1, 1695) = 25.06$, $p < .001$, $OR = 1.67$, 95% CI [1.37, 2.05]), more priors (i.e., any; 96.9% vs. 94%, $\chi^2(1, 2254) = 8.98$, $p = .003$, $OR = 2.00$, 95% CI [1.26, 3.18]), two or more priors (93.6% vs. 87.6%, $\chi^2(1, 2125) = 19.40$, $p < .001$, $OR = 2.06$, 95% CI [1.49, 2.86]), and three or more priors (89.1% vs. 81.8%, $\chi^2(1, 1997) = 19.93$, $p < .001$, $OR = 1.80$, 95% CI [1.39, 2.34]) than Caucasian offenders. The groups did not significantly differ on the remaining three items (see Table 4).

Table 4

Criminal History Items for Indigenous and Caucasian offenders

Criminal History Item	Indigenous (<i>n</i> = 749)	Caucasian (<i>n</i> = 1625)	χ^2	OR (95% CI)
	% (<i>n</i>)	% (<i>n</i>)		
Arrest/charge under 16	58.4 (428)	44.7 (711)	37.70***	1.74 (1.46, 2.07)
Any breach prior to CSO	78.2 (586)	68.2 (1109)	25.06***	1.67 (1.37, 2.05)
Prior disciplinary charge	24.4 (183)	21.0 (341)	3.54	1.22 (0.99, 1.49)
Ever incarcerated	72.5 (543)	68.9 (1120)	3.12	1.19 (0.98, 1.44)
Any priors	96.9 (726)	94.0 (1528)	8.98**	2.00 (1.26, 3.18)
Two or more priors	93.6 (701)	87.6 (1424)	19.40***	2.06 (1.49, 2.86)
Three or more priors	89.1 (667)	81.8 (1330)	19.93***	1.80 (1.39, 2.34)
Three or more present offences	25.9 (194)	27.6 (449)	0.78	0.92 (0.75, 1.11)

Note. OR = odds ratio; CI = confidence interval.

** $p < .01$, *** $p < .001$

Index Offences

Table 5 presents the offence categories for offences associated with the CSOs (i.e., index offence) for both groups. Given that each person could receive multiple convictions and different offence types for their CSO, the two groups were compared on the frequency of occurrence for each offence, as well as the mean number of offences per category. For the mean number of overall convictions associated with the CSO, Indigenous offenders ($M = 2.28$, $SD = 2.12$) did not significantly differ from Caucasian offenders, ($M = 2.33$, $SD = 2.51$), $t(2372) = 0.54$, $p = .59$, $d = -0.02$, 95% CI [-0.11, 0.07].

Table 5 provides the most frequently occurring offence type for both groups, which were: 1) property related offences, 2) violent offences, and 3) administration of justice offences. Caucasian offenders were more likely to have more property offences (53.5% vs. 41.1%, $\chi^2 (1, 1177) = 31.31$, $p < .001$, $OR = 0.61$, 95% CI [0.51, 0.72]) and drug offences (14.7% vs. 8.5%, $\chi^2 (1, 303) = 17.49$, $p < .001$, $OR = 0.54$, 95% CI [0.41, 0.73]) than Indigenous offenders. Whereas,

Indigenous offenders were more likely to have administration of justice offences (29.5% vs. 21.3%, $\chi^2(1, 567) = 19.03, p < .001, OR = 1.55, 95\% CI [1.27, 1.88]$) and violent offences (38.2% vs. 26.2%, $\chi^2(1, 711) = 35.37, p < .001, OR = 1.74, 95\% CI [1.45, 2.10]$) compared to Caucasian offenders.

Comparing the mean number of convictions associated with each offence type, the exact same pattern of results emerged. Caucasian offenders on average had more convictions for property offences ($M = 1.20, SD = 2.34$) than Indigenous offenders ($M = 0.86, SD = 1.60$), $t(2372) = 3.60, p < .001, d = -0.16, 95\% CI [-0.26, -0.07]$, and on average, had more convictions for drug offences ($M = 0.21, SD = 0.62$) than Indigenous offenders ($M = 0.12, SD = 0.47$), $t(2372) = 3.53, p < .001, d = -0.16, 95\% CI [-0.24, -0.07]$. Indigenous individuals had significantly more convictions for administration of justice offences ($M = 0.58, SD = 1.26$) than Caucasian offenders ($M = 0.35, SD = 0.85$), $t(2372) = -5.40, p < .001, d = 0.23, 95\% CI [0.14, 0.32]$ as well as more convictions for violent offences ($M = 0.52, SD = 0.84$) than Caucasian offenders ($M = 0.40, SD = 0.84$), $t(2372) = -3.37, p < .001, d = 0.14, 95\% CI [0.06, 0.23]$.

Table 5

Frequency and Mean Number of Convictions Associated with Index Offence Category by Group

Index Offence Categories	Indigenous (n = 749)		Caucasian (n = 1625)		χ^2	OR (95% CI)
	<i>M (SD)</i>	% (<i>n</i>)	<i>M (SD)</i>	% (<i>n</i>)		
Administration of Justice	0.58	29.5 (221)	0.35	21.3 (346)	19.03***	1.55 (1.27, 1.88)
Firearms/ Weapons	0.02	1.5 (11)	0.02	2.1 (34)	1.07	0.70 (0.35, 1.38)
Public Order	0.07	5.1 (38)	0.06	4.6 (75)	0.24	1.11 (0.74, 1.65)
Driving	0.06	4.8 (36)	0.06	5.1 (83)	0.10	0.94 (0.63, 1.40)
Property	0.86	41.1 (308)	1.20	53.5 (869)	31.31***	0.61 (0.51, 0.72)
Drug	0.12	8.5 (64)	0.21	14.7 (239)	17.49***	0.54 (0.41, 0.73)
Violent	0.52	38.2 (286)	0.40	26.2 (425)	35.37***	1.74 (1.45, 2.10)
Sexual	0.04	3.1 (23)	0.03	2.0 (32)	2.75	1.58 (0.92, 2.71)

Note. Percentages are not mutually exclusive. OR = odds ratio; CI = confidence interval.

*** $p < .001$.

Table 6 presents the most serious index offence (MSO) for both groups. The most frequently occurring MSOs for Indigenous individuals were violent, property, and administration of justice offences. For Caucasian offenders, property, violent, and drug offences were the most common. Indigenous offenders were therefore more likely to have a violent offence than Caucasian offenders (37.8% vs. 26%, $\chi^2 (1, 706) = 33.89, p < .001, OR = 1.73, 95\% CI [1.44, 2.08]$), as well as an administration of justice offence, as their MSO (12.6% vs. 7.6%, $\chi^2 (1, 217) = 15.32, p < .001, OR = 1.75, 95\% CI [1.32, 2.33]$); whereas, Caucasian offenders were more likely than Indigenous offenders to have a property index offence (44.1% vs. 33.0%, $\chi^2 (1, 964) = 26.41, p < .001, OR = 0.62, 95\% CI [0.52, 0.75]$), or a drug index offence (14.2% vs. 7.2%, $\chi^2 (1, 285) = 23.82, p < .001, OR = 0.47, 95\% CI [0.34, 0.64]$), as the MSO for which they received a CSO.

Table 6

Most Serious Index Offence (MSO) for CSO by Group

MSO Category	Indigenous (n = 749)	Caucasian (n = 1625)	χ^2	OR (95% CI)
	% (n)	% (n)		
Administration of Justice	12.6 (94)	7.6 (123)	15.32***	1.75 (1.32, 2.33)
Firearms/Weapons	0.7 (5)	0.7 (12)	0.04	0.90 (0.32, 2.57)
Public Order	1.7 (13)	1.0 (17)	1.95	1.67 (0.81, 3.46)
Driving	4.1 (31)	4.2 (68)	0.003	0.99 (0.64, 1.53)
Property	33.0 (247)	44.1 (717)	26.41***	0.62 (0.52, 0.75)
Drug	7.2 (54)	14.2 (231)	23.82***	0.47 (0.34, 0.64)
Non-contact Sexual	0.30 (2)	0.80 (13)	2.32 _a	0.33 (0.08, 1.48)
Violent	37.8 (283)	26.0 (423)	33.89***	1.73 (1.44, 2.08)
Sexual	2.7 (20)	1.2 (20)	6.41*	2.20 (1.18, 4.12)

Note. OR = odds ratio; CI = confidence interval. ^a Expected values for one cell were below 5, therefore Fisher's exact test was interpreted.

* $p < .05$, *** $p < .001$.

Sentence Length

The two groups were compared on sentence length for their CSO. The average CSO length was 6.22 ($SD = 5.36$) months for Indigenous offenders and 7.26 ($SD = 5.54$) months for Caucasian offenders. In addition to their CSO, 57.94% of the Indigenous group and 54.71% of the Caucasian group were also sentenced to serve a period of probation immediately following expiry of their CSO. The average length of the probation period was 13.65 ($SD = 5.93$) months and 14.07 ($SD = 6.13$) months for the Indigenous and Caucasian groups, respectively.

A binary logistic regression was conducted to determine if the length of sentence was related to Indigenous status, while controlling for the effects of criminal history, most serious index offence, gender, and age at the start of the CSO. First, the bivariate relationship between sentence length (in months) and Indigenous status was assessed. Sentence length was found to be significantly related to Indigenous status, such that increases in sentence length were associated with a reduction in the odds of being Indigenous, $b = -0.04$, $SE = .01$, Wald's $\chi^2(1) = 17.93$, $p <$

.001, $OR = 0.96$, 95% [CI 0.95, 0.98]. In other words, each increase in sentence length was associated with a 4% decrease in the odds of being Indigenous. A test of the full model with all covariates against the intercept-only model was statistically significant, $\chi^2(3) = 89.73$, $p < .001$, indicating that the full set of predictors significantly distinguished between Indigenous ($n = 749$) and Caucasian individuals ($n = 1,625$). Sentence length remained significantly related to Indigenous status, $b = -0.04$, $SE = .01$, Wald's $\chi^2(1) = 17.55$, $p < .001$, $OR = 0.96$, 95% CI [0.95, 0.98], while holding criminal history, most serious index offence, gender, and age at the start of the CSO constant (see Appendix A, Table A2 for full logistic regression table). Specifically, as sentence length increased by 1 month, there was a corresponding 3.6% reduction ($1 - 0.964 * 100 = 3.6$) in the likelihood of the individual being Indigenous.

Given that judges have the option to also sentence an individual to a period of probation following expiry of their CSO, it was of interest to determine whether Indigenous individuals were more likely to be sentenced to a period of probation following their conditional sentence; and furthermore, whether the period of probation was longer compared to Caucasian individuals. The results from a binary logistic regression suggested that Indigenous status was not related to whether a probation sentence followed a conditional sentence order ($b = 0.002$, $SE = .10$, Wald's $\chi^2(1) = 0.001$, $p = .98$, $OR = 1.00$, 95% CI [0.83, 1.21], while holding age, gender, criminal history, most serious offence, and CSO sentence length constant. Comparing the mean sentence length for only those individuals who were sentenced to a period of probation following completion of their conditional sentence revealed that the average probation sentence for Indigenous individuals ($n = 434$, $M = 13.65$ months, $SD = 5.93$) was not significantly different from the average sentence Caucasian individuals ($n = 889$, $M = 14.07$ months, $SD = 6.13$) received ($t(1321) = 1.18$, $p = .24$, $d = 0.07$).

Optional Conditions

Information on total number and types of optional conditions was available for a subsample ($N = 1,125$) of individuals on a CSO ($n = 379$ Indigenous and $n = 746$ Caucasian). There were a total of 18 different optional conditions represented in the subsample. Table 7 presents the frequency with which each of the optional conditions was associated with each CSO for the two groups. The total number of optional conditions per individual ranged from 0 to 12 for both groups. The most frequently occurring optional conditions for both Indigenous and Caucasian individuals were the requirements to: 1) abstain from intoxicants (77.8% and 74.8%); 2) attend counselling or treatment as directed by their supervision officer (76% and 72%); and, 3) obey the terms of their curfew (68.6% and 66.1%), respectively.

Comparing the types of conditions given to Indigenous versus Caucasian individuals, both groups were equally likely to get most conditions imposed, with a few exceptions. Specifically, Caucasian offenders were more likely than Indigenous offenders to have conditions requiring they do not go to an area specified in their order (50.3% vs. 43.3%, $\chi^2(1, 539) = 4.93, p = .026, OR = 0.76, 95\% CI [0.59, 0.97]$), complete community work service hours (19.7% vs. 14.2%, $\chi^2(1, 201) = 5.10, p = .024, OR = 0.68, 95\% CI [0.48, 0.95]$), and pay restitution (3.4% vs. 1.1%, $\chi^2(1, 29) = 5.28, p = .022, OR = 0.31, 95\% CI [0.11, 0.89]$). Indigenous offenders were more likely to receive a no-contact condition (45.4% vs. 38.5%, $\chi^2(1, 459) = 4.97, p = .026, OR = 1.33, 95\% CI [1.04, 1.71]$) and a condition prohibiting they go to premises that are licensed to sell alcohol than Caucasian offenders (24.3% vs. 18.4%, $\chi^2(1, 229) = 5.41, p = .020, OR = 1.43, 95\% CI [1.06, 1.92]$).

Table 7

Optional Conditions Associated with Conditional Sentence Orders for Indigenous and Caucasian Sample

Optional Conditions	Indigenous (<i>n</i> = 379)	Caucasian (<i>n</i> = 746)	χ^2	OR (95% CI)
	% (<i>n</i>)	% (<i>n</i>)		
Abstain from Intoxicants	77.8 (295)	74.8 (558)	1.27	1.18 (0.88, 1.59)
Attend Counseling or Treatment as Directed	76.0 (288)	72.0 (537)	2.06	1.23 (0.93, 1.64)
Obeys Curfew	68.6 (260)	66.1 (493)	0.72	1.12 (0.86, 1.46)
No-Go to Specified Area	43.3 (164)	50.3 (375)	4.93*	0.76 (0.59, 0.97)
No Contact	45.4 (172)	38.5 (287)	4.97*	1.33 (1.04, 1.71)
No Weapons	39.8 (151)	34.5 (257)	3.16	1.26 (0.98, 1.63)
No-Go to Licensed Premises	24.3 (92)	18.4 (137)	5.41*	1.43 (1.06, 1.92)
Community Work Service	14.2 (54)	19.7 (147)	5.10*	0.68 (0.48, 0.95)
Remain in Residence	12.4 (47)	13.0 (97)	0.08	0.95 (0.65, 1.38)
Carry Copy of Order	13.2 (50)	10.6 (79)	1.68	1.28 (0.88, 1.87)
Attend School or Find Employment	8.2 (31)	10.9 (81)	2.01	0.73 (0.47, 1.13)
Attend Residential Program	6.6 (25)	4.6 (34)	2.10	1.48 (0.87, 2.52)
Apology to Victim	3.4 (13)	2.4 (18)	0.97	1.44 (0.70, 2.96)
Pay Restitution	1.1 (4)	3.4 (25)	5.28*	0.31 (0.11, 0.89)
Do Not Drive	1.6 (6)	2.3 (17)	0.61	0.69 (0.27, 1.76)
Submit to Breath, Blood or Urine Test	0.5 (2)	1.2 (9)	1.19 _a	0.43 (0.09, 2.02)
Attend Alcohol/Drug Counseling	0.8 (3)	0.7 (5)	0.05 _a	1.18 (0.28, 4.97)
Report to Police	0.8 (3)	0.5 (4)	0.27 _a	1.48 (0.33, 6.65)

Note. OR = odds ratio; CI = confidence interval. ^a Expected values for one cell were below 5, therefore Fisher's exact test was interpreted.

* $p < .05$

The average number of optional conditions for Indigenous individuals was 4.40 ($SD = 1.77$) and 4.26 ($SD = 1.89$) for Caucasian individuals (range = 0 to 12 for both groups). A binary logistic regression was conducted to determine if the number of optional conditions was related to Indigenous status, while controlling for the effects of criminal history, most serious index offence, age, gender, and sentence length. Results examining the bivariate relationship indicated that the number of optional conditions was not significantly related to Indigenous status, $b = 0.04$, $SE = .03$, Wald's $\chi^2(1) = 1.37$, $p = .24$, $OR = 1.04$, 95% CI [0.97, 1.11]. The number of optional conditions remained similar in strength and not significantly related to Indigenous

status, $b = 0.04$, $SE = .04$, Wald's $\chi^2(1) = 1.24$, $p = .27$, $OR = 1.05$, 95% CI [0.97, 1.13], when holding criminal history, most serious index offence, age, gender, and sentence length constant (see Appendix A, Table A3).

Punitive/Restrictive Conditions and Rehabilitative Conditions

Within the examination of optional conditions, it was of interest to examine the relationship between Indigenous status and the application of punitive/restrictive conditions and rehabilitative conditions. The total number of punitive conditions per individual ranged from 0 to 8 for both groups. The average number of punitive conditions for Indigenous individuals was 3.30 ($SD = 1.52$) and 3.16 ($SD = 1.60$) for Caucasian individuals. On the other hand, for rehabilitative conditions, the total number per individual ranged from 0 to 5, and the average number of rehabilitative conditions for Indigenous and Caucasian individuals was almost identical ($M = 1.09$, $SD = 0.74$ vs. $M = 1.10$, $SD = 0.75$, respectively).

To examine whether the total number of punitive conditions or the total number of rehabilitative conditions was related to Indigenous status, logistic regression was conducted, controlling for the effects of criminal history, index offence, gender, age, and sentence length. First, the bivariate analysis revealed that the relationship between total number of punitive conditions and Indigenous status was not significant $b = 0.06$, $SE = .04$, Wald's $\chi^2(1) = 2.14$, $p = 0.14$, $OR = 1.06$, 95% CI [0.98, 1.15]. While a test of the full model with all covariates against the intercept-only model was significant $\chi^2(6) = 62.35$, $p < .001$, the relationship between number of punitive conditions and Indigenous status remained non-significant $b = 0.06$, $SE = .05$, Wald's $\chi^2(1) = 1.96$, $p = 0.16$, $OR = 1.07$, 95% CI [0.98, 1.17].

Similarly, the bivariate analysis of the relationship between number of rehabilitative conditions and Indigenous status was not significant, $b = -0.02$, $SE = .08$, Wald's $\chi^2(1) = 0.04$, p

= .84, $OR = 0.98$, 95% CI [0.84, 1.16]. A test of the full model with all covariates was significant $\chi^2(6) = 60.44$, $p < .001$; however, the relationship between number of rehabilitative conditions and Indigenous status remained non-significant ($b = -.02$, $SE = .09$, Wald's $\chi^2(1) = 0.05$, $p = 0.83$, $OR = 0.98$, 95% CI [0.82, 1.17]; see Appendix A, Tables A4 and A5).

Breaches and Days in Custody

An examination of breaches revealed that 35.9% ($n = 269$) of the Indigenous sample and 29.5% ($n = 480$) of Caucasian individuals received a conviction for a breach during their CSO. For those who breached, the average number of days to their first breach was 128.80 ($SD = 136.32$) days for Indigenous individuals and 154.57 ($SD = 162.36$) days for Caucasian individuals. Given that CSOs varied in length, Cox regression survival analysis was conducted to examine whether Indigenous offenders were more likely to be convicted of a breach than Caucasian offenders, while accounting for criminal history, most serious offence, sentence length, age, and gender. Interactions between time and each of the covariates were modelled to examine whether the proportional hazards assumption was tenable (Tabachnick & Fidell, 2013). No significant interaction terms emerged, suggesting that the relationship between survival rate and time was the same for all levels of each covariate (see Appendix A, Table A6).

The bivariate relationship between Indigenous status and breach of CSO was then examined in the first block, followed by entering the relevant covariates in the second block. The results are presented in Table 8. Indigenous status was significantly related to receiving a conviction for a breach of the CSO ($b = .30$, $SE = 0.08$, Wald's $\chi^2(1) = 14.41$, $p < .001$, $e^b = 1.35$, 95% CI [1.15, 1.57]). Specifically, Indigenous individuals were 35% ($HR = 1.35$, 95% CI [1.15, 1.57]) more likely to be convicted of a breach than Caucasian individuals, while accounting for the effects of age, criminal history, most serious offence, gender, and length of

sentence. For example, at 1 year following the start of the CSO, the survival rate (i.e., no breach) at the mean of the covariates was approximately 36% for Indigenous individuals compared to 45% for Caucasian individuals (see Figure 3).

Table 8

Survival analysis examining relationship between Indigenous status and breach of CSO

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	HR	HR (95% CI)	
Block 1							
Indigenous Status	.45	.08	34.11	< .001	1.56	1.35	1.82
Block 2							
Indigenous Status	.30	.078	14.41	< .001	1.35	1.15	1.57
Age	-.01	.004	12.67	< .001	0.99	0.98	0.99
Gender	.01	.106	0.02	.899	1.01	0.82	1.25
Criminal History	.27	.025	119.78	< .001	1.31	1.25	1.37
Most Serious Offence	-.02	.016	1.43	.232	0.98	0.95	1.01
Sentence Length	-.11	.009	129.29	< .001	0.90	0.88	0.92

Note. Model statistics from Block 2: -2Log likelihood = 10090.18, $\chi^2(6) = 315.98$. Reference category for Indigenous Status was 0 = Caucasian. Reference category for gender was 0 = female.

Figure 3. Survival time (in months) to first breach for Indigenous and Caucasian individuals controlling for criminal history, most serious offence, sentence length, gender, and age.

Given that an individual could receive multiple breaches during their sentence, it was of interest to examine the relationship between Indigenous status and the number of breaches for which they were convicted during their CSO. For those who received at least one breach, the average number of convictions was 1.27 ($SD = 0.56$; range = 1 to 5) and 1.18 ($SD = 0.45$; range = 1 to 4) for Indigenous and Caucasian individuals, respectively. A binary logistic regression found that the bivariate relationship between Indigenous status and number of breaches was significant, $b = 0.37$, $SE = .15$, Wald's $\chi^2(1) = 5.98$, $p = .01$, $OR = 1.45$, 95% CI [1.08, 1.96]. The full model controlling for criminal history, most serious offence, sentence length, age, and gender was significant $\chi^2(6) = 35.34$, $p < .001$, and the number of breaches remained significantly related to Indigenous status, $b = 0.40$, $SE = .16$, Wald's $\chi^2(1) = 6.03$, $p = .01$, $OR =$

1.48, 95% CI [1.08, 2.03]; see Appendix A, Table A7. Specifically, the odds of the individual being Indigenous increased by 1.48 times for every unit increase in the number of breaches.

Finally, a binary logistic regression was conducted to further examine whether Indigenous individuals who received a breach spent more time in custody as a result of the breach compared to Caucasian individuals, while accounting for the effects of criminal history, most serious offence, sentence length, age, and gender. For those who received a breach, the average number of days in custody was 97.45 days ($SD = 108.30$) for Indigenous individuals and 91.95 days ($SD = 99.41$) for Caucasian individuals. A test of the bivariate relationship between Indigenous status and days in custody indicated that Indigenous individuals were not significantly more likely to spend more days in custody as a result of a breach compared to Caucasian individuals, $b = 0.001$, $SE = .001$, Wald's $\chi^2(1) = 0.50$, $p = .48$, $OR = 1.00$, 95% CI [0.99, 1.00]. And the relationship between Indigenous status and days in custody remained non-significant, $b = 0.001$, $SE = .001$, Wald's $\chi^2(1) = 0.30$, $p = 0.60$, $OR = 1.00$, 95% [CI = 1.00, 1.002], when holding criminal history, most serious offence, sentence length, age, and gender constant (see Appendix A, Table A8).

Recidivism

The occurrence of any new conviction (excluding breaches) for a fixed two-year follow up commencing at the start of the CSO was identified. The recidivism rate for Indigenous and Caucasian individuals was 53.5% ($n = 401$) and 48.4% ($n = 786$), respectively. To examine the relationship between Indigenous status and recidivism, a binary logistic regression was conducted, while controlling for the effects of criminal history, most serious offence, sentence length, age, and gender. A test of the bivariate relationship between Indigenous status and recidivism indicated that Indigenous individuals were significantly more likely to re-offend

compared to Caucasian individuals, $b = 0.21$, $SE = .09$, Wald's $\chi^2(1) = 5.47$, $p = .02$, $OR = 1.23$, 95% CI [1.03, 1.46]; however, the relationship between Indigenous status and recidivism was no longer significant after accounting for the effects of for criminal history, most serious offence, sentence length, age, and gender ($b = 0.01$, $SE = .10$, Wald's $\chi^2(6) = 0.02$, $p = 0.89$, $OR = 1.01$, 95% [CI = 0.84, 1.22]; see Table 9)¹⁴.

Table 9

Logistic Regression Examining the Relationship between Indigenous Status and Recidivism (excluding breaches) for Fixed Two-Year Follow-up

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(<i>B</i>)	95% CI	
						Lower	Higher
Block 1							
Indigenous status	.21	.09	5.47	.02	1.23	1.03	1.46
Block 2							
Indigenous status	.01	.10	.02	.89	1.01	.84	1.22
Criminal history	.40	.03	191.78	<.001	1.49	1.40	1.57
MSO Index	-.04	.02	5.01	.03	.96	.93	1.00
Sentence length	-.01	.01	1.81	.18	.99	.97	1.01
Age	-.01	.01	8.86	.003	.99	.99	1.00
Gender	-.03	.12	.05	.82	.97	.77	1.23

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(6) = 287.40$, $p < .001$, -2 Log likelihood = 3003.67. Reference category for gender was female = 0.

Discussion

Conditional sentence orders were introduced for the purpose of diverting offenders from custodial imprisonment to serve their sentence in the community under strict conditions of supervision. This sentence was introduced in 1996 and added to the *Criminal Code* in conjunction with a suite of sentencing provisions with the intention of correcting for the over-reliance on incarceration, particularly for offenders of Indigenous heritage. While the intention of CSOs was to reduce the over-incarceration of Indigenous individuals, there has been a

¹⁴ Cox regression survival analysis utilizing the full variable follow-up period (i.e., any reconviction, excluding breaches, during CSO and one-year post expiry of CSO) was conducted. Results were consistent with the logistic regression analysis (see Appendix A, Table A9 for cox regression table and Figure A1).

considerable amount of skepticism regarding the equity of how these sentences are applied and their related outcomes. Specifically, concerns regarding sentence length, the terms of supervision (i.e., number and types of conditions) and breaches, have been highlighted as potential areas in which Indigenous offenders may receive discrepant treatment compared to their non-Indigenous (i.e., Caucasian) counterparts. The present study sought to compare Indigenous and Caucasian individuals on a CSO on sentence length, frequency and type of optional conditions, number and frequency of breaches, and recidivism. It should be noted here that while the current study was limited to exploring the administration and outcomes of CSOs for the broad category of Indigenous peoples, as research on this topic continues to develop, it is important to consider the unique circumstances of the distinct Indigenous populations in Canada (i.e., First Nations, Métis and Inuit) for whom the contributing factors and trajectories through the justice system may be different. The key findings and associated implications for the criminal justice system follow.

Sentence Length

The present study found that while controlling for factors that judges utilize to determine sentence length (e.g., risk/criminal history, severity of the offence), compared to their Caucasian counterparts, Indigenous individuals did not receive longer conditional sentences. In fact, Indigenous individuals on average received significantly shorter sentences, even after controlling for important variables, such as risk and offence severity. If taken at face-value, this suggests that judges in this jurisdiction have been utilizing CSOs as a mechanism to reduce the over-representation of Indigenous peoples in the justice system, even potentially exercising an over-correction for Indigenous peoples specifically. Testing for whether an over-correction is occurring would require a greater precision of comparisons, controlling for a variety of case,

individual, and judge-level characteristics; however, this finding on sentence length is encouraging nonetheless.

While the difference between Indigenous and Caucasian sentence lengths should not be overstated, the finding that Indigenous offenders did not in fact receive longer sentences is consistent with one of the main intentions of CSOs; that is, to provide greater equity in sentencing for Indigenous offenders. It should be noted however that this finding may not hold when examined in other jurisdictions where over-representation of Indigenous peoples is more pronounced (e.g., prairie provinces). Furthermore, while this study was able to examine elements of the process and outcomes of Indigenous and Caucasian individuals who received a CSO, it does not provide a comparison of who received a CSO versus those who did not. It is therefore unable to account for any inequity that may be occurring at the sentencing stage itself, beyond sentence length. More specifically, it cannot answer the question of whether Indigenous offenders are receiving CSOs for offences Caucasian offenders are more commonly receiving probation, or whether Indigenous offenders are being imprisoned for offences Caucasian offenders are receiving CSOs. While it is not possible to know whether there is an inequity in how judges are determining the appropriate sentence lengths that distinguish federal from provincial sentences, or how they decide whether custody or community sentences should be imposed, the finding on the general equivalency of sentence length is encouraging.

Optional Conditions

In addition to sentence length, judges have the discretion to decide the number and types of optional conditions to which an individual must comply during a CSO. It was therefore of interest to see how the number and type of conditions were applied to Indigenous and non-Indigenous individuals. Interestingly, it was found that the groups did not differ on the average

number of optional conditions (i.e., just over four optional conditions on average for each group). And, the most frequently occurring conditions were the same for both groups (i.e., abstain from intoxicants; attend counselling or treatment as directed; and, obey the terms of the curfew). This is consistent with previous research that has found that abstain from intoxicants and attend counselling as directed were the most common conditions associated with community supervision orders (i.e., probation and CSOs; Johnson, 2006). These findings suggest that judges for the most part are assigning Indigenous and non-Indigenous offenders similar conditions at equivalent rates.

The only differences that were observed were that Indigenous offenders were more likely to be given a no-contact condition and a condition prohibiting their presence on any premises licensed to sell alcohol. Caucasian offenders on the other hand were more likely to be given conditions requiring they stay away from a specified area, complete community work service hours, and pay restitution. It could be that the differences in the types of conditions are due to differences in the types of offences occurring in each group. Specifically, Indigenous offenders were significantly more likely to have a violent offence as their index, which could explain the increased rates of having no-contact conditions (e.g., for domestic violence cases) compared to Caucasian offenders. Similarly, Caucasian offenders were more likely to have property offences, which could explain the higher rates of having a condition prohibiting their access to a specified area and requirements to pay restitution. This finding further suggests that judges are indeed considering the nature of the offences when determining which types of conditions to assign. The tailoring of conditions to individual cases seems like a promising practice, as it likely enhances the relevance of conditions, as opposed to relying on blanket conditions that may contribute to unnecessary restrictions.

A surprising finding overall however was the observed ratio between the use of punitive/restrictive conditions to rehabilitative conditions. Specifically, of the 18 different conditions that were applied to CSOs in the present sample, only six of these were considered to be rehabilitative in nature. The ratio for the average number of punitive/restrictive conditions versus rehabilitative conditions was four to one for both groups. While the equivalency of the ratio between the groups is a positive finding, given the purported dual purpose of CSOs (i.e., to be a middle ground between probation and imprisonment), the considerable imbalance and emphasis on punitive/restrictive conditions is unexpected. While CSOs are intended to be a custodial sentence served in the community, and aim to achieve the goals of denunciation and deterrence, they are similarly expected to achieve restorative objectives of rehabilitation, reparation to the victim and community, and promote a sense of responsibility in the offender (see *R. v. Proulx*, 2000, at para. 22).

The emphasis on punitiveness/restrictiveness can also be observed in the way mandatory conditions were applied to CSO cases. All five of the mandatory conditions associated with a CSO are considered to be punitive/restrictive in nature. For the subsample of individuals for whom their conditions were available, 100% of cases had at least one punitive/restrictive optional condition, whereas, nearly 20% of the sample had zero rehabilitative conditions (20.1% for Caucasian and 17.4% for Indigenous individuals). If the goals of a CSO are to be in part (or equally) rehabilitative as they are restrictive, mandatory conditions should include some element of rehabilitation. For example, attending counselling as directed by the supervisor of the order was an optional condition that was given in over 70% of cases. Given that it is applied with such frequency, this condition could be elevated to being a mandatory condition that all offenders should follow and more importantly, could benefit from. Furthermore, it would align with the

principles and the spirit of conditional sentences to have rehabilitative and restorative aims be a consistent expectation and a service offered to individuals on these sentences.

Breaches

In addition to gaining an understanding of how CSOs are applied to Indigenous compared to Caucasian individuals, it was similarly of interest to compare their outcomes (i.e., breaches and recidivism). Consistent with previous research on community supervision orders (e.g., Johnson, 2006), it was found that Indigenous offenders were convicted of breaches more often than Caucasian individuals. Specifically, in the present study it was found that Indigenous individuals were 35% more likely to be convicted of a breach. Relatedly, Indigenous offenders received significantly more breaches during their CSO than Caucasian individuals, even after controlling for criminal history, index offence severity, sentence length, age, and gender. In the absence of knowing the reasons for breach (i.e., which conditions were associated with the breaches) or knowing the number of breaches put forward that did not result in a conviction, the potential reasons for the observed differences in breach rates could be as a result of one, or a combination, of the following circumstances.

First, it is possible that Indigenous offenders are simply violating the terms of their conditions with greater frequency than Caucasian offenders and therefore, the convictions for breaches are a truly a reflection of more rule-violating behaviour for this group. If this is the case, it would be anticipated that a similar pattern of findings would be found for convictions for new offences. In other words, if Indigenous peoples are breaking the rules with greater frequency, it would be expected that they would be re-offending at a greater frequency than Caucasian offenders as well. This however was not found; recidivism rates did not differ after

controlling for the influence of criminal history, offence severity, age, gender, and sentence length.

Second, it is possible that the higher breach rate for Indigenous individuals is a reflection of true differences in rule violating behaviour; however, this difference is due to an inequity in the fairness of these rules as they apply to Indigenous compared to Caucasian individuals. In other words, the source of the difference is attributable to a differential difficulty associated with adhering to the conditions of supervision for Indigenous compared to non-Indigenous individuals, and not intentional rule violating behaviour, which is a criminogenically relevant difference. More specifically, it could be that the entrenched disadvantage faced by Indigenous peoples puts them in a position to be systematically less able to adhere to certain terms of their supervision. For example, the higher rates and higher severity of substance abuse among Indigenous populations could make it uniquely more difficult to comply with the conditions of abstaining from intoxicants compared to non-Indigenous offenders; therefore, they may be breaching this condition more often. Similarly, the excessive levels of poverty and unemployment among Indigenous peoples could make it more difficult to adhere to certain conditions, such as paying restitution or finding/obtaining employment (Statistics Canada, 2016). Johnson (2006) compared the conditions associated with breaches of CSOs for a sample of offenders in the province of Alberta and found that a higher percentage of Indigenous individuals on a CSO received a breach for violations of the conditions of “restitution/compensation order” and “community work service” compared to the non-Indigenous sample. It could be that the breach rate is higher for Indigenous offenders because, while they are not complying with the conditions, compliance poses an inequitable hardship as compared to non-Indigenous individuals under the same sentence, which makes it more difficult for Indigenous offenders to comply.

Relatedly, it could also be that some of the conditions associated with CSOs possess a differential relevance to Indigenous individuals, making compliance potentially less compelling. For example, for conditions associated with attending treatment/programming as directed, it is plausible that the potential irrelevance or incongruence of these programs with the cultural context of Indigenous individuals could make these programs either less criminogenically relevant and possibly result in higher attrition rates if they are perceived as less useful. There is some preliminary evidence to suggest that introducing more culturally-responsive programming can result in reductions in program attrition (e.g., Ellerby & MacPherson, 2002). Therefore, there could be an issue related to the responsivity of conditions, as they apply to one group over the other.

Third, it is possible that the higher breach rate in the Indigenous sample is a result of an over-detection of rule-violating behaviour for Indigenous compared to Caucasian individuals. In other words, it could be that both groups are breaching the terms of their orders at the same rate; however, Indigenous offenders are being detected and convicted at a higher rate than Caucasian offenders. This suggests that Indigenous offenders may be receiving differential supervision and the differences in breach rates can be attributed to an “over-policing” of Indigenous individuals compared to their Caucasian counterparts. Relatedly is the fourth possibility, that the observed higher likelihood of convictions for breaches is a reflection of systemic discrimination of Indigenous peoples by some level(s) of the justice system during the breach process. In this case, the breach rate is not a result of more rule violating behaviour; rather, Indigenous offenders are receiving more breaches due to discriminatory supervision or sentencing practices. Given that the procedures surrounding breaches allow for considerable amounts of discretion (e.g., lower burden of proof than what is required for the conviction of a new offence), this introduces the

potential for bias into the decision-making process. Systemic discrimination has been both a well-documented and long attributed potential cause of the general over-representation of Indigenous peoples in the criminal justice system, and could therefore be a specific factor influencing outcomes as they relate to CSOs (e.g., RCAP, 1996; Rudin, 2005).

If Indigenous offenders are indeed being breached on conditions more often and it is due to either a disproportionate difficulty associated with compliance, an over-supervision/over-detection, or yet another consequence of their current/historical comparative disadvantage, the assignment of conditions by judges to Indigenous individuals needs to incorporate considerations of their unique circumstances (much like s.718.2[e] suggests for sentencing). While it is apparent that judges are likely considering the nature of the offence in determining the types of conditions that should be applied, there should similarly be a consideration of individual-level factors in establishing fair and just terms of supervision.

Knowing the proportion of breaches being put forward at each stage that either result in a conviction or not, for each group, would shed some light on where the differentiation is occurring. It would be similarly informative to know where the divergence between Indigenous and non-Indigenous breaches is occurring. Are probation officers initiating breaches at a differential rate? Are crown counsels issuing warrants for breaches at a different rate? Or, are judges convicting Indigenous offenders of breaches at a differential rate? Unfortunately, without having information on the reasons for breaches, it was not possible to know what conditions were associated with the convictions for breach in each group. Future research in the current jurisdiction and others should seek to examine this issue further.

Taken together, it seems plausible that there is an interplay of these four potential causes contributing to the higher breach rate for Indigenous offenders; therefore, further efforts to understand the source of this discrepancy are required.

Days in Custody

Despite the differences in the frequency and number of breaches, Indigenous individuals were not more likely to spend a greater amount of time in custody as a result of a breach. Although it was not possible to directly examine this in the current study, this finding could in part be explained by the differential use of temporary suspensions and terminations of orders as a result of a breach. More specifically, it is possible that while Indigenous peoples are receiving more breaches, judges could be granting Indigenous offenders more suspensions (short term custody) and Caucasian individuals are being given more terminations as a result of a conviction for a breach. This hypothesis is further supported by the finding that Indigenous offenders were found to be breaching earlier on in their sentences and had more breaches on average compared to Caucasian offenders, both of which suggest that Indigenous offenders were receiving a greater number of suspensions. Taken together, this likely provides clarification on the source of the difference in both the mean number of breaches and the number of days in custody for the two groups. In light of the fact that Indigenous offenders were breaching earlier on in their CSOs also suggests that services for Indigenous offenders could be improved, particularly on the front-end of CSOs, to better support them. This is particularly important given that there is limited information on the reasons for breaches and a lack of clarity on the discrepancy in breach rates between Indigenous and Caucasian individuals.

Conclusion

Based on the findings from the present study, while there appears to be consistency in how CSOs are applied with Indigenous and Caucasian individuals, the findings that Indigenous offenders receive more convictions for breaches highlights the need for further investigation and replication in different jurisdictions. Furthermore, these findings should also serve as an appeal to criminal justice agencies to more systematically collect and track information on the reasons for breach, as this would help identify the conditions that are most often associated with CSO failures, which could then be used to inform sentencing, supervision, and programming practices.

Greater awareness of the types of conditions that more often result in breaches affords the opportunity for reflection on whether there is a need to modify the rules themselves if they are not reasonably compliable. Or, it allows for a shift in the expectations that individuals satisfy the spirit of conditions rather than the letter of conditions, in a manner that maintains the integrity of the principles of sentencing and justice, prioritizes public safety, and does not result in a return to relying on imprisonment as the main criminal justice response. Failing to examine such a practice could ultimately result in a contradiction to the purpose of this particular sentence, in addition to contributing to a systematic inefficiency of justice.

Furthermore, if individuals are breaching specific conditions more often than others, efforts should be made to better understand the causes of these failures to ensure that individuals (or groups of individuals) are not being systematically set up for failure. The question of whether they are simply breaking the rules more—a discussion of the socio-historical causes of the source of this are beyond the scope of the present study— or, whether the rules pose a differential hardship to a uniquely disadvantaged group (which in turn requires that an element of latitude or culturally-specific responsiveness be applied), is a question that inspired the changes to the

Criminal Code (i.e., s.718.2[e]) and should therefore be similarly asked at other stages of the system in an effort to ensure equity of justice.

Diverting individuals from imprisonment, while making reasonable efforts to protect the public, are goals in which the justice system has acknowledged are worth investing. And further, it has been acknowledged that justice has not been applied equally to all groups. So while the findings from the present study in this jurisdiction are promising regarding the use of CSOs with Indigenous peoples, there is still much to learn regarding why Indigenous peoples do not fare as well regarding certain outcomes (i.e., breaches). Replicating the findings from the current study in other jurisdictions across Canada is necessary to identify the considerable implications for sentencing and supervision practices, which will then inform the solutions to be implemented. While the initial intention of CSOs was promising, and many of the current findings are similarly encouraging, further investigation is required to develop a deeper understanding of whether these mechanisms are indeed working as intended, particularly in the case of Indigenous peoples.

CHAPTER 3: Study 2 – Defining and Examining Culturally-Relevant Risk/Need Factors for Peoples of Indigenous Heritage

Purpose

One of the potential explanations for the differences that have been observed in the accuracy of risk assessment for Indigenous peoples compared to non-Indigenous peoples is the absence of factors that are either uniquely relevant or more salient to Indigenous offenders for understanding the causes of criminal behaviour (e.g., Gutierrez et al., 2013; Shepherd, 2015; Wilson & Gutierrez, 2014). Given that commonly-used tools were developed largely on non-Indigenous populations, it is possible that the scope and manner in which they assess risk fails to adequately consider the different historical, social, political, and economic realities of Indigenous peoples, which renders these tools less accurate for predicting criminal behaviour, or identifying risk-relevant treatment targets for this population. As described earlier, the importance of cultural-relevance in understanding risk for criminal behaviour has been acknowledged in the risk assessment and treatment literature (e.g., Gutierrez, et al., 2013; Laprairie, 1995; Martel et al., 2011; Shepherd, 2015; Wilson & Gutierrez, 2014) as well as in changes to legislation (e.g., addition of s.718.2[e] of the *CCC*) and legal proceedings (e.g., *R. v. Gladue*, 1999); however, there has been a lack of consistency or clarity on what these factors are, how they are represented among Indigenous peoples in the justice system, and how they distinguish individuals who are lower versus higher risk to offend.

In order to improve our understandings of culturally-relevant risk/need factors as they relate to assessment and treatment for Indigenous peoples, the goal of the present study was to better define what culturally-relevant factors actually are and how they are represented in a sample of Indigenous peoples in the criminal justice system in Canada. Given this aim, the

present study was conducted in two parts: a) identify what culturally-relevant factors are and develop a questionnaire intended to measure these factors; and, b) administer the questionnaire to a sample of Indigenous males on community supervision.

Research Questions

While there was a general expectation that some factors acknowledged in the general cultural-relevance literature would emerge (e.g., Gladue factors), given the intentionally exploratory nature of the current study, no hypotheses were formulated. The following questions however were of interest:

- 1a) What are the culturally-relevant factors that are believed to be important to understanding risk for offending among Indigenous peoples in Canada?
- 1b) What do these culturally-relevant factors look like among a sample of Indigenous males currently involved in the criminal justice system?

Method – Study 2A

As previously described, there is a considerable gap in the existing literature on what culturally-relevant factors are as they pertain to Indigenous peoples, how they should be defined and measured, and how they relate to criminal behaviour. For the purposes of the present study, in order to gain an understanding of these factors, it was essential to seek knowledge from those individuals who have a deep understanding and exposure to (and in many cases, experience of) what these factors look like for Indigenous peoples in the criminal justice system. Therefore, in keeping with the principles of Chapter 9 of the *Tri Council Guidelines on Ethical Research Involving the First Nations, Inuit and Métis Peoples of Canada*, as well as the calls-to-action from the *Truth and Reconciliation Commission* (2015), an Indigenous Advisory Group (IAG)

was created. The role of an IAG was crucial to the process of co-development of the culturally-relevant themes, factors and ultimately, the Culturally-Relevant Factors Questionnaire itself.

Participants

The IAG was developed by identifying individuals who, in some capacity, work with Indigenous peoples in the criminal justice system. The goal was to establish a network of individuals who had different vantage points and perspectives from which to speak to issues that they viewed as relevant for understanding the risk/need factors for offending for Indigenous peoples in Canada. With this in mind, practitioners, scholars/academics, policy developers, treatment providers, and community leaders (e.g., Chiefs, spiritual caregivers) were approached for their participation in the research. It was important that the majority of individuals in the IAG identify as Indigenous themselves; however, the IAG also included a small sample of non-Indigenous individuals who similarly work in the criminal justice field with Indigenous peoples (e.g., probation officers, academics, treatment providers), as they would also have a valuable perspective to offer.

Procedure

Individuals whose participation would be sought were first identified by establishing a list of individuals known to be working in this field. This was done by leveraging existing networks (e.g., *Pitama* is a network of Indigenous probation officers, spiritual caregivers, Elders, treatment providers/facilitators, and court workers in the province of Manitoba), as well as identifying individuals who were generally known to be involved in the Indigenous correctional field in varying capacities (e.g., policy workers, legal professionals, Chiefs, academics). The initial wave of networks and individuals I identified gave way to new networks and individuals,

whose participation was also sought. Potential participants were contacted largely by email and those who expressed interest were provided with the consent forms (see Appendix B).

IAG co-development sessions. The intention was to hold various semi-structured co-development sessions that, through an iterative process of discussion and revision, would result in the development of a Culturally-Relevant Factors Questionnaire. It should be noted that prior to conducting any sessions, I completed a three-day Indigenous Community Development training offered by Indigenous and Northern Affairs Canada and sought advice from numerous Indigenous partners on appropriate protocols for hosting co-development sessions that were responsive to Indigenous traditions and practices. Given the variety of Indigenous cultures in Canada, there is no single approach to acknowledging and respecting Indigenous tradition and practice; however, it was advised that incorporating flexibility on the setting, structure, timing, pace, and topics discussed was important to fostering an environment that was fruitful, comfortable, and candid. Furthermore, I was encouraged to use simple language, avoid the use of PowerPoints or handouts, and when in a group setting, physically arrange the room in a circle format. Most importantly, I was advised to approach each session with humility, consideration, and a thick skin¹⁵.

Consistent with principles of qualitative interviewing, the general approach I used to engage IAG participants was open-ended questions, spending most of the time listening, probing for more information when appropriate, and demonstrating empathy and neutrality (Patton, 2015). More specifically, the approaches I used to conduct the sessions can be best described as a combination of pragmatic, oral history, and phenomenological interviewing (Patton, 2015; Shopes, 2011; Van Manen, 1990). Specifically, I used few, simple questions aimed at eliciting

¹⁵ This research was done in partnership with the Department of Public Safety and therefore, the author was representing both Carleton University and the federal government, which presented unique challenges when discussing the historic and current relations between Indigenous peoples and the Crown.

both practical and useful insights that are problem-solving oriented, as well as pursuing individual personal stories, reminiscences, knowledge of events, and first-hand accounts. Further to these principles, techniques, and the advice offered by my Indigenous partners, there was no formal structure or agenda developed for the sessions.

Participation in the IAG sessions could occur as either a group format or as one-on-one sessions. Given that individuals were often located in different cities, it was not feasible to host large group sessions with the full IAG. Similarly, some individuals preferred that their participation occur one-on-one. For this reason, a total of 26 separate co-development meetings occurred over the course of the full study period. Group sessions all occurred in person, while one-on-one sessions either occurred in person or via phone. In an effort to most accurately capture the discussions, permission to use a digital recorder was sought prior to each session. For sessions where permission to use a digital recorder was not permitted, permission was sought to take hand-written notes. Given that the intention was to have the process occur in multiple stages and be iterative in nature, participation in the theme and questionnaire development could either be a single-session, or occur as multi-session participation. Participants were provided with the option to participate in either the initial discussions only, or also provide their perspectives and feedback as the questionnaire was developed.

Ultimately, a total of 51 individuals participated in the IAG sessions. The majority of participants were female (57%) and the majority identified as Indigenous (72.5%). Table 10 provides the primary role of each participant in their respective professions or communities. There was a large contingent of individuals working in the area of community corrections (e.g., 49% from probation, parole, or corrections management). Fortunately, there was also participation from community leaders and healers (i.e., two Chiefs and three spiritual caregivers).

Table 10

Descriptive Information on Indigenous Advisory Group

Variable	n/51	%
Gender		
Male	22	43.1
Female	29	56.9
Ethnicity		
Indigenous	37	72.5
non-Indigenous	14	27.5
Country		
Canada	50	98.0
New Zealand	1	2.0
Primary Role/Profession		
Policy/Legal Expert	8	15.7
Chief	2	3.9
Treatment	3	5.9
Provider/Clinician		
Community Corrections	7	13.7
Management		
Probation/Parole Officer	18	35.3
Court Liaison/Worker	2	3.9
Researcher/Academic	8	15.7
Spiritual Caregiver/Elder	3	5.9
# of hours		
Less than 2 hours	10	19.6
>2 to 3 hours	22	43.1
>3 to 5 hours	4	7.8
>10 hours	15	29.4
Level of Consultation		
Single session	27	52.9
Multiple sessions/revisions	24	47.1

A total of 26 IAG sessions occurred over the course of the study period (i.e., nearly two years). Just over half of the participants chose to participate in only a single initial session (53%, $n = 27$), with the remaining individuals participating in multiple sessions (47%, $n = 24$). The majority of meetings were informal and occurred as one-on-one sessions (i.e., 77% [$n = 21$], of

the individuals opted for one-on-one sessions). For the six sessions that occurred with groups, two took place in Ottawa, and four involved travel to Manitoba (i.e., where data collection for Study 2B took place). All sessions ranged from one to five hours in length at a time. The most cumulative time spent with any one individual or group was 10 hours. Approximately 52 hours in total were spent conducting the IAG co-development sessions.

Process of Co-Development and Thematic Analysis

The scheduling of sessions with the IAG participants was coordinated with individuals or leaders of the existing networks/groups. Each initial session started with a brief description of the purpose of the research and a general vision of what was hoped to be collaboratively accomplished during the session. A few prompting questions were made available to inspire discussion when needed (see Appendix D). The discussions for the initial meetings were open-ended; participants took turns offering their opinions and experiences of culturally-relevant risk/need factors for criminal behaviour, often illustrating their points by way of offering their own personal experiences or those of their current or past Indigenous clients in the justice system. The topics of conversation were at times difficult in nature (e.g., descriptions of residential school experiences, extreme violence, conditions of poverty); therefore, measures were put in place to ensure participants were aware of and had access to support services, if needed. The initial sessions were generally longer (e.g., 2-3 hours) than the later sessions, given that the topics tended to be broader at these early stages (e.g., inter-generational trauma, history of marginalization), with more fruitful departures from the main research questions, which led to productive conversations. As the questionnaire became more refined, the conversations tended to be more “focused” and specific.

Process for preliminary theme development. Following the first wave of initial meetings, I coordinated the general topics and preliminary themes that were identified into one document (the process of thematic analysis is described in the next section). Given the iterative nature of developing the themes and questions, the process of creating the questionnaire was not linear; rather it was recursive in nature. Furthermore, the different levels of participation by the IAG participants required a flexible and recursive approach. For individuals who expressed an interest in participating in sessions subsequent to the initial session, an overview of the general topics and preliminary themes were provided in advance of the next meetings. These topics and preliminary themes were then used to inform the later sessions where further refinement of the themes and questions occurred. Individuals and groups provided feedback and revisions in person or via email. Revisions sent via email from groups were normally facilitated by a single point-person; however, individuals were welcome to send their own revisions or responses separately. This iterative process was used to accomplish numerous rounds of revisions that eventually led to the development of questions and themes organized into the questionnaire.

Working through disagreement. While participants overwhelmingly agreed with each other on the themes and factors, there were some instances of disagreement in the later stages of the questionnaire development process. Disagreements centered primarily on the appropriateness of including particular topics or questions in the questionnaire (e.g., history of physical, sexual, and/or emotional abuse). The disagreements stemmed from a general concern regarding who would “own” the information, as well as the potential risk for harm to respondents associated with conducting such a questionnaire altogether. There was considerable conversation and debate regarding the costs and rewards associated with such an endeavor; however, it was ultimately the prevailing perspective that both individual and community-level healing was being promoted

through participating in exercises such as this research, and talking about the issues that are often most difficult to discuss. As one IAG participant described, in the context of community healing:

“If you’re not willing to go down to that [road], you won’t move the markers... You’re not going to get rid of the learned helplessness; you’re not going to change the issues that have come very close to destroying an entire society. Sometimes things look like they’re getting worse. It’s that shame that’s compounded when people start talking and it’s like, we’re not supposed to talk about that you know, put that lid back on the box. People attack those people who are speaking out. There appears to be no advantage to actually speaking out, but at the end of the day, it’s the only way you’re going to make things safer...but at first it’s sometimes hard to see beyond the hurt and pain and stigma.”

IAG participants were largely satisfied with including “invasive” questions as long as respondents were clearly and consistently reminded that they could: 1) leave any questions blank if they felt uncomfortable answering them; 2) withdraw their participation at any point; 3) access either formal supports or people they trust to support them through the questionnaire process; and, 4) take breaks or complete the questionnaire over the course of whatever period of time they chose. It was also of importance to many IAG participants that no one monetarily benefit from the information gleaned from or through the questionnaire process.

Other instances of disagreement were largely uncontroversial and were simply settled by me as the researcher. For example, there were minor disagreements on the wording or phrasing of a few questions (e.g., “are you currently employed?” versus “do you have a job?” versus “are you employed now?”). The author made decisions most often by favouring the majority opinion, with the ultimate decisions guided by the principles outlined in Chapter 9 of the *Tri-Council Guidelines on Ethical Research Involving the First Nations, Inuit and Métis Peoples of Canada*, and with the health and safety of the respondents as the main priority.

Analytic Strategy

As presented earlier, quantitative descriptive information on the IAG sample and information on the levels of participation in the IAG sessions were analyzed using frequencies. Given the aims and methodological approach used in Study 2A, the majority of the data was qualitative in nature. The main purpose of the present study was the identification of culturally-relevant themes/factors that would inform the development of a questionnaire that would later be given to Indigenous participants (i.e., Study 2B). Therefore, the crux of the approach was the use of thematic analysis of the qualitative data compiled during the co-development sessions. Specifically, the data consisted of direct quotations (transcribed verbatim) and detailed observations and interpretations of the discussions that took place, which were compiled in field notes, digital recordings, and documents collected during the IAG sessions.

Thematic Analysis

“If themes “reside” anywhere, they reside in our heads from our thinking about our data and creating links as we understand them” (Ely, Vinz, Downing, & Anzul, 1997: pp. 205-6).

Thematic analysis is a method by which patterns or themes are identified through the analysis and interpretation of data. At minimum, it offers a flexible approach to organizing and describing a rich set of data, without requiring adherence to a specific theory or epistemological stance (Braun & Clarke, 2006). Thematic analysis provides a mechanism to report both the experiences of individual participants (e.g., essentialist/realist and cross-case methods), as well as to examine a variety of broader issues and their associated meanings within a society (e.g., constructionist methods). The approach I used was generally inductive in nature, in that the themes identified were strongly related to and derived from the data itself. The level at which

themes were identified were at both the semantic level (i.e., explicit words used by the IAG to describe events, issues, experiences) and at the latent thematic level (i.e., from the underlying ideas or conceptualizations described).

Most importantly, the process of identifying themes was done collaboratively with the IAG, but ultimately, guided by me as the researcher. While co-development was the process, it was not possible to disentangle researcher judgment from the creation of themes. That is, given that I as the researcher served as the “instrument of inquiry”, it was not possible to separate myself from the interpretation of themes. Therefore, it was my responsibility to acknowledge the biases that could be introduced as a result of my experiences, knowledge, background, and training. And while it is not possible to communicate a communal voice, the themes that the IAG and I identified are an attempt at distinguishing what Braun and Clarke (2006) describe as the “signal from the noise” of the IAG sessions, and communicating what was of substantive significance. The themes therefore represent important patterns in the data and responses to the overarching research question (i.e., what are culturally-relevant risk/need factors?). These themes were selected, not simply on the basis of the frequency of their occurrence in the data (e.g., counting the number of responses that included reference to a thematic area). Rather, themes were selected based on the general space the concept occupied (i.e., both the time spent on a topic, but more importantly, the resonance the topic had), as well as the “keyness” in terms of how it captured an issue of importance. While there is no general agreement on how to conduct thematic analysis, Braun and Clarke (2006) offer six steps on how to approach thematic analysis in the field of psychology (see Figure 4). These steps were used to guide the process and analysis of the current study.

At the data description stage, the data was organized using mind-maps, tables, as well as sorting words and ideas on pieces of paper, much like a puzzle (see Appendix E for some process photos). First, transcription and familiarization with the data/discussions occurred by listening to the recordings, typing and reading notes and transcripts of the IAG sessions (this occurred and reoccurred numerous times over the course of the study period, given that it took nearly two years to complete). Next, patterns were identified by sorting words and concepts semantically. The identification of “codes” in data took place, whereby I identified features in the data that were suggestive of “keyness” and presented these codes to the IAG at subsequent sessions (e.g., issues related to victimization, discrimination, the importance of community; Tuckett, 2005). Given that the approach was both data-driven (i.e., derived directly from the IAG discussions) as well as goal-driven (i.e., seeking to answer the specific research question), coding was conducted to serve both approaches. While coding can be done through a software program (e.g., NVivo), manual coding was preferred given the process of recursive co-development with the participation of the IAG. Therefore, the process of coding involved identifying segments of text from electronic transcripts, hand-written notes, and poster paper generated from the larger group sessions using coloured pens, highlighters, and ‘post-it’ notes.

Figure 4. 15-point Checklist of Criteria for Good Thematic Analysis (adapted from Braun & Clarke, 2006).

Following the initial coding phase, efforts were made to theorize the substantive significance of coding patterns and to interpret their meanings and implications in order to create themes (Boyatzis, 1998; Braun & Clarke, 2006). For this phase, mind-maps were used to organize related codes into overarching themes. Similarly, mind-maps were used to disentangle larger themes from macro or “super themes”. For example, some themes were created from the constellation of questions that arose before themes or concepts were formed. As Figure 5 illustrates, these questions were later organized into unifying themes (e.g., questions related to foster care, adoption, consistency of caregiving, etc. became the theme Stability of Upbringing).

Figure 5. Example of a mind-map of questions that were later grouped into themes.

Alternatively, macro or “super-themes” emerged that were broken down into more tangible themes. As Figure 6 illustrates, intergenerational trauma was a super-theme that was comprised of a constellation of large concepts and themes (e.g., residential school experience, community breakdown, loss of leaders). For the purposes of the present research, it was

determined that identifying the larger themes within a super-theme would be most appropriate, as identifying factors and questions for inclusion in a questionnaire was one of the main aims.

The nature of coding the data and generating themes was not linear; therefore, developing the questions that ultimately came together as the Culturally-Relevant Factors Questionnaire was similarly recursive. As described previously, in some cases, questions were generated before themes were developed. In other cases, themes were generated from more global and nebulous discussions (e.g., the value of individuals in communities, the protective value of preparing for discrimination).

Figure 6. Example of a mind-map of the “super theme” of intergenerational trauma that was deconstructed to smaller themes/concepts.

It should be noted here that there is no agreement on the value of engaging the literature during the thematic analysis process (Braun & Clarke, 2006). Some researchers suggest that consulting the literature narrows one’s analytic vision, while others contend that engaging the

literature primes the researcher to the subtleties of features that may otherwise go unnoticed (Braun & Clarke, 2006; Tuckett, 2005). In the present study, there was limited engagement of the literature during the thematic analysis process. For a couple of the thematic areas where generating questions proved more difficult, we consulted the literature in this area. For example, for questions pertaining to the thematic area of “experiences of discrimination”, some of the questions were inspired by the Measure of Indigenous Racism Experience (MIRE; Paradies & Cunningham, 2008), which was developed to measure the relationship between experiences of racism and health outcomes for Aboriginal or Torres Strait Islander peoples. Therefore overall, while the purpose of the present study was intentionally situated within the context of the greater literature, the discussions that occurred with the IAG, aimed at generating the themes and questions believed to be most relevant to answering the research question, were intentionally the primary source of information and knowledge.

As suggested by Braun and Clarke (2006), the next section provides a brief description for each theme that was created through the process of thematic analysis. While the depth and complexity of the data is lost in brief description, this is the process most appropriate in cases where space is limited and the area is generally under-researched.

Results

Questionnaire Themes, Structure, and Questions

Based on the 26 IAG sessions and through the process of thematic analysis, a total of 12 culturally-relevant themes were identified (see Table 11). These thematic areas were used to develop the questions for the Culturally-Relevant Factors Questionnaire (see Appendix F for the full questionnaire). The questionnaire contains a total of 142 main questions (not including sub-questions) and incorporates a combination of yes/no, open-ended, and 5-point Likert-type questions. While the richness of including open-ended questions was acknowledged, given the lengthy nature of the questionnaire, open-ended questions were reserved for only a limited number of questions (e.g., reasons for dropping out of school) in an effort to avoid respondent fatigue. The Likert-type questions were utilized mainly to capture the respondent's opinions or endorsements of statements (e.g., *strongly disagree* to *strongly agree*) or to capture the frequency of behaviours or experiences (e.g., *never* to *all the time*) related to the theme.

While the questions are generally grouped together by theme (e.g., familial experience of residential school, substance use), some questions are intentionally spread throughout the questionnaire (the reasons for this are described in the later sections). Similarly, while the themes are described in a distinct fashion, there is a considerable amount of overlap across the thematic areas (e.g., residential school experience overlaps with history of abuse, stability of upbringing overlaps with residential school experience and poverty). As discussed with the IAG, it was important to include both deficit-based questions as well as positive and strength-based questions. While the inclusion of risk factors and possible treatment targets was the priority, so was the importance of promoting well-being and a sense of hope for the respondent as they

completed the questionnaire (or alternatively, to avoid the potentially iatrogenic effects of completing the questionnaire itself).

Table 11

Twelve Themes Resulting from Discussions with Indigenous Advisory Group Sessions

Themes
1. Cultural Background & Indigenous Identification
2. Stability of Upbringing
3. Residential School Experience (direct)
4. Family Experience of Residential School
5. History of Exposure to Abuse
6. Coping Strategies
7. Extreme Poverty
8. Preparation for and Experience of Discrimination
9. Community
10. Views on Justice
11. Employment/Education
12. Substance Abuse

It became clear early on in the development of the themes and questions that there was a need to ask questions about each individual's upbringing, as well as their adulthood experiences. Similarly, there was recognition that there should be at least a few questions devoted to the experiences of the respondents' caregivers. Therefore, the final questionnaire is generally organized into three parts: a) childhood/teenage years (i.e., birth to 17 years old); b) caregivers/parents; and, c) adulthood (i.e., 18 years old to present). Lastly, in an effort to make the questionnaire more accessible, it was recommended by IAG participants that the questionnaire be translated into at least one Indigenous language. After consultation with IAG

participants regarding which Indigenous languages would be most common in the province of Manitoba, the questionnaire was translated into Ojibway and Cree (see Appendix G and H)¹⁶.

Consistent with the advice of Braun and Clarke (2006) on the manner in which to report on the outcomes of thematic analysis, the following section briefly describes each of the 12 thematic areas. Additionally, within each section are examples of questions that were created to tap into each thematic area in the questionnaire and a sampling of quotes from the IAG sessions related to each theme.

1. Cultural Background and Indigenous Identification

P20: “If you know who you are and where you come from, if you can say that’s my culture, and look at a ceremony or a wampum belt – be it something physical or it can be passed along – it sustains you as a healthy person. If you don’t have that, then you’re floating and so you try to fill that space with things that may not necessarily be yours. It’s like putting on clothes, and the clothes don’t fit, you’re not going to be comfortable in them. You might wear them for a long time; you may not even realize that they don’t fit, maybe until someone tells you they don’t fit.”

Including questions that explore an individual’s identification with or connection to their Indigeneity, community, and/or cultural practices and activities was viewed as important to providing context to their story and understanding why and how they came into contact with the justice system. As illustrated by the quote from Participant #20, the theme of positive cultural identity as playing an important role in pro-social living (or alternatively, anti-social living in the absence of strong cultural identity) was identified. Therefore, the questionnaire contains questions at the beginning and end regarding an individual’s connection to their Indigenous culture and practices. In part as a way of building rapport, including questions about the individual’s Indigenous identification, language, and cultural experiences was viewed as an important way to open the questionnaire. As illustrated by a quote from one of the participants,

¹⁶ Roman Orthography was used for the Ojibway translation and Swampy Cree (or, “N-dialect”) was used for the Cree translation.

and echoed by many other IAG participants, “But, we are not all just about pow-wows”, it was also important to have questions related to cultural practices and ceremonies asked near the end of the questionnaire, as having them all appear only at the beginning could be viewed as perpetuating the stereotype of what it means to be Indigenous. It was also suggested that, given the negative nature of most of the questions, it would be important to end the questionnaire with questions about the individual’s connection to their Indigeneity and community, as this was viewed as a more positive way (for the most part) to conclude the questionnaire. Figure 7 provides a sampling of questions that are included at the beginning and end of the questionnaire related to cultural background and Indigenous identification.

2. Do you currently speak an Aboriginal language? ☐No ☐Yes
If yes, which one(s)?: _____

3. Do you have an Aboriginal/Anishinaabe name? ☐No ☐Yes

Please indicate how much you **disagree or agree** with each of the following statements:

	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
50. I feel accepted by other Aboriginal people.	1	2	3	4	5
51. Aboriginal people have less opportunities than other Canadians.	1	2	3	4	5
52. I am proud that I am Aboriginal.	1	2	3	4	5
53. I have confidence in the teachings of the Elders.	1	2	3	4	5
54. I look to my Aboriginal heritage for direction in my life.	1	2	3	4	5

On a scale of 1 (*Not at all*) to 5 (*Yes, very much*), please circle the answer that best represents how you think/feel about the following statements:

	Not at all	No	Sort of	Yes	Yes, very much
60. Participating in traditional Aboriginal cultural/spiritual activities is an important part of my life and who I am.	1	2	3	4	5
61. I feel that my Aboriginal identity/culture has been stolen from me.	1	2	3	4	5
62. I feel connected with my Aboriginal cultural background/heritage.	1	2	3	4	5
63. I have access to Aboriginal activities/groups to keep my cultural identity strong.	1	2	3	4	5

Figure 7. Sample of Questions on Cultural Background and Indigenous Identification

2. Stability of Upbringing

P 2: “From the time I was 10 to 12, we had no parents. We looked after ourselves. So, when you have children raising children, how do you pass on the codes or even the protective factors people talk about, you know, children can’t give those.”

It was clear from the sessions that forming an understanding of the nature and stability of an individual’s upbringing was essential for understanding their likelihood for future involvement in the justice system. For Indigenous peoples specifically, issues related to early separation from parents/caregivers, forced involvement in the foster care, group home, or

adoption system were identified as key destabilizing issues. It was viewed as similarly important however to know whether individuals had at least one person who cared for them and by whom they felt loved during their formative years, as this could be protective in nature. Importantly, the questions are intentionally balanced to acknowledge the potential for negative or positive experiences that could have arisen as a result of the disruption to an individual's upbringing. As suggested by the IAG for example, it is possible that an individual could have been adopted, but this disruption could have had a negative and/or positive impact on the individual's life. More specifically, for example, the experience of adoption in and of itself is not the negative destabilizer; rather, it is the quality and the impact of that adoption that creates the negative (or positive) outcome. Therefore, being adopted out of a negative situation into a positive situation was an important aspect for which to account.

Lastly, it was also viewed as important to know whether an individual had access to Indigenous caregivers, for the purpose of understanding their (potential) level of exposure to learning about their Indigenous culture. Therefore, questions related to the Indigeneity of caregivers were included. Figure 8 provides a sampling of questions related to the theme of stability of upbringing that are included in the questionnaire.

15. Did you have at least one person who took care of you, with whom you felt loved and safe prior to the age of 18? ☐No ☐Yes (one person) ☐Yes (more than one person)

If you answered yes to #15, please answer questions 'a' to 'e' below based on the person who was most important to you:

- a. Who was this person who took care of you (e.g., biological/adoptive mother, grandmother, uncle, older sibling)? _____
- b. Was s/he Aboriginal? ☐No ☐Somewhat ☐Yes
- c. Did s/he teach you about your Aboriginal heritage or culture, and/or help you access Aboriginal teachings/ways of life? ☐No ☐Yes
- d. Were you permanently separated from him/her prior to the age of 18? ☐No ☐Yes
 - i. If yes, at what age were you (first) separated from him/her?
Age: _____ ☐ I don't know
- e. Is s/he still an important source of support in your life today? ☐No ☐Yes

16. Were you ever placed in a group home? ☐No ☐Yes ☐ I don't know

If 'No' to #16, skip to #17:

- a. How old were you when you were first placed in a group home? _____
- b. How many group homes were you in? _____ ☐ I don't know
- c. Did you see physical or sexual abuse in your group home? ☐Never ☐Sometimes ☐Often

17. Were you ever placed in foster care? ☐No ☐Yes ☐ I don't know

If 'No' to #17, skip to #18:

- a. How many foster homes were you in? _____ ☐ I don't know
- b. How many foster homes had at least one caregiver who was an Aboriginal person?

- c. Did any of the foster homes have a *positive* impact on you and your life? ☐No ☐Yes
If yes,
 - i. How long were you placed here (weeks, months)? _____ ☐ I don't know
 - ii. Was at least one caregiver in this foster family an Aboriginal person? ☐No ☐Yes
- d. Did any of your foster homes have a *negative* impact on you and your life? ☐No ☐Yes
If yes,
 - i. How long were you placed here (weeks, months)? _____ ☐ I don't know
 - ii. Was at least one caregiver in this foster family an Aboriginal person? ☐No ☐Yes
 - iii. Did you see physical or sexual abuse in your foster home?
☐Never ☐Sometimes ☐Often

Figure 8. Sample of Questions on Stability of Upbringing

3. Residential School Experience (Direct)

P3: “Being in residential school, children didn’t learn parenting. They learned to bow down to authority, to everyone from the janitor. If that is your whole upbringing, to bow to everyone, then where do you learn to stand upright?”

The direct experience of residential school or day school¹⁷ was a theme that was identified as a unique experience that could lead to negative outcomes, such as involvement in the justice system, for Indigenous individuals. The experiences of institutionalized abuse, particularly from authority figures, which resulted in the wide-spread loss of cultures, languages, family/community, and identity, were all described as mechanisms that create helplessness. This helplessness was described as having led to numerous generations of individuals who have been less equipped to cope with trauma and loss, which in turn has resulted in epidemic levels of substance abuse, violence, and social disorganization, all of which lead to increased risk of involvement in the criminal justice system.

Figure 9 provides examples of some of the questions that were developed to explore and describe experiences of residential or day school. Specifically, questions pertaining to the amount/length of involvement and some of the consequences of their exposure (e.g., loss of contact with family, lack of involvement in cultural traditions, exposure to/experience of abuse) are explored.

¹⁷ Day schools were mandatory schools (much like residential schools); however, they permitted the children to return to their homes for the evenings and weekends (Truth and Reconciliation Commission, 2015).

33. Were you allowed to participate in traditional Aboriginal ceremonies while in residential or day school (for example, smudging, prayers, etc.)? ☐ No ☐ Yes				
34. Were you allowed to speak your Aboriginal language while in residential or day school? ☐ No ☐ Yes ☐ Not Applicable (example: if you did not speak an Aboriginal language)				
35. How often were you allowed to visit/see your family while in residential or day school?				
1	2	3	4	5
Never	Rarely	Sometimes	Often	All the time
36. Were you ever punished (verbally or physically) for speaking your Aboriginal language, or for practicing an Aboriginal tradition/ceremony? ☐ No ☐ Yes				
37. Were you ever abused at residential or day school? ☐ No ☐ Yes				
a. Physical (not sexual) abuse? ☐ No ☐ Yes				
b. Mental and/or Emotional abuse? ☐ No ☐ Yes				
c. Sexual abuse? ☐ No ☐ Yes				
38. Did you ever see any abuse of others while in residential or day school? ☐ No ☐ At least Once ☐ More than Once ☐ Many times				
39. How would you rate your overall experience at residential or day school?				
1	2	3	4	5
Extremely Negative	Negative	So-so	Positive	Extremely Positive
40. How often do you think about your experiences in residential or day school?				
1	2	3	4	5
Never	Rarely	Sometimes	Often	All the time

Figure 9. Sample of Questions on Residential School Experience (Direct)

4. Family Experience of Residential School

P5: “We bow down to government policy and don’t work to maintain what we have and the huge impact on that was residential schools. It’s from there we learned helplessness. A helplessness that just now we are starting to see a poking out, but it’s going to be a while. I want to be cautious about hanging all the responsibility on government. As an Aboriginal person, I want to feel that we have the power within to make a difference for ourselves.”

As with direct involvement in residential or day school, the impact of indirect or multi-generational involvement in the residential school system was identified as a theme that would be related to an individual’s risk for involvement in the criminal justice system. As described by

some of the IAG members, along with residential school experience came shame, substance abuse, violence, and the loss of parents, teachers, and leaders. It was therefore expected that a greater density of exposure to multi-generational residential school trauma would be compounding in terms of the negative indirect impacts of residential school exposure. Figure 10 provides a sampling of questions that tap into each individual's familial experience of the residential school system. It was recognized that many individuals and families are at different stages of the healing process and therefore many of these individuals and families have not shared these experiences with their family members. To account for this, "I don't know" was included as a response option for those individuals who were unaware of their familial experiences.

5. Were either of your biological parents sent to residential or day school?
☐ No	☐ Yes (both)
☐ Yes (mother only)	☐ I don't know if my mother was sent to residential or day school
☐ Yes (father only)	☐ I don't know if my father was sent to residential or day school
6. Were any of your grandparents sent to residential or day school? ☐ No ☐ Yes ☐ I don't know
7. Were any of your aunts/uncles sent to residential or day school? ☐ No ☐ Yes ☐ I don't know
8. Were any of your brothers/sisters sent to residential or day school? ☐ No ☐ Yes ☐ I don't know
9. Do you know if any of your family members were abused (physical, sexual and/or mental) while in residential or day school? ☐ No ☐ Yes ☐ I don't know
10. Did any of your family who were sent to residential school get any help to deal with their experiences? ☐ No ☐ Yes ☐ I don't know

Figure 10. Sample of Questions on Family Experience of Residential School

5. History of Exposure to Abuse

While not an issue unique to Indigenous peoples or communities, the amounts and severity of exposure to abuse (both direct and indirect) was identified as a key theme for understanding the potential risk factors for involvement in the criminal justice system.

Furthermore, the normalization of violence in Indigenous communities was seen as a likely cause of the cycle of violence and crime that has been observed in many families and communities. A couple of the IAG participants described the prevalence and impacts of exposure to abuse:

P8: “The key issue is they are normalized. All of it, the bad behaviour, the drinking, the beating your wife. All of it, it’s normalized. Many people and communities would not have access to what could’ve been a protective factor. When the attitude of your cousin, your brother, your neighbour is, “oh well, so what, I’ll go to jail”, there’s no one there to say “snap out of it”.”

P3: “For [Indigenous] people in prison, abuse is a huge part of underlying trauma. And it’s not something people want to talk about. There’s a societal taboo around talking about this. It’s very painful and very stressful. We have communities who have been on the verge of talking about it for decades. They get close, and then they back away. Communities bring in a therapist, people get ready to disclose, and they back away. They get close. Then how do you deal with this? When you kill someone’s spirit, they feel like they have nothing left to lose.”

While understanding that the sources of this violence and abuse can in part be linked to the residential school system and the broader historical marginalization of Indigenous peoples, the current normalization of violence in Indigenous families and communities has led to a new generation and cycle of violence that one individual described as “self-reinforcing”. Figure 11 provides a sample of some of the questions that explores each individual’s experience of and exposure to abuse and violence (e.g., physical, sexual, emotional) in their homes and communities. It should be noted that given the rampant violence in some communities, members of the IAG suggested that simply capturing experience as ‘yes/no’ would be insufficient (as one participant put it, “That question will be 100% yes”). Rather, utilizing response options that captured a greater breadth of experience (e.g., ‘never’, ‘sometimes’, or ‘often’) was viewed as important to seeing and understanding the impacts associated with the variations of exposure to abuse.

19. Did you see physical or sexual abuse growing up? ☐Never ☐Sometimes ☐Often
- If you answered 'Never' to #19, please skip to question #30***
20. Did you see physical or sexual abuse in your home? ☐Never ☐Sometimes ☐Often
21. Did you see physical or sexual abuse around your community/people you know?
☐Never ☐Sometimes ☐Often
22. Was anyone close to you ever sent to hospital or need medical help due to physical or sexual abuse?
☐No ☐One ☐Two ☐Three or more
23. Did anyone close to you ever pass away due to physical or sexual abuse?
☐No ☐One ☐Two ☐Three or more
24. How old were you when you first saw physical/sexual abuse? Age: _____ ☐ I don't know
25. Were you ever physically abused growing up? ☐No ☐Once ☐Twice ☐Three or more times
26. Were you ever sexually abused growing up? ☐No ☐Once ☐Twice ☐Three or more times
- a. If you were sexually abused, was it ever by a relative? ☐No ☐Yes
27. How old were you when you first experienced physical/sexual abuse?
Age: _____ ☐ I don't know ☐ I was never physically/sexually abused
28. Were you ever mentally or emotionally abused growing up? ☐No ☐Yes
29. Have you ever had help to deal with your experiences of abuse (example: psychologist/counsellor, an Elder)? ☐No ☐Yes

Figure 11. Sample of Questions on History of Exposure to Abuse

6. Coping Strategies

P 15: “What we often put down there as risk factors are just symptoms of underlying trauma. If you want to get at the reason and rationale, why there’s the normalization and violence, why so much substance abuse – when they treat the substance abuse, they treat the symptom and not the cause. So if you never get to the underlying cause, people always go back to it, because it’s a form of self-medication, it’s a coping mechanism, to get rid of the very deep, soul destroying hurt.”

One of the barriers to healing and rehabilitation that was identified by the IAG was the lack of productive coping strategies available to, or promoted within, Indigenous families, communities, and the criminal justice system. The historic and intergenerational trauma, as well as the lack of positive leadership in some communities, has resulted in an over-reliance on maladaptive coping strategies (e.g., substance abuse, violence, active repression of negative

experiences/emotions). As many of the IAG participants described, the negative coping strategies are the symptoms of trauma. The symptoms might look the same for a non-Indigenous person, but the underlying causes are unique. Figure 12 provides a sampling of questions that tap into the types of strategies individuals may use to cope with stress or trauma. It was viewed as similarly important to acknowledge the positive coping mechanisms that some individuals and communities utilize to cope with stress and heal their trauma (e.g., talking with Elders, utilizing art, dancing, singing, etc.), that could potentially act as a buffer or protective mechanism against stress or trauma, or explain why some individuals may not return to the criminal justice system.

29. When you are stressed or upset, how often do you:					
	Never	Rarely	Sometimes	Often	All the time
a. Use alcohol and/or drugs to the point of intoxication?	1	2	3	4	5
b. Hurt or intentionally cause pain to yourself (e.g., cutting, burning)?	1	2	3	4	5
c. Lash out, yell at, or hurt others?	1	2	3	4	5
d. Talk it through with someone you trust (e.g., friend, Elder)	1	2	3	4	5
e. Use art, dancing, writing, smudging, etc. to deal with the stress?	1	2	3	4	5

Figure 12. Sample of Questions on Coping Strategies

7. Extreme Poverty

P15: “I don’t think people are going to be filling out your questionnaire when they don’t even have running water.”

While poverty in and of itself is not an issue unique to Indigenous peoples, the pervasiveness and extremity of poverty experienced by Indigenous peoples and communities (e.g., overcrowding, lack of clean drinking water, lack of services, low incomes) was viewed as a factor that has specific salience to the development and maintenance of criminal behaviour for Indigenous peoples. Specifically, the view that the historic and current relegation of Indigenous peoples to the most impoverished sectors of society and lands has artificially created incentives

for criminal behaviour and, in some cases, the creation of criminogenic communities for Indigenous peoples. While the perspectives of the IAG participants were that impacts of poverty would be expectedly amplified in the remote/rural setting, it was viewed that extreme poverty would be related to criminal behaviour in all contexts, creating barriers to remaining crime-free or reintegrating into society upon release, even in urban contexts. Figure 13 provides an example of some of the questions that attempt to capture the degree of poverty experienced by respondents. The questions are repeated in both the childhood/teenage as well as the adult section to capture both the history and the more current experience of poverty.

<p>8. When you were growing up, were your basic needs in life met (food, clothing, housing)?
 ☐No ☐Sometimes ☐Always</p> <p>9. Did you go hungry and/or have limited access to clean drinking water?
 ☐No ☐Sometimes ☐Always</p> <p>10. Did you feel your house was crowded and/or in need of major repairs?
 ☐No ☐Sometimes ☐Always</p> <p>11. Did you ever miss out on participating in activities or experiences (e.g., sports, trips) because you didn't have enough money? ☐No ☐Sometimes ☐Always</p> <p>12. Did you ever feel embarrassed, shamed, or made fun of, for not having enough money?
 ☐No ☐Sometimes ☐Always</p> <p>13. Did you ever rely on any charities, churches, or government services (e.g., welfare) to survive? ☐No ☐Sometimes ☐Always</p> |
|--|

Figure 13. Sample of Questions on Extreme Poverty

8. Preparation for and Experience of Discrimination

P1: “For people who have changed, many are because there was someone there to intervene. It’s someone who has believed in them as a person. It’s someone who has taken the time to tell them that who they are is a person of value and that their culture isn’t something to be hidden, in fact, it’s something they should be proud of and here are the reasons you should be proud of it. You come from a long line of people and a culture where when settlers came, your people taught them how to survive... and not only are you from that culture, you have a responsibility to carry that on. And that changes the very essence of that person. You see people sit up straighter and then hunger for that knowledge.”

While the historic experience of discrimination Indigenous peoples have experienced can be seen through the impacts of residential school exposure, poverty, loss of land and culture, the

current experience of discrimination Indigenous people face was also identified as a factor that contributes to their involvement in the criminal justice system. As discussed in the IAG sessions, the type and amount of discrimination an individual experiences is likely going to have an impact on their respect for authority and society, how they view themselves as fitting into the community and broader society, and the value they place on complying with the rules set out by these societies. Therefore, for Indigenous peoples, increases in the experiences of (and/or perceptions of) individual and group-level discrimination could be viewed as a factor that could in turn increase the risk for rule-violating behaviour or apprehension by authorities. Therefore, questions pertaining to the frequency and sources of discrimination were included in the questionnaire (see Figure 14 for a sample of questions). As described earlier, a few of the questions in this section were inspired by the Measure of Indigenous Racism Experience (MIRE; Paradies & Cunningham, 2008).

While the impacts of discrimination on the development of rule violating behaviour were identified, the potentially protective influence of having safeguards or techniques for “preparation for discrimination” was also discussed. The concept of preparation for discrimination was described as a manner in which parents or caregivers prepare children/youth for experiencing discrimination as they interact with the world. This approach was generally described as containing three key components: 1) an explanation of discrimination being part of their reality as Indigenous peoples; 2) the manner in which they choose to deal with this reality will in part guide their outcomes; and, 3) establishing resilience to the effects of discrimination can be in part achieved by building a sense of pride in one’s cultural or racial identification. Further investigations of this theme yielded similar concepts and approaches with ethnic/racial minorities in other countries (e.g., Black and Hispanic Latino; Burt, Simon & Gibbons, 2012).

Utilizing some of the concepts and questions used by Burt et al., (2012), Figure 14 provides examples of some of the questions pertaining to preparations for discrimination that were included in the questionnaire.

59. For questions 'a' to 'k', start each question with: *"When growing up, I was..."*

<i>"When growing up, I was..."</i>	Never	Rarely	Sometimes	Often	All the time
a. ...told about how I may encounter racism or discrimination because I am Aboriginal.	1	2	3	4	5
b. ...taught that when I encounter racism/discrimination, I should ignore it.	1	2	3	4	5
c. ...taught that when I encounter racism/discrimination, I should confront the person (example: fight, yell at).	1	2	3	4	5
d. ...taught that when I encounter racism/discrimination, I should talk about my experience and feelings with someone I trust.	1	2	3	4	5
e. ...warned that I will need to behave better than others to avoid being treated poorly/unfairly.	1	2	3	4	5
f. ...warned that I will need to be more cooperative with authority figures (e.g., police) to avoid being treated poorly/unfairly.	1	2	3	4	5
g. ...taught that being Aboriginal is an important part of who I am and how I live my life.	1	2	3	4	5
h. ...taught to be proud of my Aboriginal culture/background.	1	2	3	4	5
i. ...taught/told about the cultural/spiritual teachings of my people.	1	2	3	4	5
j. ...encouraged to learn about the important Aboriginal historical figures and role models.	1	2	3	4	5
k. ... taken to visit important historical locations, events or ceremonies of my people.	1	2	3	4	5

47. Have you ever been treated unfairly/discriminated against because you are an Aboriginal person?
☐ No ☐ Yes

If 'No' to #47, please skip to question #50

48. How often are you treated unfairly because you are an Aboriginal person, in each of the following situations?

	Never	Hardly Ever	Sometimes	Often	Very Often
a. At work or at school?	1	2	3	4	5
b. At home, by neighbours or at somebody else's house?	1	2	3	4	5
c. By the police, security guards, lawyers or other people who work in the courts?	1	2	3	4	5
d. By people at restaurants, hospitals, stores, banks, in taxis or when getting other services?	1	2	3	4	5
e. By other Aboriginal people?	1	2	3	4	5

Figure 14. Sample of Questions on Preparation for and Experience of Discrimination

9. Community

P1: "...there's that helplessness, you grow up in that helplessness. And how do you learn to be out of that? It's very complicated. Especially when you have no one to lean to, to turn to in the community. Your peers are other children. Some children who were the heads of their household were 8 years old. They were managing children one year younger than them. I don't know how we survived that time. I guess the sense of communal responsibility and learning to be in survival mode came in handy."

The influence that community has in either enhancing or reducing an individual's risk for involvement in the justice system was identified as an important theme. The role of the individual, the health of the community, and the availability of healthy and prosocial leaders were identified as the main factors at play. First, the manner in which an individual sees him/herself as contributing in a valuable way to the functioning of a community was described as being an essential part of maintaining a prosocial and productive role in that community. As one participant described,

P3: "There is a role for everyone, and it's about finding that role in the communities. It's figuring out what we're all good at, what's our gift. That can happen in both an urban and rural setting. It can exist wherever people are willing to put the effort in."

Conversely, it was described that when an individual cannot see how they fit into the community or society, the incentives to participate in a productive way are reduced, which can lead to criminal behaviour. Relatedly, it was identified that recognizing the different stages of healing and readiness of communities to deal with the trauma they have faced, has implications for the individuals' ability to rely on that community for healing and support. In other words, individuals in communities who have not had the ability or willingness to communally heal will have an increased risk of involvement in the criminal justice system. This could similarly be related to differences in the quantity and quality of leaders and teachers available in the various communities. Related to the preparations for discrimination theme, many communities rely on leaders and teachers to pass on the teachings, traditions, stories and practices that promote health

and resilience. In the absence of these leaders and teachers, communities are left culturally fragmented and vulnerable to the negative effects of discrimination and cultural isolation. Lastly, the influence of remoteness, lack of resources, and communal poverty were all aspects of community wellness that were similarly explored within this theme (see Figure 15 for a sample of questions related to the theme of community).

15. Please indicate how much you <u>agree or disagree</u> with each of the following statements:					
	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
a. I believe that I play a valuable role in my community.	1	2	3	4	5
b. My community has taken steps to heal from the pain of our history.	1	2	3	4	5
c. I have Aboriginal leaders/teachers in my community that I can go to for help.	1	2	3	4	5
d. I believe that the role I play in my community is valued by others.	1	2	3	4	5
e. My community has strong Aboriginal leadership and role models.	1	2	3	4	5

Figure 15. Sample of Questions on Community

10. Views on Justice

P9: “Prison isn’t a deterrent; it’s a fact of life. It’s almost an inevitable outcome. Sooner or later, I’ll go to jail. And if you’re never given the skills outside to make a go of it, prison isn’t that scary. It’s where your family is – my dad, my uncles, my brothers are in prison, and it’s only a matter of time before I go too. There’s a mindset there that is in part due to systemic discrimination and policies and practices that are affecting people’s lives with huge magnitude, and then what people don’t realize is how that changes entire generations of people.”

One of the more controversial themes that emerged was how views on justice or attitudes towards the justice system can influence an individual’s risk for involvement in that system. Specifically for Indigenous peoples, given their history of discrimination at the hands of authority figures (e.g., including the police, courts, etc.), it was viewed that lower trust or confidence in the criminal justice system would be related to an individual’s likelihood of complying with the rules of that system, or viewing this system as authoritative or legitimate.

Many of the IAG participants described the view that the overuse of punishment (e.g., incarceration) with Indigenous peoples by the criminal justice system has resulted in a specific impotence of the system for producing a deterrent effect. This overuse has in turn resulted in a prevailing view of criminal justice-related consequences, such as prison, as being an inevitability (as Participant #9's quote illustrates above), rather than a punishment. Many participants offered the views of their family members or clients who described prison as a place where families go, and a place where people know how to behave and what is expected of them. Participants described prison as a consequence of their history of institutionalization, similar to the residential school experience.

Other issues related to views on justice focused on perceptions of unfairness or inequity of the rules; specifically, the belief that the rules are made for non-Indigenous peoples. And furthermore, the rules are set up in a way that sees Indigenous peoples fail. Relatedly, there were discussions around the potential disconnect between conceptions of justice in Indigenous communities and how a community may choose to solve problems differently from mainstream/dominant society. Figure 16 provides a sampling of questions pertaining to the theme of views on justice.

Please indicate how much you <u>agree or disagree</u> with each of the following statements:					
	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
41. The rules of the police and courts are made for non-Aboriginal people, not Aboriginal people.	1	2	3	4	5
42. The government cannot be trusted to treat Aboriginal people fairly.	1	2	3	4	5
43. If I was a victim of a crime, I would trust the police to help me.	1	2	3	4	5
44. The criminal justice system is racist against Aboriginal people.	1	2	3	4	5
45. In my community, we look out for ourselves and don't want outsiders to cause trouble.	1	2	3	4	5
46. My Aboriginal heritage provides me with a strong sense of right and wrong.	1	2	3	4	5

Figure 16. Sample of Questions on Views on Justice

11. Employment and Education

P6: “The choice is sometimes, either MacDonald’s or dealing drugs. Those are your choices. There’s a lack of opportunity, a lack of choices, and a lack of jobs. Many didn’t choose at the age of 12 to drop out and start dealing drugs. Many were recruited by the gangs, especially when the Young Offenders Act came in and they couldn’t be charged. That’s where choice is no longer an option because they are bullied into it.”

The difficulties faced by Indigenous peoples, in both urban and rural settings, with obtaining employment and education were identified as a thematic areas that could explain an individual’s risk for involvement in criminal behaviour. These difficulties largely centered on issues related to the availability of formal employment and education, particularly in remote areas, the incentives for obtaining income through illicit/criminal means, discrimination in hiring practices, the irrelevance or inaccessibility of the educational system, and the barriers associated with the substantial amount of literacy issues. At a more fundamental level, discussions occurred around the value that non-Indigenous society places on formal employment which alienates the perspective of some Indigenous communities that prioritise the importance of productive contribution to the functioning of society, over monetarily-based employment. Specifically, it was described that in some communities, individuals can play a role that supports the functioning of that community, but this is not seen as “employment” by the dominant society (e.g., art, dance, hunting, seasonal work). This in turn limits the roles Indigenous individuals can play in the larger society, and devalues their potential contributions.

Similarly for education, in addition to the inaccessibility of formal education (both literally and figuratively), the relevance of formal education in some communities was questioned. Specifically, the skills required for contributing to the functioning of some communities necessitates a more historically and contextually relevant curriculum. To illustrate this point, school drop-out rates were in part attributed to the relevance issue, where in some

cases, children/teenagers are dropping out because the formal educational system as it exists simply does not map onto their realities and needs. Figure 17 provides some examples of questions related to the themes of employment and education.

20. Is it hard for most people to find paid work where you live? ☐No ☐Yes

21. Is it hard for you to find paid work where you live? ☐No ☐Yes

If yes, is it hard to find work because:

- a. You have trouble reading and/or writing? ☐No ☐Yes
- b. Transportation problems (example: no buses, not enough money for car/gas)? ☐No ☐Yes
- c. Other reasons not listed above? Please describe:

22. Is it hard for you to get/keep work because of discrimination/racism you experience from employers and/or co-workers? ☐No ☐Yes

23. Are you employed now? ☐No ☐Yes

- a. Is your main work seasonal (you can only do it for part of the year)? ☐No ☐Yes

If yes,

- i. Does your seasonal work require you to change employers each season? ☐No ☐Yes

24. Do you do a lot of unpaid work to support yourself and your family (example: hunting/fishing, arts)? ☐No ☐Yes

If yes,

- a. Are you doing this work for most of the season (75% or more of the available season)? ☐No ☐Yes

Figure 17. Sample of Questions on Employment and Education

12. Substance Abuse

P2: "...with the first introduction to substance abuse... there was a tremendous amount of shame on the part of the community because we stayed behind to protect the environment. Some people moved onto the reserve, the rest of us stayed because our sacred sites were there...The old people, they died, left and right. From that came drinking. So now anyone below 30, the only life they would have ever known is the chaos of substance abuse in the community where you can count 80 to 90% of the adults are alcoholics, children as young as 12 or 13 having babies, and it's another generation of children raising babies that don't have that. So when that breakdown happens and you look back and you say, shouldn't there have been enough in the community for it to be able to bounce back? I think that without that shame of having lost that protecting the land, there would've been that possibility."

While the issue of substance abuse as a risk/need factor is not unique to Indigenous peoples, the causes, frequency, and type of use among Indigenous peoples do bear some differences. As one of the IAG participants describes above, the wide-spread and intergenerational reliance on substances as a mechanism to cope with trauma, loss, abuse and the impacts of decades of discrimination on individuals, families, and communities is an issue unique to Indigenous peoples. In other words, the underlying psychological reasons for substance abuse for generations of Indigenous peoples can be in large part attributable to historically and culturally unique causes. The high base rates of use and the normalization of substance abuse in many Indigenous communities underscores the need to better understand how the problem should be understood, assessed, and treated differently.

As with the theme of history of abuse, it was described as insufficient to capture the problem of substance abuse as simply present or absent (i.e., yes/no); rather, given the high prevalence, a greater breadth of questions is needed in order to see variation in risk. For example, in Figure 18, there is a sub-sample of questions related to the theme of substance abuse. The questions span a variety of types of substances, while the anchors on the Likert scale illustrate a breadth of substance use. In addition to the frequency and types of use, the impacts of using on issues such as community involvement, employment/education, etc. are explored. Importantly, a few questions on symptoms and diagnoses of FASD are also included.

During the past 12 months, when you had the opportunity:

	Never	Once a month	Once a week	Daily	Constantly
a. How often are you intoxicated from alcohol?	1	2	3	4	5
b. How often do you use marijuana?	1	2	3	4	5
c. How often do you use prescription medications and/or opiates to get high (e.g., pain killers, oxys, morphine, heroin)?	1	2	3	4	5
d. How often do you use cocaine, amphetamines and/or methamphetamines?	1	2	3	4	5
e. How often do you use inhalants to get high (e.g., gases, solvents)?	1	2	3	4	5
f. How often do you use other drugs? (e.g., cough/cold medication, hallucinogens, bath salts)	1	2	3	4	5

33. Does your current partner/spouse have an alcohol, drug, and/or substance problem?
☐No ☐Yes ☐ I don't currently have a partner/spouse

34. Have you ever been fired from a job because you were intoxicated or high, since you were 18?
☐No ☐Yes

35. Were you ever not allowed to participate in a community activity (example: a hunt, a dance) because you were intoxicated or high, since you were 18? ☐No ☐Yes

36. Have you overdosed or blacked out from too much alcohol/drugs, since you were 18? ☐No ☐Yes

37. Have you ever been in a physical fight because you were on drugs or drinking, since you were 18?
☐No ☐Yes

38. Have you ever been hurt (physically) while you were intoxicated or high, since you were 18?
☐No ☐Yes

Figure 18. Sample of Questions on Substance Abuse

Upon completion of the IAG co-development process and the *Culturally-Relevant Factors Questionnaire* was created, it was then piloted with three probation officers and a total of five Indigenous male clients on community supervision in Manitoba. This pilot yielded a few minor organizational changes to the questionnaire (i.e., re-ordering questions within a couple of sections); however, the main feedback from the probation officers and clients was that, while the questionnaire is long and perceived as somewhat repetitive in nature, the clients were willing, and in most cases appreciative, to share parts of their life story.

Overview of Study 2B

Study 2A involved the identification of 12 thematic areas through the process of co-development sessions and thematic analysis, which led to the creation of the Culturally-Relevant Factors Questionnaire. In the interest of examining how these culturally-relevant risk factors appear in a sample of Indigenous peoples in the criminal justice system, Study 2B involved the administration of the questionnaire to a sample of Indigenous males on community supervision. While the original intent of Study 2B was to conduct a large-scale ($N > 300$) examination of how culturally-relevant risk factors appear within a sample of Indigenous offenders, and how this information adds uniquely and incrementally to risk assessment and predicting outcomes (e.g., recidivism), this was ultimately not possible. Given that the jurisdiction did not continue with the data collection beyond the first six months, the present study is a descriptive analysis of the questionnaire information for a boutique¹⁸ sample of Indigenous males on community supervision. Furthermore, given the withdrawal of the jurisdiction, the risk assessment information is limited (i.e., only available for 58% of the sample) and no information on recidivism was available. Therefore, the focus of the present study is on the rich social history information obtained on the sample of $N = 36$ Indigenous male participants through their completion of the Culturally-Relevant Factors Questionnaire and the lessons learned on how to conduct such research going forward.

Method – Study 2B

Participants

Participants included 36 Indigenous adult males who were commencing a period of community supervision (e.g., probation) in the province of Manitoba in 2016. These participants

¹⁸ Boutique is a term used to describe a small sample for which there is a rich amount of qualitative and/or quantitative information. And while the size of the sample limits its generalizability, the valuable information yielded from the rich data provides a substantial contribution to an otherwise under-researched area (Scott, 2017).

were supervised by a total of nine different probation officers (POs) through a specialized probation office that exclusively oversees caseloads of Indigenous clients in both urban and rural communities of Manitoba. While the probation office is centralized in Winnipeg, the clients and probation officers resided in a total 19 different cities and communities throughout the province. Figure 19 provides a map highlighting the regional distributions of these participants throughout the province. Of note, there were participants from both urban and rural settings, and there was representation from northern, southern and central communities. It should be noted here that specific communities have not been identified, given that some communities have fewer than 1,000 people, therefore, only the regions were identified.

The average age of the participants was 31.3 ($SD = 8.79$) and the majority of the participants (91%) identified as First Nations, with the remaining identifying as ‘Other’ (i.e., Cree, Dakota, Ojibway, and Anishinaabe). A total of 38% of participants indicated that they currently speak an Indigenous language (i.e., Cree, Dakota, Oji-Cree, and Ojibway) and 47% reported having an Indigenous name. Of the 36 participants, approximately 64% completed the questionnaire on their own, 33% completed it with their PO and one person completed with another person he trusted.

Figure 19. Map of Manitoba showing distribution of regions/communities of the participants

Procedure

The Ministry of Community Corrections in Manitoba was approached to assess their interest in participating in the present study. Given the relatively large proportion of Indigenous peoples in the province of Manitoba (i.e., 18% of the general population of Manitoba compared to 5% of the general Canadian population identify as Indigenous; Statistics Canada, 2018) and the pre-existing relationship between this Ministry and the Corrections Research Unit of Public Safety Canada, there was considerable interest and good-will for pursuing this research collaboration. While approvals to conduct the research were sought through senior management, the vetting of research materials (e.g., procedures for consent, the questionnaire) was done in consultation with *Pitama*¹⁹.

Following the receipt of initial approvals by senior management, I met with all regional managers to provide an overview of the research, review the materials, and negotiate the manner in which PO and clients' participation would be sought. It was agreed that managers would distribute an initial email to staff to make them aware of the opportunity to participate in the research. After the recruitment emails were distributed to staff (see Appendix I for the recruitment email), I hosted a meeting in Manitoba where interested staff were invited to learn about the purpose of the research and the process and scope of their involvement and their clients' participation. Furthermore, POs were provided with all of the research materials, including a participant recruitment script, talking points, and possible questions and answers, in the event the PO needed some support in their recruitment efforts (see Appendix J for recruitment script and talking points). Additionally, POs were provided with the consent and

¹⁹ *Pitama* is a network of Indigenous probation officers, spiritual caregivers, Elders, court workers, etc. in the province of Manitoba who advise the Ministry on matters relevant to Indigenous offenders.

debriefing materials, as well as a list of emotional and crisis support services that clients could access should they need it.

Role of Probation Officers. While POs are not considered participants in the present study, prior to commencing their involvement, POs were asked to agree to a Research and Confidentiality Agreement that clearly outlined their role, the terms of their involvement, and the limits to confidentiality in the research process (see Appendix K). In addition to the standard limits to confidentiality (e.g., duty to disclose if a child is being abused), if a client were to disclose a breach of their conditions of supervision during the questionnaire process (i.e., disclosing the use of substances while having an abstain from substances condition), POs were reminded that as an administrator of a court order, they have a number of mechanisms that can be used at their professional discretion to appropriately deal with that information. In this document, POs were similarly reminded that client participation was entirely voluntary and therefore, any lack of participation on the part of their clients should not have a negative impact on their case management and decision-making concerning their supervision in any way.

While it was acknowledged that there was a potential risk for clients disclosing information that could put them in breach of their community supervision, it was ultimately determined that POs were in the best position to seek participation from clients (i.e., Indigenous male clients on their caseload), as opposed to a different recruitment mechanism. First, as a main part of their daily work, POs already have dedicated time with this population and have the resources and permissions needed to meet with clients in their own communities. This was particularly relevant in cases where POs need to fly or drive to remote locations to meet with clients. Second, while POs are administrators of the court's orders, in many circumstances (particularly given this specialized probation unit), POs have positive relationships with their

clients and can act as sources of support. Therefore, in this case, the rapport POs have with their clients was viewed as a potential strength, rather than a weakness of the methodology. Third, POs are specialized in working with offender populations and therefore have the clearance and professional training that is valuable in working with justice-involved individuals²⁰. Therefore, in addition to these considerations, the inclusion of safeguards (i.e., Research Confidentiality Agreement; Informed Consent and Debriefing for Clients; PO Recruitment Talking-points/Script; and, PO training), the scope of risk around confidentiality, and the very narrow circumstances under which this risk exists (i.e., disclosure of substance use), it was determined that the benefits of the research were substantial and outweighed the potential risks associated with having POs recruit participants. All aspects of the research were also vetted and approved by the Carleton University Research and Ethics Board prior to the commencement of the study.

Through these recruitment methods and meetings, the goal was to have 20 to 30 probation officers who would then recruit 10 to 15 clients each to complete the questionnaire. Given that POs were averaging caseloads of 80 clients each, it was expected that client recruitment could be concluded within a year. A total of 12 POs attended the in-person meeting in Manitoba, and an additional six POs received an informal version of the recruitment/training session via phone. The only inclusion criteria for client participation was that they were adult males who identify as Indigenous, and were commencing a period of community supervision.

Process for client participation. POs made clients aware of their opportunity to volunteer to participate in the research project at their regularly scheduled supervision meetings. POs were encouraged to review the procedures, materials, questionnaire, and goals of the research with their clients and to clearly explain the nature of their participation, highlighting the

²⁰ Demographic information was not collected on the POs because they were not considered participants; however, a majority of them were Indigenous themselves.

terms of confidentiality, the voluntary nature of their participation, and the minimal implications for their supervision. Clients were given the option of completing the questionnaire either on their own, with their PO, or with someone they trust. For clients who chose to complete the questionnaire on their own, they were given the option of taking the materials with them, or completing the form in a private space in the probation office (or community office) where the supervision sessions took place. Clients who preferred to not have their POs see their responses were given pre-stamped and addressed envelopes so they could mail their information directly to the researcher. Finally, for clients who were interested in participating, but had difficulties with literacy²¹, the option of having the researcher complete the questionnaire with them via phone was made available; however, no one made use of this option.

Materials and Measures

The research materials provided to the participants through their POs included the following:

Informed consent. After the PO clearly explained the research and the terms of the client's participation, POs were asked to review the Informed Consent Form with each client (see Appendix L). This form further outlined the purpose of the study, the parties involved in the research, the terms of the client's participation, the information being sought, the way their information would be used, the potential risks and implications associated with their participation, and their right to withdraw (without consequences) at any point during the research process. POs also explained the various options for how clients could complete the questionnaire (i.e., on their own, or with the assistance of their PO or someone they trust) and their right to keep the questionnaire information confidential. Clients were also reminded of their right to

²¹ Given the concerns regarding literacy, the language in the research materials was simplified to a *Flesch Reading Ease* score in 70-80 point range; approximately 7th grade reading level.

leave any questions blank if they did not feel comfortable disclosing aspects of their history or current experiences. In keeping with Chapter 9 (*Research Involving First Nations, Inuit and Metis Peoples of Canada*) of the TCPS, all consent procedures were reviewed verbally and provided in writing, and consent could be provided by the client to the PO by way of a signature, verbal consent, or a handshake²². Consent forms were sent directly to the researcher, along with the cover page of the questionnaire, which contained the client's name, the PO's name, and the client's research identification number. This was done to ensure that, in the event the questionnaire was misplaced during the mailing process, the questionnaire itself did not have any identifying client information. The questionnaire therefore only contained the participant's research identification number, which was used to link it to the cover page.

Culturally-Relevant Factors Questionnaire. Each participant who consented to participate in the research was given a copy of the Culturally-Relevant Factors Questionnaire (see Appendix F). Questionnaires were completed in a pencil-and-paper format. POs reviewed the questionnaire with each client to ensure their general understanding of how to complete the questionnaire, and answered any questions that the client may have had in advance of their participation. Based on the small pilot that was conducted in Study 2A, the questionnaire took anywhere from 30 minutes to one hour for most clients to complete. For a couple of individuals who completed the questionnaire with their PO, they chose to complete it over the course of two probation sessions and made the activity of completing the questionnaire part of their probation session. POs also ensured that clients had access to the list of crisis/emotional support services, in the event they needed further support (see Appendix M). It should be noted that a section was included at the end of this form for POs to supplement the existing list with additional support

²² POs were asked to make note of how consent was provided and advise the researcher of alternative methods of providing consent (i.e., verbal or handshake) so this could be appropriately tracked.

services (both formal and informal) local to each community. This was particularly important for the small and remote communities. Lastly, as described in Study 2A, in the interest of those individuals who preferred to complete the questionnaire in their Indigenous language, the questionnaire was translated into the two most common Indigenous dialects used in Manitoba (i.e., Ojibway and Cree; see Appendix G and H).

Debriefing. Upon completion of their participation, POs reviewed the Debriefing Form with each client (see Appendix N). This form re-iterated the goals of the research, anticipated next steps, where the participant could find additional information, and who the participants could contact should they have any additional questions about the research. It also reminded the participant of the emotional support services available to them, and outlined the terms of their withdrawal from the study, should they wish to have their information withdrawn and destroyed.

Level of Service Case Management Inventory (LS/CMI). As described earlier, each PO was asked to submit the risk assessment associated with each participant. In Manitoba, POs are required to assess risk using the Level of Service Case Management Inventory (LS/CMI; Andrews, Bonta & Wormith, 2004) for clients on community supervision. The LS/CMI is a risk tool that was developed for the purposes of assessing risk for re-offending and incorporates risk/need factors relevant for case management and programming. The tool is divided into two sections. Section 1 consists of a total of 43 items that assess general risk/needs. Each question is scored (0 = *not present*, 1 = *present*) and used to derive an overall risk score. Based on the total score, individuals are assigned to one of five risk categories (i.e., Very Low, Low, Medium, High, or Very High). Each risk category has a corresponding estimate for the probability of re-offending. Section 1 has been found to predict recidivism of various types (e.g., general, violent, and sexual; Campbell, French, & Gendreau, 2009; Hanson & Morton-Bourgon, 2009; Olver,

Stockdale, & Wormith, 2012). Sections 2 through 5 of the LS/CMI contain items that explore the individual's specific risk/need areas (e.g., personal problems with criminogenic potential), institutional factors, other client issues, and special responsivity considerations.

In the present study, each participant's LS/CMI was requested. However, POs only provided risk assessment information for 58% ($n = 21$) of the participants. In terms of risk, for the 21 participants for whom risk assessment information was provided, the average LS/CMI score was 28.1 ($SD = 8.1$; $Mdn = 31$). More than half of the participants (52%) were rated as 'Very High' risk, one-third were rated as 'High' risk, 10% were rated 'Medium' risk, and 5% were rated 'Low' risk. Information on the offence for which they were under supervision was provided for only 22 of the participants. In terms of most serious offence, approximately 64% were on community supervision for an assault-related offence (e.g., domestic assault, sexual assault, assault of a peace officer), 14% for a break and enter offence, 9% for possession of a weapon, 5% for drug trafficking, and 9% for breach of probation.

The Unique Approach in Community X

While the procedures described previously were the intended general approach, incorporating flexibility in the research methodology was required, particularly when seeking permission to conduct research on Indigenous lands (i.e., under the jurisdiction of a First Nations, Inuit, or Métis authority). In keeping with the core ethical value of respect for human dignity, as outlined in Article 9.3 of the TCPS guidelines, the approach to the research methodology was inherently flexible to accommodate the circumstances and needs of an individual or community. While for most of the participants, the questionnaires were completed as part of their supervision sessions in the probation/community office, for 11 of the participants, the procedures followed a different protocol. Specifically, one of the POs who agreed to recruit

participants communicated the aims of the research to the Chief and Council in one of the communities in which she serves as the supervising PO. For greater context, this remote community (we will herein refer to as ‘Community X’) had recently been devastated by a storm, as well as a series of suicides. Recognizing the potentially restorative value of this work, particularly during a time of loss, the Chief and Council granted the PO permission to seek participation from the men in the community who were on her supervision caseload. Furthermore, the Chief and Council requested that the participants not complete the survey during their probation sessions. As the PO described in a letter to the researcher:

It was determined that conducting such a survey within the confines of a Probation Office might in actual fact impact the survey in a negative way. We were concerned the men might be reluctant to truly delve into their personal beliefs, experiences and be more reserved in answering the questionnaire if they felt restricted or in an unsafe environment.

After discussion with the Chief and Council, PO, and regional manager of the probation office, it was agreed that the community leaders would arrange for a setting that was more responsive to the comfort and safety of the individuals who were to complete the questionnaire. Specifically, the Chief arranged to have the participants complete the survey in what is considered the most sacred and honourable places in the community; within a Tee Pee, surrounded by nature, while sitting on the earth. Assistance from Elders and community volunteers was sought to prepare to erect the Tee Pee on the Chief’s property, which was deemed to be “a secure area where others would not pry and the participants would have anonymity and privacy”. The following is a description provided by the PO of the days prior to, the day of, and the weeks following the participants completing the questionnaire.

...A massive storm and tornado struck [Community X] ...however a mere 9 days later...a number of participants, volunteers, and an Elder came together collectively with one goal in mind. We shared in the process and lessons of why and how a tee pee is important to Aboriginal culture, a smudge to honour the participants and

volunteers for sharing their life stories, support for one another, a Pipe Ceremony, and a feast in the evening prior to the day of the survey.

In the early morning hours of August 18th, [eleven participants] met with the Chief, Probation Services, an Elder and a number of volunteers. The men had individual binders, pens, and their survey packages, and each participant chose a space inside the tee pee where they were comfortable sitting upon the ground. The individual questions were reviewed and explained in detail, and each person was able to answer based on how it impacted them as per their own experiences. Coming together in such a way helped the men to recognize they are not alone, and helped to strengthen the value and importance of conducting such a survey.

The writer was witness to men sharing their lives, hopes, beliefs, values, fears, shame, recognition, tears, loss, grief, and many other emotions. The participants were able to lean on each other for support, understanding, insight, and a common bond that went so much further than the survey; reaching into their entire being and sense of self.

After the survey was conducted, the men shared tears, laughter, and gathered in groups to continue to give of themselves. An Elder provided guidance, strength, and wisdom, while prayers were offered in hopes that each of the participants would be honoured and grow from what they had shared and experienced that day. In the ensuing weeks that followed, participants have continued to follow up with [the PO], sharing more insight about their lives, asking for opportunities to seek personal counseling, and additional one-on-one program opportunities.

Analytic Approach

The majority of the questionnaire data were quantitative in nature for a small boutique sample; therefore, analyses were descriptive and no inferential statistics were used. For all questions, the various response options were examined using frequencies. For the few qualitative questions, the responses were transcribed verbatim (a few of which are provided in the following section). Participants were given the option to leave any questions blank if they did not feel comfortable responding; therefore, there are considerable variations in the response rates for most of the questions.

Results

The following sections describe the responses from the 36 participants to the Culturally-Relevant Factors Questionnaire, generally organized in the manner in which the questionnaire is structured. The first section provides participant responses to questions regarding their childhood/teenage years from birth to 17 years of age, followed by questions related to their parents/caregivers, and finally questions related to their adult years, from 18 years old to present.

Childhood/Teenage Years (0-17 years old)

Of the 36 participants, the vast majority reported mainly growing up on-reserve (69.4%), followed by small or rural communities (19.5%), and the remaining growing up in large cities (11.1%). Of the entire sample, 89% reported having lived on reserve at some point during their childhood or teenage years, 84% of which lived on-reserve for more than five years, with 53% having been born on reserve. As shown in Table 12, when asked about whether their various needs were met while they were growing up, the majority of participants indicated that their needs were met ‘Sometimes’ or ‘Always’ (23% and 71%, respectively). However, when asked about whether they went hungry or had limited access to clean water, one-third of the participants indicated that this occurred ‘Sometimes’ or ‘Always’. In terms of whether their lack of money had an impact on their ability to participate in activities or experiences, 66% of participants indicated that this occurred ‘Sometimes’ or ‘Always’ (i.e., 47% and 19%, respectively). Similarly, the majority of participants indicated feeling embarrassed, shamed or made fun of by others for not having enough money, and the 72% of participants reported having to rely on charities, churches or government services in order to survive, either ‘Sometimes’ or ‘Always’ (i.e., 39% and 33%, respectively).

Table 12

Basic Needs and Conditions of Poverty While Growing Up

Item	Percent Endorsing Response		
	No	Sometimes	Always
When you were growing up, were your basic needs met? ^a	5.7	22.9	71.4
Did you go hungry and/or have limited access to clean water? ^a	65.7	28.6	5.7
Did you feel your house was crowded and/or in need of major repairs?	50.0	22.2	27.8
Did you ever miss out on participating in activities or experiences because you didn't have enough money?	33.3	47.2	19.4
Did you ever feel embarrassed, shamed, or made fun of for not having enough money?	44.4	44.4	11.1
Did you ever rely on any charities, churches, or government services to survive? ^b	25.0	38.9	33.3

Note. $N = 36$ for all items, except for those marked with a superscript.

^a $N = 35$; ^b one respondent indicated “I don’t know” for this item.

Primary caregivers while growing up. Of the 36 participants, 75% indicated having lived with at least one of their biological parents, grandparents, or aunts/uncles during their childhood/teenage years. In terms of the quality of the caregiver relationship, 86% of participants reported having at least one person who took care of them and by whom they felt loved and safe while growing up. Alternatively, 14% indicated that they had no one who took care of them while growing up. Of those who reported having at least one person, in the majority of cases (i.e., 65%) mothers and grandmothers were the individuals who served this role. These caregivers were primarily Indigenous (61%). A total of 40% of participants however indicated that this person did not teach them about their Indigenous heritage or culture, or help them access teachings/ways of life. Of the 31 participants who had someone who cared for them, 53%

reported being permanently separated from that person who cared for them during their childhood, prior to the age of 18; however, 53% indicated that this person/people are still a source of support in their lives today.

Group homes, foster care, and adoption. To have a general understanding of the stability of their upbringing, participants were asked about their experience of group homes, foster care, and adoption. Of the 36 participants, 22% reported having been placed in a group home during their childhood/teenage years. The majority of participants could not recall the number of group homes they had been placed in. Of those who were placed, 38% were placed in a group home under the age of 10, with the remaining being placed between the ages of 11 and 16. The majority of participants (63%) reported having witnessed physical or sexual abuse in the group homes.

A total of 42% of the participants reported having been placed in foster care while growing up. Of those, 20% had been placed in one home, 20% had been placed in two to four foster homes; one individual had been placed in 9 foster homes and another in 21 homes, during their childhood/teenage years. Of these participants, 67% indicated having at least one foster caregiver who was Indigenous. Forty-percent of those who were placed in foster care indicated that at least one foster home had a positive influence on his life; whereas approximately 60% indicated that they had a negative impact. For those who had negative experiences in foster homes, they reported that 50% of homes had at least one Indigenous caregiver and 50% did not have an Indigenous caregiver. A total of, 55% reported having seen physical or sexual abuse in the foster home either 'Sometimes' or 'Often'.

Figure 20. Percent of participants who indicated a history of group home or foster care placement and having witnessed abuse.

Of the 35 participants who provided a response, 9% ($n = 3$) of indicated that they had been adopted. For those who were adopted, all were adopted under the age of 2. All three participants who were adopted indicated that they felt safe and loved by their caregivers, and all are still in contact with their adoptive caregivers.

Witnessing abuse. The participants were asked questions about their history of having witnessed abuse during their childhood or teenage years. Of the 35 individuals who responded, 46% of participants reported seeing physical or sexual abuse in the home either ‘Sometimes’ or ‘Often’, and 60% reported seeing physical or sexual abuse in the community either ‘Sometimes’ or ‘Often’ (see Figure 21). A total of 13 participants reported having someone close to them be sent to the hospital or require medical help due to physical or sexual abuse. Twenty-three percent of the 35 participants reported someone close to them passing away as a result of their injuries associated with an incident of abuse. While not all of the participants could recall the age at

which they first witnessed abuse, 69% of those who had witnessed abuse indicated having first witnessed it prior to the age of 10.

Personal experiences of abuse. In terms of personal experiences of abuse, only 23 of the 36 participants responded to these questions. Of the 23, 78% reported having at least one experience of physical abuse. It should be noted that 16 of those who ever experienced abuse as a child reported they had three or more instances of abuse. Similarly, for history of sexual abuse, of the 23 respondents, 39% reported having been sexually abused at least once, with 60% of those having been perpetrated by a relative. All instances of sexual abuse first occurred prior to the age of 11. Lastly, in terms of emotional or mental abuse, of the 23 respondents, 82% reported having experienced mental/emotional abuse while growing up. Half of the sample indicated that they had received help/support to deal with their experiences of abuse, whereas 50% did not.

Figure 21. Percent of respondents reporting observing physical/sexual abuse.

Direct experience of residential or day school. Participants were asked about their direct experiences of the residential or day school system. Of the 36 participants, 14% reported having been sent to a residential or day school growing up. Of those 5 participants who attended residential/day school, they all attended for numerous years and the majority entered the system prior to the age of 7. Regarding their access to Indigenous cultural practices while in residential/day school, 60% reported not being allowed to participate in traditional Indigenous ceremonies, and 67% indicated not being allowed to speak their Indigenous language while at the residential/day school. When asked about the frequency with which they could see family while in residential/day school, 50% indicated ‘All the time’, whereas 25% reported ‘Sometimes’ and 25% reported ‘Rarely’.

Of those who attended residential/day school, 60% reported experiencing abuse. Specifically, 40% experienced physical violence and 75% experienced emotional/mental abuse. Similarly, 60% reported having witnessed the abuse of other students while in the school. In terms of how they would rate their overall experience, all respondents indicated it was “So-so”. Of those who attended, 66% indicated thinking about their residential/day school experiences either ‘Rarely’ or ‘Never’; however, 80% reported using alcohol or drugs to deal with their residential school experiences and 60% indicated that they have received some support to deal with their residential/day school experiences.

Educational achievement and experience. To get a sense of educational experience, participants were asked about the highest grade they had completed. Of the 33 responses, 39% indicated that the highest grade level was between fifth and ninth grade, 52% had reached tenth through twelfth grade, and three had completed post-secondary education. Put differently, of the 33, 82% reported having dropped out of school at some point. Of those who dropped out, 36%

indicated that they had dropped out in order to take care of their family, as one of the participants described:

P12: “Tried to work to make money for my siblings; quit in grade 7 to work then went back at age of 36.”

Fifteen percent indicated that they dropped out because what they were being taught wasn’t helpful to their survival in their community. As one participant described:

P4: “I would go hunting with my dad, sometimes we would go a week or so and I dropped out of high school. That was more important for us.”

Six percent indicated that they dropped out because they were constantly in conflict with the law, and 9% indicated that they dropped out due to excessive drug and alcohol use.

Coping with stress during childhood/teenage years. To gain an understanding of some of the ways in which participants dealt with the various stressors they experienced growing up, questions about their coping methods were posed. The participants’ endorsement of responses to the question of “Growing up, when you were stressed, or upset, how often did you...” are provided in Table 13. Specifically, of the 34 respondents, 53% reported using alcohol or drugs to the point of intoxication when they were stressed or upset, either ‘Often’ or ‘All the time’ when they were growing up. Not a single respondent chose the option of ‘Never’.

Approximately 31% of the 35 respondents indicated that they would intentionally hurt themselves and 60% would lash out or hurt others either ‘Sometimes’ or ‘Often’ when they were stressed/upset. Of the 35 participants who responded, 37% reported having tried to commit suicide, and approximately 54% reported having lost someone close to them as a result of suicide prior to the age of 18. Alternatively, 38% indicated that they would talk through their stress with someone they trusted; however, 62% either ‘Rarely’ or ‘Never’ talked about it. Lastly, when

asked if they used art, dancing, writing, smudging etc., to deal with stress, 53% indicated they did this ‘Sometimes’ to ‘All the time’, whereas 47% used it rarely or never.

Table 13
Coping with Stress during Childhood/Teenage Years

Item	Percent Endorsing Response				
	Never	Rarely	Sometimes	Often	All the time
<i>Growing up, when you were stressed or upset, how often did you...</i>					
Use alcohol and/or drugs to the point of intoxication?	-	8.8	38.2	29.4	23.5
Hurt or intentionally cause pain to yourself? ^a	54.3	14.3	20.0	11.4	-
Lash out, yell at, or hurt others? ^a	14.3	20.0	34.3	25.7	5.7
Talk it through with someone you trust?	23.5	38.2	20.6	14.7	2.9
Use art, dancing, writing, smudging, etc. to deal with the stress?	23.5	23.5	26.5	5.9	20.6

Note. $N = 34$ for all items, except for those marked with a superscript.

^a $N = 35$.

Substance abuse during childhood/teenage years. Participants were asked about whether they used substances (e.g., alcohol or drugs) during their childhood/teenage years. Only 6% reported that they did not use alcohol regularly prior to the age of 18. A total of 24% reported starting regular alcohol use prior to the age of 15 and 71% started drinking between 15 and 18. Similarly, 68% reported regular drug use prior to the age of 15, with 29% commencing regular drug use between the ages of 15 and 18. Only one individual indicated that they did not use drugs during their childhood/teenage years. In terms of frequency/length of use, 68% reported using alcohol, drugs, or other substances excessively for a long period of time before the age of 18. Specifically, just under half reported using substances excessively for months, while 52% reported using excessively for years.

In terms of the impacts their substance use had while they were growing up, 38% indicated that they were not allowed to participate in community activities because they had been intoxicated or high. Over half (53%) reported having been kicked out of school at least once because they were intoxicated or high and 74% reported having overdosed or blacked out from too much alcohol consumption or drug use. Of the 34 respondents, 85% reported having been in a physical fight and 88% reported getting physically injured because they were intoxicated or high.

Preparation for and experience of discrimination during childhood/teenage years.

Participants were asked a variety of questions in order to gain an understanding of their experiences of discrimination during their childhood/teen years. Of the 36 participants who responded, 58% indicated that they had been treated unfairly or discriminated against because they were an Indigenous person prior to the age of 18. To gain a better understanding of the sources of the discrimination, participants were asked how often they were treated unfairly in a number of contexts (see Table 14). Of 22 respondents, approximately 55% indicated they had been treated unfairly at school or work ‘Sometimes’, ‘Often’, or ‘Very often’ because they were Indigenous, during their childhood/teen years. Similarly, the vast majority of participants (82%) reported experiencing some degree of discrimination by agents of the criminal justice system. Alternatively, fewer participants reported experiencing unfair treatment by neighbours or other Indigenous people.

Table 14

Experiences of Discrimination in Childhood/Teenage Years

Item	Percent Endorsing Response				
	Never	Hardly Ever	Sometimes	Often	Very Often
<i>How often were you treated unfairly because you are an Aboriginal person...</i>					
At work or school?	22.7	22.7	27.3	18.2	9.1
At home, by neighbours, or at somebody else's house?	50.0	13.6	18.2	13.6	4.5
By the police, security guards, lawyers, or other people who work in the courts?	18.2	-	31.8	27.3	22.7
By people at restaurants, hospitals, stores, banks, in taxis or when getting other services?	13.6	9.1	45.5	9.1	22.7
By other Aboriginal people? ^a	60.0	5.0	20.0	10.0	5.0

Note. $N = 22$ for all items, except for those marked with a superscript.

^a $N = 20$.

To better understand how participants responded to this unfair treatment/discrimination during their childhood/teens, they were asked a series of questions about how they felt or dealt with it. As seen in Table 15, the majority of participants tended to ignore it, forget about it, or accept it as a fact of life (68%), and over half (55%) rarely talked to family or friends, or used art, dancing, and/or music, to deal with it. Seventy-one percent reported often feeling angry, annoyed or frustrated and half of the participants at least 'Sometimes' felt powerless, hopeless or depressed.

Table 15

Impacts of Experiences of Discrimination in Childhood/Teenage Years

Item	Percent Endorsing Response				
	Never	Hardly Ever	Sometimes	Often	Very Often
<i>When you were treated unfairly because you are an Aboriginal person, how often did you...</i>					
Ignore it, forget about it, or accept it as a fact of life?	22.7	9.1	27.3	13.6	27.3
Talk to family/friends about it, or write, draw, sing or paint about it?	22.7	31.8	22.7	9.1	13.6
Feel ashamed, humiliated, anxious or fearful?	36.4	27.3	18.2	13.6	4.5
Feel angry, annoyed, or frustrated? ^a	19.0	4.8	4.8	38.1	33.3
Feel powerless, hopeless or depressed?	22.7	27.3	13.6	22.7	13.6
Get a headache, upset stomach, tense muscles, or a pounding heart? ^a	23.8	33.3	14.3	14.3	14.3

Note. $N = 22$ for all items, except for those marked with a superscript.

^a $N = 21$

One of the themes that were raised during the IAG sessions was the importance of preparations for discrimination to protect against the negative impacts of unfair treatment. Table 16 shows the questions and responses related to preparations for discrimination. The majority of participants either were 'Rarely' or 'Never' told they may encounter discrimination while growing up (58%). Most participants were told that should they encounter it, they should ignore it (56%), confront it (66%), or talk about those experiences/feelings with someone they trust (69%). Similarly, participants reported that they were 'Rarely' or 'Never' told that they needed to cooperate with authority (47%) or behave better than others (50%) in order to avoid being treated unfairly. Alternatively, 59% reported being taught ('All the time' or 'Often') that being

Indigenous is an important part of who they are and how they should live their life, and 65% were taught to be proud of their Indigenous culture and background. Of the 36 respondents, 75% reported having participated in traditional Indigenous activities/ceremonies while growing up (e.g., smudges, drumming, traditional dancing, hunting/fishing).

Table 16

Preparation for Discrimination during Childhood/Teenage Years

Item	Percent Endorsing Response				
	Never	Rarely	Sometimes	Often	All the time
<i>When growing up, I was...</i>					
Told about how I may encounter racism or discrimination because I am Aboriginal. ^b	30.6	27.8	22.2	16.7	2.8
Taught that when I encounter racism/discrimination, I should ignore it.	29.4	26.5	23.5	14.7	5.9
Taught that when I encounter racism/discrimination, I should confront the person (ex. fight, yell at). ^a	37.1	28.6	14.3	8.6	11.4
Taught that when I encounter racism/discrimination, I should talk about my experiences and feelings with someone I trust. ^a	45.7	22.9	20.0	5.7	5.7
Warned that I will need to behave better than others to avoid being treated poorly/unfairly.	41.2	8.8	32.4	8.8	8.8
Warned that I will need to be more cooperative with authority figures (e.g., police) to avoid being treated poorly/unfairly.	29.4	17.6	29.4	11.8	11.8
Taught that being Aboriginal is an important part of who I am and how I live my life.	17.6	5.9	17.6	20.6	38.2
Taught to be proud of my Aboriginal culture/background.	17.6	-	17.6	17.6	47.1
Taught/told about the cultural teachings of my people.	14.7	5.9	44.1	11.8	23.5
Encouraged to learn about the important Aboriginal historical figures and role models.	20.6	11.8	32.4	17.6	17.6
Taken to visit important historical locations, events or ceremonies of my people.	35.3	2.9	32.4	20.6	8.8

Note. $N = 34$ for all items, except for those marked with a superscript.

^a $N = 35$, ^b $N = 36$

Caregivers/Parents

In addition to their own personal experiences during childhood, participants were asked a few questions related to the experiences and upbringing of their caregivers/parents. Of the 34 who responded, 59% indicated that one or both of their parents were sent to residential/day school when they were children. It should be noted that 12% did not know their parental history of residential school. Similarly, 57% reported that their grandparents had been sent to residential/day school; however, 37% indicated that they did not know. Additionally, 51% of aunts and uncles and 14% of the participants' siblings had been sent to residential/day school.

When asked about familial experiences of residential/day school, 47% indicated that at least one family member had been abused (physical, sexual and/or mental) while in residential/day school; however again, 43% indicated that they did not know their family's history of abuse. Only 15% indicated that their family members had sought help to deal with their history of residential school abuse, but 60% were not sure about whether any had sought help. For familial adoption or foster care placement, as shown in Table 17, one-third of the participants knew that one of their family members had been adopted or placed in care; however, 44.4% did not know of their familial history of adoption or foster care placement. Lastly, when asked if any of their primary caregivers had an alcohol or drug problem while the participant was growing up, 83% of the 36 respondents indicated 'yes'.

Table 17

Adoption or Foster Care Placement of Participant's Family Members

	Percent Endorsing Response		
	No	Yes	I don't Know
Were any of your parents, aunts/uncles, grandparents, or siblings adopted or placed in foster care?	22.2	33.3	44.4
Mother ^a	72.3	18.2	9.1
Father ^b	80.0	20.0	-
Aunts ^b	45.5	54.5	-
Uncles ^a	60.0	40.0	-
Sisters ^b	27.3	72.7	-
Brothers ^b	45.5	54.4	-
Grandmothers ^c	66.7	33.3	-
Grandfathers ^a	60.0	40.0	-

Note. $N = 36$.

^a $n = 10$, ^b $n = 11$, ^c $n = 9$.

Adulthood (18 to now)

Community. Questions about each participant's community were asked in order to gain an understanding of the communities the participants lived in as well as how they saw themselves in their respective communities. The majority of the 36 participants reported living on reserve (78%), followed by large cities (11%), rural communities (8%) and small cities (3%). Approximately, 91% reported having lived on reserve at one point in time in their lives.

Participants were asked about their views about the health and presence of strong leadership in their communities. Specifically, 55% of participants indicated that they 'Agree or Strongly agree' with the statement that their community has taken steps to heal from the pain of

their history; whereas approximately 18% ‘disagreed/strongly disagreed’ (see Table 18). In terms of leadership, approximately 49% participants agree/strongly agree with the statement that their community has strong Indigenous leadership and role models. Similarly, 67% indicated that they agree/strongly agree with the statement that they have Indigenous leaders and teachers that they feel they can go to for help; however, approximately 24% ‘Disagree/Strongly disagree’ with these statements.

In terms of how participants view themselves in the community, 39% ‘Agree/Strongly agree’ with the statement that they believe they play a valuable role in their community; whereas, 27% disagree and one third of the sample ‘Neither agree nor disagree’. Similarly, 36% agree with the statement that the role they play in their community is valued by others, whereas nearly one quarter of the participants ‘Disagree’ and approximately 46% ‘Neither agree nor disagree’.

Table 18

Community Health, Leadership & Participant’s Role in Community Functioning

Item	Percent Endorsing Response				
	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
I believe that I play a valuable role in my community.	21.2	6.1	33.3	30.3	9.1
My community has taken steps to heal from the pain of our history.	9.1	9.1	27.3	42.4	12.1
I have Aboriginal leaders/teachers in my community that I can go to for help.	9.1	15.2	9.1	39.4	27.3
I believe that the role I play in my community is valued by others.	9.1	9.1	45.5	21.2	15.2
My community has strong Aboriginal leadership and role models.	15.2	9.1	27.3	30.3	18.2

Note. $N = 33$.

Current living conditions and resources. Much like the questions during their childhood/teenage years, participants were asked about their current living conditions and resources available to meet their basic needs. Of the 35 participants who responded, 20% indicated that they do not have enough money for basic needs in life (e.g., food, clothing, housing); 54% indicated they ‘Sometimes’ do, and 26% indicated that they always have enough money for basic needs. Seventy percent of the participants indicated that they currently rely on charities, churches or government services (e.g., welfare) to survive. A total of 30% reported that they either ‘Sometimes’ or ‘Always’ go hungry or have limited access to clean drinking water, and 47% indicated that they currently live in home that is either over-crowded or in need of major repairs (see Figure 22).

Figure 22. Percentage of participants endorsing responses for questions related to current with living conditions.

Obtaining relevant employment. Of the 34 respondents, 85% indicated that it is hard for most people to find paid work where they live, and 65% indicated they have had personal difficulties finding paid work in their community. Among the reasons that participants have had difficulty finding work, 17% of the 35 respondents indicated that literacy has created barriers to employment, 55% indicated that consistent transportation has limited their employment options, 17% identified a lack of jobs as being a major issue, 18% indicated that nepotism or discrimination was a factor, and one person indicated that having a criminal record created barriers to employment. Thirty-five percent of the sample indicated having paid employment at the time they completed the questionnaire, and 44% indicated that their work was seasonal in nature, which for a quarter of those participants, requires them to reapply and change employers every season. A total of 36% of the sample indicated that they do a lot of unpaid work to support their family.

Coping with stress and trauma in adulthood. Participants were asked about how they cope with stressful situations in their adult life. Just over a third of participants indicated that they use alcohol or drugs ‘Often’ or ‘All the time’ to deal with stress, and 35% indicated that they ‘Sometimes’ use substances to deal with stress. As shown in Table 19, the majority of participants indicated that they ‘Rarely’ or ‘Never’ intentionally hurt themselves, or lash out/yell at others to cope with their stress. However, over half of the participants indicated that they ‘Rarely’ or ‘Never’ talk through their stress with someone they trust, nor do they use art, dancing, writing, smudging, etc. to deal with their stress.

Participants were also asked about whether they had ever been diagnosed with Post-Traumatic Stress Disorder (PTSD). Of the 34 who responded to this question, 15% had received a diagnosis, whereas, 31% indicated that they believe they have the symptoms consistent with

PTSD, but have not received a formal diagnosis. Regarding history of suicide, 24% indicated that they had attempted suicide during their adult years, and 50% reported having lost someone close to them as a result of suicide during adulthood.

Table 19

Coping with Stressful Situations in Adulthood

Item	Percent Endorsing Response				
	Never	Rarely	Sometimes	Often	All the time
<i>When you are stressed or upset, how often do you....</i>					
Use alcohol and or drugs to the point of intoxication? ^a	11.8	17.6	35.3	20.6	14.7
Hurt or intentionally cause pain to yourself? ^a	64.7	26.5	5.6	2.8	-
Lash out, yell at, or hurt others?	24.2	42.4	18.2	9.1	6.1
Talk it through with someone you trust (e.g., friend, Elder)?	33.3	15.2	30.3	12.1	9.1
Use art, dancing, writing, smudging, etc. to deal with stress?	30.3	24.2	12.1	12.1	21.2

Note. $N = 33$ for all items, except for those marked with a superscript.

^a $N = 34$.

Substance abuse in adulthood. Questions related to the participants' substance use in adulthood were also explored. Of the 34 individuals who responded, 56% reported currently having a substance abuse problem (see Figure 23). Specifically, 29% reported having an issue with alcohol use, 6% reported abusing drugs and other substances, and 21% reported abusing alcohol, drugs, and other substances. Interestingly, when asked "*Do others (e.g., family, friends) think you have a substance abuse problem?*" 68% indicated that family and friends believe that they have a substance abuse problem. Of the 34 respondents, 21% reported currently having a

spouse who has a substance abuse problem and 50% of the participants indicated that, of the people in their life (i.e., family and friends), ‘Some’ or ‘Most of them’ are intoxicated more than three days a week.

Figure 23. Percent of participants endorsing responses for questions related to substance abuse.

In terms of whether their substance abuse has interfered with important aspects of their adult life, 27% reported having been fired from a job, 24% reported not being allowed to participate in a community activity, and 68% indicated that they had been physically injured because they were intoxicated or high. For the length and frequency of use, 73% indicated that they have used alcohol, drugs, and/or substances excessively (to get intoxicated) for a long period of time (i.e., months or years) during their adulthood. Specifically, 42% used substances excessively for years (58% reported using excessively for ‘months’), and 36% reported that their

excessive use had occurred in the last 12 months; whereas, 64% reported that their excessive use had occurred five to 10 years prior. For the types of use, Table 20 provides a breakdown of the frequency with which participants used various types of substances. For example, 12% of the participants reported using alcohol and 26% reported using marijuana either ‘daily’ or ‘constantly’. For prescription medications and/or opiates, 21% of participants reporting using these drugs ‘once a week’ or ‘daily’. Fewer participants reported using drugs, such as cocaine, amphetamines (e.g., 12% reported using ‘once a month’) and other drugs (e.g., 6% reported misusing cough/cold medicines and hallucinogens ‘once a month’).

It should be noted that of the 34 participants who reported, 14% were aware that their mother had used alcohol or drugs when she was pregnant with them; however, only 3% had received a formal Fetal Alcohol Spectrum Disorder (FASD) diagnosis. It should also be noted that 47% of participants were not sure whether their mother had used any substances when she was pregnant with them.

Table 20

Current Frequency and Type of Substance Use

Item	Percent Endorsing Response				
	Never	Once a Month	Once a Week	Daily	Constantly
How often are you intoxicated from alcohol?	26.5	41.2	20.6	2.9	8.8
How often do you use marijuana?	55.9	5.9	11.8	23.5	2.9
How often do you use prescription medications and/or opiates to get high?	67.6	11.8	5.9	14.7	-
How often do you use cocaine, amphetamines and or methamphetamines?	85.3	11.8	-	-	2.9
How often do you use inhalants to get high?	100.0	-	-	-	-
How often do you use other drugs (e.g., cough/cold medicine, hallucinogens, bath salts)?	94.1	5.9	-	-	-

Note. $N = 34$.

Views on justice. The questionnaire included questions that assessed the participants' views on justice and the criminal justice system. Figure 24 provides the participants' endorsement of response options for each question. While more than half of the participants neither 'Agree' nor 'Disagree' that the rules of the police and courts are made for non-Indigenous people, approximately 31% 'Agree/Strongly agree' with this view. Participants were split on their views that the criminal justice system is racist against Indigenous peoples (e.g., 38% agreed vs. 29% disagreed). Approximately 46% of respondents disagreed with the statement that they would trust the police to help them if they were the victim of a crime.

In terms of where participants derive their sense of justice, 67% indicated that they agree with the statement that their Indigenous heritage provides them with a strong sense of right and wrong, and 46% agree with the statement that, in their community, they look out for themselves and don't want outsiders to cause trouble. Lastly, the majority of participants (64%) 'Agree/strongly agree' that the government cannot be trusted to treat Indigenous peoples fairly.

Figure 24. Percent of participants endorsing responses for questions related to views on justice and the criminal justice system.

Note. $N = 33$ unless otherwise specified.

Experiences of discrimination in adulthood. Understanding the participants' current experiences of discrimination was an important component of the questionnaire. Of the 34 respondents, 60% reported having been treated unfairly/discriminated against because they were a person of Indigenous heritage, during their adulthood. Figure 25 provides information on the sources and frequency of discrimination experienced by the participants. The majority of discrimination was reported to have come from police, security guards, lawyers and other members of the court/justice system (e.g., 45% experienced discrimination from these sources 'often' or 'very often'). Alternatively, discrimination was less likely to come from neighbours/friends or other Indigenous people (e.g., 76% reported 'Never' or 'Hardly ever' experiencing discrimination from these individuals).

Figure 25. Percent endorsing responses for questions related to the source and frequency of discrimination during adulthood.

Note. $N = 22$ for all items, unless otherwise specified.

When participants were asked about the impacts of their experiences of discrimination, as shown in Table 21, the majority of participants (52%) indicated that they often ignore it, forget about it, or accept it as a fact of life, and 50% indicated that they 'Never/Hardly ever' choose to talk to family/friends about these experiences. Most reported however, that they 'Never/Hardly ever' feel ashamed/humiliated (70%), powerless/hopeless (60%), or experience physiological symptoms of stress (67%) as a result of their experiences of discrimination.

Table 21

Impacts of Experiences of Discrimination in Adulthood

Item	Percent Endorsing Response				
	Never	Hardly Ever	Sometimes	Often	Very Often
<i>When you are treated unfairly because you are an Aboriginal person, how often do you...</i>					
Ignore it, forget about it, or accept it as a fact of life? ^a	14.3	9.5	23.8	28.6	23.8
Talk to family/friends about it, or write, draw, sing, or paint about it?	40.0	10.0	20.0	15.0	15.0
Feel ashamed, humiliated, anxious, or fearful?	45.0	25.0	15.0	5.0	10.0
Feel angry, annoyed or frustrated?	25.0	15.0	25.0	15.0	20.0
Feel powerless, hopeless, or depressed?	50.0	10.0	30.0	-	10.0
Get a headache, upset stomach, tense muscles, or a pounding heart? ^a	52.4	14.3	23.8	9.5	-

Note. *N* = 20 for all items, except for those marked with a superscript.

^a *N* = 21.

Identification with Indigeneity. Developing an understanding of the connection participants have with their Indigenous culture and identity was an important part of the questionnaire. When asked if the people they spend time with know that they are Indigenous, 95% of the 32 participants responded ‘Yes, most’ or ‘Yes, everyone’. Similarly, 97% indicated that people can identify them as Indigenous by their appearance. As shown in Table 22, the vast majority of respondents agree that they feel accepted by Indigenous peoples (88%), have confidence in the teachings of the Elders (75%), and are proud to be a person of Indigenous heritage (94%). Similarly, more than half of the participants (53%) indicated that they look to their Indigenous heritage for direction in their lives. Alternatively, in terms of their perceptions of how the larger/dominant society views Indigenous peoples, the majority of respondents agreed

with the view that there is rarely anything good about Indigenous peoples in the media (67%), and Indigenous peoples have fewer opportunities than non-Indigenous peoples (56%).

Interestingly, just over half of the participants indicated that they ‘Neither Agree nor Disagree’ with the view that they feel that they do not belong or fit within the larger/mainstream society because they are Indigenous.

Table 22

Connection to Indigenous Peoples and Larger Society

Item	Percent Endorsing Response				
	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
I feel accepted by other Aboriginal people.	3.1	-	9.4	71.9	15.6
Aboriginal people have less opportunities than other Canadians.	3.1	6.3	34.4	34.4	21.9
I am proud I am Aboriginal ^a	3.0	-	3.0	27.3	66.7
I have confidence in the teachings of the Elders.	3.1	6.3	15.6	25.0	50.0
I look to my Aboriginal heritage for direction in my life.	12.5	-	34.4	25.0	28.1
There is almost never anything good about Aboriginal people in the media.	12.5	-	25.0	40.6	21.9
I feel that I do not belong or fit within the larger/mainstream society because I am Aboriginal.	3.1	18.8	56.3	12.5	9.4

Note. $N = 32$ for all items, except for those marked with a superscript.

^a $N = 33$.

Participants were similarly asked about their connection to cultural traditions and practices. Of the 32 participants who responded to this, 72% indicated that they had participated in a traditional activity or ceremony in the last 12 months. As shown in Figure 26, 56% indicated

that they feel connected with their Indigenous culture and background; however, 13% did not feel this way. Fifty-three percent indicated that they have access to Indigenous activities/groups to keep their cultural identity strong; however, 28% indicated that they currently do not have access. While 34% said that their Indigenous identity has not been stolen from them, 38% indicated that they feel it has indeed been stolen from them. And, 59% indicated that participating in traditional Indigenous cultural/spiritual activities is an important part of their lives and who they are.

Figure 26. Percent of participants endorsing responses for questions related to connection to Indigenous cultural identity.

Note. $N = 32$.

Concluding Comments by Participants

At the end of the questionnaire, participants had the option to provide additional information or concluding comments. Participants provided the following comments:

P1: “Very emotional doing this, but feel a lot better about myself now from doing this. Thank you.”

P2: “This opened up a new life-meaning teaching to me, thank you.”

P3: “I am proud to be Native Canadian. Even if it’s a hard life, still wouldn’t want another one.”

P4: “Government and police and courts need to be more fair to First Nations.”

P5: “It’s always the alcohol that puts me in jail. I never know to being arrested sober. Alcohol is destroying me.”

One of the POs also provided the following comment on the questionnaire, which s/he included along with the research materials.

PO: “I am of the firm belief the survey will benefit others in the future, as Probation Services works to provide the best supports and resources possible for those under community supervision. Although history cannot be undone, it can be a huge influence in how things are changed for the future.”

Discussion

Given the lack of research on culturally-relevant risk factors, the purpose of Study 2 was to identify and examine a more comprehensive array of factors that could improve our understanding of risk/need, and more importantly, serve as criminogenic treatment targets in order to better address issues that Indigenous peoples face in Canada’s criminal justice system. Specifically, Study 2A set out to identify what culturally-relevant factors are, through the creation of an Indigenous Advisory Group (IAG), and collaboratively create a questionnaire that measures the presence and nature of these factors (i.e., Culturally-Relevant Factors Questionnaire). Further to this aim, Study 2B applied the questionnaire with a sample of

Indigenous males on community supervision in Manitoba. While the initial goals of Study 2B could not be realized (i.e., examine the unique and incremental ability of these factors compared to generic risk/need factors for predicting recidivism), the benefits and knowledge gained through the process and the participation of the 36 individuals are substantial, particularly given that this area is severely under-researched. Furthermore, this research serves as a template for criminal justice agencies to follow in order to conduct this work on a larger scale within their respective jurisdictions, in collaboration with Indigenous communities.

Uniqueness, Salience, and Precision of Measurement

The process undertaken in Study 2A involved the participation and collaboration of 51 individuals who work with Indigenous peoples in the criminal justice system. Generally, the goal was to identify what factors are relevant to understanding criminal behaviour among peoples of Indigenous heritage. Therefore, one of the issues we grappled with at the outset was arriving at an appropriate label for what we were attempting to identify. This exercise, in turn, informed the scope of our work. While the terms “culturally-specific factors”, “culturally-unique factors”, “culturally-informed factors” and “culturally-relevant factors” have been used interchangeably to refer to issues that are *more* criminogenically meaningful for Indigenous peoples, the differences inherent in these terms warrants discussion. Similar to the categorization of risk/need concepts in the gender literature (e.g., Blanchette & Brown, 2006), it was important to identify both culturally-unique as well as culturally-salient factors. Therefore, the identification of culturally-relevant factors, which includes both concepts, became the goal.

Importantly, the notion that unique factors (e.g., trauma as a result of residential school experiences, community/cultural disruption due to discriminatory policies and practices) may criminogenically affect Indigenous peoples is an accessible and generally uncontroversial

concept. However, given that these factors are currently absent from assessments and most treatment, there is clearly a need to better understand how they play a role in the onset and maintenance of criminal behaviour. Alternatively, there are factors common to both groups (e.g., experience of poverty or abuse/victimization) that criminogenically affect one group differently than the other. This becomes an issue of cultural-salience. For example, trauma and experience of violence and abuse are issues that affect individuals of all cultural backgrounds. And while the prevailing general risk/needs literature has largely dismissed experiences of victimization as a “non-criminogenic” factor for the majority of offenders (e.g., Gendreau et al., 1996), the experience of abuse has been qualitatively as well as quantitatively supported as an important risk/need factor for Indigenous peoples (e.g., Gutierrez et al., 2013). While psychological and behavioural processes are ultimately determined at the individual level, the salience of factors could possibly stem from the differing underlying psychological mechanisms that are informed by relevant group-level experiences (e.g., group-based discrimination). Therefore, it is possible that these group-level differences render these common factors criminogenically different.

Similarly, the differences in how general risk/need factors apply to one group compared to another can stem from the manner in which those factors exist or function within a group/community. The IAG discussed this concept in terms of the normalization of risk/need factors. As one participant put it: “The risk factors are the same for both Whites and Indigenous, we just have more of them”. For example, while substance abuse is a risk factor for both Indigenous and non-Indigenous people, the normalization of excessive and extreme substance abuse (in terms of frequency and type) in many Indigenous communities makes substance abuse function differently as a risk factor for many Indigenous peoples in the justice system. In addition to possibly stemming from different psychological and sociological causes as described

earlier, this difference in criminogenic function therefore requires different measurement in order for assessments to accurately distinguish risk. In other words, current risk assessments may be assessing the right themes, but asking the wrong number and/or types of questions. Therefore, the imprecision of current assessments may be rooted in an inaccurate or insufficient understanding of how these risk/need issues function in Indigenous contexts.

Study 2A: Twelve Culturally-Relevant Themes

With the concept of cultural-relevance as the goal, through the process of co-development with the IAG and thematic analysis, the following twelve culturally-relevant themes were generated: 1) Cultural Background and Indigenous Identification; 2) Stability of Upbringing; 3) Residential School Experience (direct); 4) Family Experience of Residential School; 5) History of Exposure to Abuse; 6) Coping Strategies; 7) Extreme Poverty; 8) Preparation for and Experience of Discrimination; 9) Community; 10) Views on Justice; 11) Employment and Educational Issues; and, 12) Substance Abuse. These twelve themes formed the basis for the Culturally-Relevant Factors Questionnaire. Unsurprisingly, there is considerable overlap between the themes generated with the IAG and those that appear in the literature on cultural-relevance in the criminal justice system (e.g., Gladue factors, Indigenous social history factors, indicators of social and emotional well-being). While attempts were made to maintain some distance from the greater literature while generating the themes, the development of themes did not occur in a vacuum and therefore, there was some natural overlap between what the IAG generated and what has been previously acknowledged in the literature.

The co-development and analysis yielded a mix of culturally-unique factors (e.g., history of residential school experience), potentially culturally-salient factors (exposure to abuse and extreme poverty), and risk factors common to the general risk/needs literature (e.g.,

employment/educational issues and substance abuse). In examining the broader literature on cultural relevance, the themes identified with IAG map onto the general process described by others on the development of offending patterns among Indigenous peoples who have been similarly historically marginalized (e.g., Ferrante, 2013; Laprairie, 1995; Shepherd, 2015). As illustrated in Figure 27, the twelve culturally-relevant themes and factors identified can be seen as the product of an ongoing process of institutionally-sanctioned marginalization of Indigenous peoples. These discriminatory practices, which started as the widespread disruption of culture, land, and traditions from entire societies in Canada, resulted in the loss of families, communities, language, and cultural/spiritual practice. This in turn has resulted in many of the circumstances Indigenous peoples currently experience, such as, high rates of substance abuse, violence, poverty, poor coping, and what Shepherd (2015) refers to as group-level “psychological nihilism” that leads to an absence of social and emotional well-being, which in turn leads to criminal behaviour.

Figure 27. Process of Marginalization that leads to Loss of Social and Emotional Well-being.

In addition to the deficit-based issues identified, themes related to resilience and potentially protective factors were similarly discussed. Specifically, connection to community, positive coping, and cultural pride and identification were themes that occupied considerable space in the IAG discussions. The view that having a strong cultural identity can enhance the

social and emotional well-being of Indigenous individuals and communities has been similarly proposed by others in the cultural relevance literature (e.g., Ferrante, 2013; Homel, Lincoln & Herd, 1999; Shepherd, 2015). Specifically, establishing strong community bonds and developing a sense of identity that is rooted in one's cultural heritage has been proposed as a protective factor that can enhance resilience and positive coping strategies and protect against the development of antisocial behaviour (e.g., Homel et al., 1999; Ferrante, 2013). Alternatively, it has been proposed that the absence of these factors could potentially negatively influence one's risk. For example, Ferrante (2013) found that, while belonging to the Stolen Generation²³ had an impact on the likelihood of involvement in the criminal justice system, they also found that having a sense of community connectivity and possessing strong cultural ties was related to lower involvement in criminal behaviour.

Study 2B: Applying the Questionnaire

Ideally, the Culturally-Relevant Factors Questionnaire would have been applied to a larger and more diverse sample of Indigenous peoples in the justice system in order to gain a fulsome understanding of how these factors function, both as risk and protective factors for re-offending; however, this was not possible in the present study. The small-scale application of the questionnaire in Study 2B, however, yielded a rich variety of meaningful lessons and directions for future research. First, contextualizing the observed results from Study 2B in the uniqueness of the sample of the 36 men who participated should be acknowledged. All participants in the sample identified as First Nations Indigenous males from one Canadian province (i.e., Manitoba), which makes their experiences more unique to the First peoples in the prairie region of Canada. Also, the majority of participants (78%) lived on-reserve at the time they completed

²³ Stolen Generation refers to children of Aboriginal Australian or Torres Strait Islander descent who were removed from their families and communities by the Australian government between 1905 and 1970 (Read, 2006).

the questionnaire, and most (70%) had also grown up on reserve. Therefore, their responses reflect the perspectives of a more rural and remote experience, which may differ from that of individuals in the southern part of the province or more urban communities. With the IAG we discussed the potential differences between the urban and rural Indigenous experience and how that might influence risk. Consistent with what is observed in general census-based demographics, it was expected that many of the issues (e.g., substance abuse, abuse/violence, poverty; Statistics Canada, 2016) would be worse for those living on-reserve, and the types of barriers would have some differences (e.g., transportation and access to resource issues for remote communities, availability of employment), however, the factors expectedly related to criminal behaviour would be the same.

In addition to identifying exclusively as First Nations and living mostly on-reserve, the risk information that was provided indicated that the sample appeared to be a generally high-risk group (i.e., 85% of those whose risk information was provided were assessed as either high/very high risk on the LS/CMI). Therefore, taking the general risk information and the location of the participants into consideration, there was an expectation that the factors explored in the questionnaire might demonstrate a greater density of issues than what might be expected with a more diverse Indigenous sample (e.g., Indigenous peoples from provinces where over-representation is less severe, from urban locations where there is more access to services and resources, or from a lower-risk group). On the other hand, based on the methodology employed in Community X, it is possible that the experiences of those 11 participants (30% of the sample) are unique to the circumstances of this one community. More specifically, while there was clearly devastation occurring within the community at the time the questionnaire was administered (e.g., damage from storm and suicides), there also appeared to be a strong source of

support and leadership from the Chief and Council and members of the community, rooted in their cultural traditions and teachings. Therefore, the responses from these participants may reflect the experiences of a community that has greater amounts of support than others. Lastly, it should be noted that the sample consisted exclusively of Indigenous adult males. Future research needs to be undertaken with women and youths separately, attending to the issues that may be more unique or salient to these populations in terms of their respective risk/need factors.

It was clear from the participants' responses that there was a considerable amount of instability and developmental disruption during their childhood and teenage years (e.g., 22% were placed in a group home, 42% were in foster care, 86% reported that their caregiver had a substance abuse problem). Furthermore, while the majority of participants had at least one person who loved them and with whom they felt safe while growing up (86%), another 14% reported having no one. For those who had at least one person, over half were permanently separated from them before they were 18 years of age, and 40% indicated that the person who cared for them did not teach them about their Indigenous culture or traditions. Similarly, the conditions of poverty (e.g., one-third of participants reported having gone hungry or had limited access to clean drinking water while growing up) had a considerable impact on their childhood functioning (e.g., being able to participate in activities) and the vast majority (72%) had to rely on government and charities to survive.

This experience of poverty was mirrored in their adult experiences, where 50% reported living in homes that were overcrowded and in need of major repairs, and 70% reported currently relying on government support (e.g., welfare) or charities, in order to survive. To contextualize the severity of these findings, according to the National Household Survey, 28% of First Nations individuals from the general population living on-reserve and 7% of First Nations individuals

living off-reserve reported living in overcrowded conditions (Kelly-Scott & Smith, 2015).²⁴ And, the rate of on-reserve First Nations peoples who relied on government financial support was approximately 33% (and 5% for the general Canadian population; FNIGC, 2012). Therefore, it is clear that respondents grew up in and are currently living in conditions of extreme poverty compared to other First Nations individuals in the general Canadian population.

Further to the instability of upbringing was the amount of exposure to abuse, both witnessed and experienced directly. For example, 60% of participants reported witnessing abuse in their communities and 80% of those who responded had experienced abuse themselves while growing up. Research has found that not only is exposure to abuse related to negative outcomes later in life, but the compounding effects associated with the co-occurrence of adverse childhood experiences of abuse and violence are related to a variety of poor physical and mental health outcomes (e.g., Chartier, Walker & Naimark, 2010; Turner, Finkelhor & Ormrod, 2010). It should be noted however that in the present study, there was a considerable amount of missing information for the questions related to abuse (i.e., 36% drop-off in respondents) which suggests that individuals are at different places in terms of being able to discuss their history and experiences with abuse. For example, only half of respondents reported having received some form of help to deal with their experiences of abuse.

Related to the stability of upbringing is the experience of the residential/day school system. A total of 14% of participants had been sent to residential or day school during their childhood/teenage years; however, in terms of the intergenerational scope, participants reported that 60% of their parents, 57% of their grandparents, and 51% of their aunts and uncles were sent to residential/day school. The term “intergenerational stress proliferation” has been used to describe the process by which parental experiences of stress or trauma have an impact on

²⁴ A total of 4% of non-Indigenous peoples reported living in over-crowded homes (Kelly-Scott & Smith, 2015).

children either through direct exposure (e.g., poorer parental behaviours) or indirectly through social disadvantage. The effects of intergenerational stress proliferation have been specifically observed in the context of the negative legacy of the residential school system in Canada (Pearlin, Aneshensel, & LeBlanc, 1997; Thoits, 2012; Wheaton & Clarke, 2003). Direct survivors of the residential school system, as well as their offspring have been found to suffer a variety of mental and physical issues compared to those who did not attend, and similarly have been found to have greater risk for indicators and symptoms of poor well-being (e.g., Bombay, Matheson & Anisman, 2011; First Nations Centre, 2005; Assembly of First Nations [AFN]/First Nations Information Governance Committee [FNIGC], 2007). In the present study, of those who responded, 80% reported currently using substances to deal with the effects of their residential school experiences. While some participants left these questions blank, 37% responded “I don’t know” for questions related to residential/day school experiences of their family members. This further suggests that individuals as well as families are at different stages with their ability to discuss the trauma associated with their residential school experiences, even within the family context.

It was not possible to examine the relationship between indicators of Instability of Upbringing, or any of the other 11 culturally-relevant themes, and criminal behaviour in the present study. However, as was hypothesized by the IAG and similarly in the greater literature, examining this relationship more directly could shed greater light on how these factors function as potential risk/need factors. Specifically, as has been done in the creation of general risk/need scales, examining how these factors function (cumulatively) together could inform the development of scales and tools that help discriminate those who are lower and higher risk of engaging in criminal behaviour for Indigenous peoples. As an illustrative example using the

theme of Instability of Upbringing, Figure 28 demonstrates the funneling that occurs when greater densities of instability are explored within the current sample of participant responses. Again, while it was not possible to explore any associated changes in risk as a function of changes in the density of these factors, or the relationship between increases in density of potential risk/need factors and criminal behaviour, future research should examine whether a higher severity of instability is related to increases in criminal behaviour. Similarly, this analysis should be applied to indicators within all of the 12 culturally-relevant themes, both for potential risk/need and protective factors. This can serve to inform both our understanding of risk, but more importantly, serve to inform targets for treatment and rehabilitation efforts.

Figure 28. Hypothesized relationship between the cumulative effect of indicators of instability of upbringing and risk for criminal behaviour, illustrated by respondent experiences in Study 2B.

Similar to what was observed for responses related to instability of upbringing and living conditions, considerable difficulties were also observed for education and employment outcomes. For example, 82% of respondents reported having dropped out of school at some point during their childhood/teenage years to either care for their family, make money to contribute to their family, or due to persistent conflict with the law. For comparative purposes, approximately 50% of on-reserve First Nations individuals in the general population and 26% of 'off-reserve'

First Nations peoples did not graduate from high school (Kelly-Scott & Smith, 2015). This is also consistent with research that has found that the children of residential school survivors have worse educational outcomes compared to children of those who did not attend residential school (e.g., First Nations Centre, 2005). Relatedly, the vast majority (85%) of respondents indicated that it is difficult to find paid work in their community and only 35% reported having a job at the time they completed the questionnaire. As discussed earlier, given the remote and rural environments many of these individuals are currently living in, the severity of the observed issues for employment and the respective barriers (e.g., 55% identified consistent transportation and 17% indicated literacy were issues for obtaining employment) may differ for Indigenous peoples living in urban settings.

It is clear that while employment and educational issues are risk/need factors for both Indigenous and non-Indigenous peoples, a greater severity of difficulty and potentially unique barriers could be contributing to employment and educational issues having different criminogenic influences. Future research needs to examine how issues, such as discriminatory practices in hiring and differences in the relevance of educational curricula for example, could uniquely be: 1) related to criminal behaviour for Indigenous adults and youth; and, 2) factors that can be improved to enable greater successes in these domains (e.g., more fruitful and relevant educational experiences, fewer drop-outs) for Indigenous peoples.

For the themes of coping and substance abuse, 56% of respondents reported currently having a substance abuse problem and just over half reported using alcohol or drugs during their childhood or teenage years to the point of intoxication to deal with stress. Previous research has found that rumination over thoughts of historical loss was related to increased alcohol use (e.g., Whitbeck, Chen, Hoyt, & Adams, 2004). As described earlier, while substance abuse is not a

risk/need factor unique to Indigenous peoples, it could be that the psychological mechanism or cause underlying the reasons for use could be different for Indigenous compared to non-Indigenous peoples. Specifically, substance abuse may reflect self-regulation problems for non-Indigenous offenders, but as evidenced in the present study, substance use could reflect a form of self-medication to cope with trauma for Indigenous offenders (Gutierrez et al., 2013; Helmus et al., 2012). Future research should seek to better understand the underlying constructs for risk/need issues, such as substance abuse, in a manner that is more culturally relevant. Furthermore, this will not only enable more appropriate assessment, but direct treatment modifications that more substantively target the appropriate underlying psychological causes of use for Indigenous peoples.

Relatedly, approximately one-third of participants reported having intentionally hurt themselves as children/teens when they felt stressed and nearly 40% had attempted suicide. This is considerably more than what has been observed in the Indigenous and general population in Canada (i.e., 30% of Indigenous peoples and 9% of the general population in Canada reported having thoughts of suicide in their lifetime; FNIGC, 2012; Statistics Canada, 2016). Relatedly, 31% reported feeling that they have symptoms consistent with PTSD; however, less than 40% indicated that they would talk about their stress with someone they trust. Taken together with the results for childhood instability, disruption of caregiving, and experiences of abuse, these factors suggest high amounts of stress coupled with insufficient access to productive coping strategies in both childhood and adulthood, which in turn has a negative impact on social and emotional well-being. Given the high prevalence of stress and indicators of emotional distress, more research is needed to gain a better understanding of how these indicators function separately, as well as in combination, in relation to risk for criminal behaviour for Indigenous peoples.

On the theme of experiences of discrimination, approximately 60% reported having experienced unfair treatment because they were a person of Indigenous heritage in both their childhood/teenage years as well as adulthood. Specifically, representatives of the criminal justice system (e.g., police, courts) were most frequently identified as the source of the discriminatory experiences (i.e., 82% in childhood teenage years and 45% in adulthood). This maps onto the responses participants shared regarding their views of the justice system. Specifically, approximately 40% of respondents agreed with the view that the criminal justice system is racist in their treatment of Indigenous peoples and 46% did not trust that the police would help them if they were victims of a crime. This finding supports the notion that the criminal justice system may be uniquely perceived by many Indigenous peoples as an oppressive agency rather than a source of safety and support, which in turn, has a negative impact on the perceived legitimacy and authority of the system. As one questionnaire respondent put it:

P6: “Growing up was extremely difficult until I was made aware that I am Ojibway from the Anishinabe people. Before that I was just “some Indian”. If our children are taught their identity, I believe they will have little to no contact with the justice system. Because the justice system is the residential school system. Foster home to group home to youth center to remand center to federal penitentiary to new child.”

One of the strategies, to protect against the negative impacts of discrimination, as identified during the IAG sessions, is the preparation of children/teenagers for the experience of unfair treatment, and the bolstering of their cultural identity. Enculturation activities have generally been found to act as a protective factor for a variety of outcomes associated with indicators of well-being for Indigenous peoples (Rieckmann, Wadsworth, & Deyhle, 2004; Whitbeck et al., 2004; Whitbeck, Hoyt, Stubben, & Lafromboise, 2001). Approximately 60% of participants in the present study reported that they were never told that they would encounter discrimination while growing up, and 70% reported that they were never told to talk to someone

they trust about their experiences of discrimination. Alternatively, 65% reported that they were taught to be proud of their Indigenous identity and 75% participated in Indigenous activities growing up.

Preliminary research with other minority populations has examined both the relationship between discrimination and crime, as well as the potentially protective effect of cultural socialization and preparations for bias. Specifically, a study by Burt and colleagues (2012) found that racial discrimination was associated with increased crime among Black male youths, in large part by enhancing symptoms of depression, hostile views of relationships, and disengagements from conventional norms. They also found, however, that preparations for discrimination (as measured by the presence of specific parental strategies) reduced the impacts of discrimination on crime, largely by reducing the social and psychological mediators of offending.

Given the encouraging results of research with other minority youths, and the anecdotal support of such activities by the IAG, this suggests that preparations for discrimination could have a protective effect on risk/need factors related to offending, which presents as a promising approach for crime prevention efforts with minority youths. While the actual presence of strategies to prepare the participants for the experience of discrimination were mixed in the present study, more research needs to explore the protective value of preparations for discrimination and the impacts of enhancing cultural identification and pride on both well-being and criminal behaviour for Indigenous peoples.

Finally, related to the themes of community and Indigenous identification, just over half of the participants indicated that they look to their Indigenous heritage for direction in their lives and they felt connected with their Indigenous culture or background. The importance of having a strong cultural identify for maintaining a healthy and prosocial life was not only identified by the

IAG, but similarly, has been found in the literature to be an important determinant of health among many minority groups (e.g., Smith & Silva, 2011). As described earlier, engagement with cultural activities has been described as critical to the healing process, as it reinforces prosocial identity formation, which is a mechanism that supports desistance from crime (Chiricos, et al., 2007; Maruna, 2001; Trevethan et al., 2004). Similarly, Heckburt and Turkington (2001) found that for a sample of Indigenous offenders ($n = 68$), the majority of respondents (76%) believed that having a strong sense of identity positively influenced their ability to transition away from crime and nearly all offenders in the sample indicated that having a strong cultural identity was helpful for remaining crime free (Heckbert & Turkington 2001).

In the present study, approximately 40% of participants felt that their Indigenous identity had been stolen from them and only 39% of participants felt that they play a valuable role in the functioning of their community. Future research examining the relationship between indicators of positive cultural identity, community identification, and criminal behaviour, be they protective factors or risk/need factors, can inform how programming could leverage such knowledge to promote rehabilitation through cultural identity and reclamation activities. Positively however, it should be noted that 94% of respondents reported being proud to be a person of Indigenous heritage.

Conclusion

It is clear that there is a considerable amount of disadvantage and adversity that the participants have experienced and currently face, which are likely similar to many of the experiences of other First Nations peoples involved in the criminal justice system. While the results of the present study are not intended to be generalized to the diversity of Indigenous peoples involved in the criminal justice system in Canada, it serves as an example of the types of

factors that potentially have relevance for our understanding of risk/need and protective factors for Indigenous peoples, which in turn should influence our methods of assessment and treatment. More work is clearly needed with different Indigenous populations (e.g., Indigenous women, youth, Métis, and Inuit peoples) in order to gain a more fulsome understating of risk, need, and strength factors related to criminal behaviour.

Finally, in addition to the value-added to furthering our understanding of risk/need in relation to assessment and treatment, it is also worth highlighting here the experience of Community X and how research is conducted with Indigenous peoples and communities. The manner in which the research was embraced by the community, particularly during a time of grief and loss, serves as an example of how the process of research can (and should seek to) be enriching as well as restorative. This requires time, flexibility, and most importantly, communication. While large-scale research has the benefits of generalizability, the benefits gained through community-level research, conducted by its own teachers, leaders, and caregivers has the potential to initiate a process of healing that goes beyond the scope of the research questions themselves. Therefore, it is the responsibility of criminal justice agencies to promote and conduct this type of work in order to better understand the factors that are unique or salient to the diversity of individuals under their care. This understanding can only be achieved through the process of nation-to-nation collaboration and co-development with the individuals and communities they are trying to serve.

CHAPTER 4: Study 3 – Culturally-relevant Programming versus the Status Quo: A Meta-analytic Review of the Effectiveness of Treatment for Indigenous Offenders²⁵

Purpose

Most correctional systems have a responsibility to provide rehabilitative services to those under their supervision. Given the diversity of most correctional populations, some argue that these services should be tailored to the diverse needs and cultural backgrounds of the individuals they aim to help in order to be effective. Specifically, proponents of this view argue that utilizing a generic (i.e., culturally non-specific) one-size-fits-all approach to treatment is not only less effective, but contributes to the persistent problematic outcomes faced by many minority offender groups. As previously described, Indigenous offenders in the justice systems of Canada, Australia, New Zealand, and the United States are overrepresented compared to their proportion in the general population. The potential cause for this overrepresentation has been attributed in part to the lack of cultural-relevance in offender programming, the argument being that these services are not targeting the appropriate needs in a culturally-responsive manner that would otherwise maximize effectiveness (e.g., reducing re-offending; e.g., Ellerby & MacPherson, 2002; Heckbert & Turkington, 2001; Laprairie, 1997). Although some of these countries have made strides to acknowledge and address the unique needs of these groups through the creation of culturally-relevant programming and other similar initiatives, little is known about the effectiveness of these programs. Furthermore, the effectiveness of these programs compared to conventional criminal justice services has yet to be examined. Therefore, the present study examined the effectiveness of culturally-relevant correctional programs by quantitatively summarizing the available literature (i.e., using meta-analysis) evaluating the impacts of these programs on re-offending. For the purposes of the present meta-analysis, any treatment approach

²⁵ Note that a version of Study 3 is published (see Gutierrez, Chadwick & Wanamaker, 2018)

that was developed for specific use with an Indigenous sample of offenders was included, with the intention of identifying whether tailored, culturally-relevant programs lead to more successful offender outcomes (i.e., reductions in recidivism) compared to generic (culturally non-specific) treatment approaches. It is important to emphasize however, that cultural traditions, practices, and spirituality can vary substantially across subgroups as well as geographic locations; therefore, it is important to acknowledge that there is a diversity of cultures that exist within this grouping of Indigenous peoples.

Determining whether participation in culturally-relevant programming results in greater reductions in recidivism compared to participation in generic programming will help inform decision-making pertaining to program development, resource allocation, and the availability of programs. Moreover, it will provide much needed evidence regarding best practices for Indigenous offenders, which would be an important step towards addressing the issue of overrepresentation.

Method

Selection of Studies

A comprehensive search of PsycINFO, National Criminal Justice Reference Service (NCJRS), Google Scholar, Dissertations and Theses: Full Text, Criminal Justice Abstracts, and various government correctional agency websites was conducted using the following key terms: *Aboriginal**, *Native*, *Indian*, *Indigenous*, *ethnicity*, *race*, *Māori*, *culture*, *minority*, *First Nations*, *Métis*, *Inuit*, and *recid**, *relapse*, *offen**, *prison*, *reoffen**, *program**, *treatment*, and *interven**. Additional articles were also found through reference lists of articles that were collected, review and discussion articles, and contact with researchers in the field. In many cases, authors were contacted by email for additional information needed to calculate the effect size(s) or for

clarification on the information presented in their study. Furthermore, the authors contacted several governmental criminal justice agencies (both within Canada and internationally) to gain access to any ongoing or upcoming research that would be of relevance.

To be included, studies had to examine the effectiveness of culturally-relevant programming for Indigenous offenders by comparing the recidivism rates (i.e., general, sexual, or violent recidivism) of a sample of Indigenous offenders who participated in culturally-relevant programming to a comparison group of Indigenous offenders (who received programming that was not *intentionally* culturally-informed). Studies could be excluded on the basis of insufficient information on the treatment or comparison groups. When multiple articles reported findings based upon the same (or overlapping) samples, the report with the largest sample size and longest follow-up time was chosen for inclusion. In some cases, information to code studies was taken from multiple sources (e.g., program description was supplemented with information from a different source than the main article from which the recidivism information was drawn).

Overall, a total of 32 studies were identified in the initial screening; however, studies were eliminated due to: 1) failure to include an Indigenous comparison group that participated in an alternate generic offender treatment program; 2) failure to disaggregate Indigenous offenders from non-Indigenous offenders; and/or, 3) missing recidivism information. Although efforts were made to obtain the missing information or have information appropriately disaggregated, a total of 25 studies were ultimately eliminated, resulting in a total of seven unique studies that satisfied the inclusion criteria (see Table 23). Each study is described briefly below.

Table 23

List of Studies Included in the Meta-Analysis

Study Number	Authors	Program Name	Year
1	Stewart, Hamilton, Wilton, Cousineau, and Varrette	Tupiq Program for Inuit sex offenders	2015
2	Kunic and Varis	Aboriginal Offender Substance Abuse Program (AOSAP)	2009
3	Wehipeihana, Porima, and Spier	New Life Akoranga Program	2003
4	Berry	Montgomery House Violence Prevention Program	2003
5	Maxwell, Morris, and Anderson	Te Whanau Awhina Program	1999
6	Trevethan, Moore, and Allegri	In Search of Your Warrior (ISOYW) program	2005
7	Nathan, Wilson, and Hillman	Te Piriti program for child sex offenders	2003

Study 1: Stewart, Hamilton, Wilton, Cousineau, and Varrette (2015). This study evaluates the Tupiq Program specifically designed for Inuit sex offenders. This high-intensity treatment program has been operating at Fenbrook Institution in Gravenhurst, Ontario since 2001. This program occurs over an 18-week period and is designed to focus on issues related to family violence, emotional mismanagement, substance abuse, and social skills. Furthermore, it incorporates an Inuit-specific therapeutic approach delivered by an Elder, and integrates Inuit values, languages, and perspectives. The comparison group for this study was comprised of Inuit sex offenders, serving a sentence during the same time as the treatment group, who participated in generic federal sex offender treatment, not specific to Indigenous offenders.

Study 2: Kunic and Varis (2009). This report evaluates the Aboriginal Offender Substance Abuse Program (AOSAP), a holistic model of recovery operating across various regions in Canada, including Quebec, Ontario, the Prairies, and Atlantic and Pacific regions. This program was established in 2004 and includes 65 sessions grouped into four treatment modules. This program focuses on relapse prevention, planning, and motivation. Culturally-relevant

components include ceremonial traditions, medicines, and the inclusion of Indigenous Elders and Indigenous correctional program officers. The comparison group consisted of Indigenous offenders who participated in the National Substance Abuse Program (NSAP), either in the moderate intensity (26 sessions, each 2 hours long) or high intensity models (89 sessions, each 2 hours long).

Study 3: Wehipeihana, Porima, and Spier (2003). This study evaluates the New Life Akoranga program specifically designed for Māori offenders. This four-day program has been operating in various prisons across New Zealand since 1995, and focuses on targeting general criminality. Specifically, this program focuses on understanding individual behaviour, actions, self-control, accepting responsibility, and nurturing self-esteem. The culturally-relevant components include spiritual story-telling, the incorporation of Māori traditions, values, language, and history, and the inclusion of Māori Chiefs. The comparison group consisted of a matched sample of Māori offenders who attended a variety of generic programming on issues related to substance use, violence prevention, education skills, and cognitive skills that was not tailored to Indigenous offenders.

Study 4: Berry (2003). This evaluation examines the Montgomery House violence prevention program in Hamilton, New Zealand. This program has been in operation since 1987 and is designed for Māori offenders. The duration of this program is 10 weeks with approximately 470 hours of treatment, and focuses on managing addictions as well as enhancing communication, problem-solving, and relationship skills. This program also incorporates traditional Māori ceremonies, ancestry, language, music, and dancing. The comparison group consisted of Māori offenders who received generic violence prevention programming.

Study 5: Maxwell, Morris, and Anderson (1999). This report evaluates the Te Whanau Awhina program operating in West Auckland, New Zealand since 1996. This program is specifically designed to target the general criminality of Māori offenders and focuses on offenders' accountability and recognizing the consequences of their actions. The culturally-relevant components of this program include improving the quality of relationships between offenders and the Māori community and the incorporation of Māori philosophy, values, and *Wharehui*—a traditional Māori meeting house. The comparison group consisted of Māori offenders who participated in unspecified, generic correctional programming.

Study 6: Trevethan, Moore, and Allegri (2005). This study evaluated the 'In Search of Your Warrior' (ISOYW) program operating within several federal correctional facilities across Canada, including Quebec, Prairie, and Pacific regions. The ISOYW program was established in 1999 and focuses primarily on violence prevention for Indigenous male offenders. The program promotes awareness of anger and violence, general self-awareness skills, and the development of cognitive skills. It also incorporates a holistic approach by including Indigenous Elders and highlights the use of the medicine wheel and traditional cultural ceremonies (e.g., spiritual cleansing ceremonies). The comparison group was comprised of a sample of Indigenous male offenders who received generic violence prevention programming.

Study 7: Nathan, Wilson, and Hillman (2003). This evaluation focuses on the Te Piriti special treatment program for child sex offenders in Auckland, New Zealand. Established in 1994, this 40-week program assists Māori clients with developing positive self-views, building prosocial relationships, preventing relapse, and sexual reconditioning. The culturally-relevant components include cultural consultants, a focus on strengthening social and spiritual Māori relationships, and the inclusion of cultural assessments. The comparison group was based on a

sample of Māori child sex offenders who received generic sex offender programming prior to the development of the Te Piriti treatment program.

Coding Procedure

To calibrate the coding approach, three studies were identified and coded by all of the three of the authors (see Appendix O for coding form). During this stage, each study was independently coded and then discussed as a group to reach a consensus and provide clarification wherever required. The remaining four studies were then independently coded by two coders who discussed and generated consensus ratings for any discrepancies. Efforts were made to code for a variety of study characteristics (e.g., country, study design, role of evaluators), programming information for the treatment and comparison groups (e.g., program type, age of program), information pertaining to treatment quality (e.g., adherence to RNR principles), sample characteristics (e.g., gender, race, age), and recidivism information (e.g., length of follow up, timeframe, source of information).

Study quality. To assess study quality, studies were rated on an abridged version of the Collaborative Outcome Data Committee (CODC, 2007) study quality guidelines. The CODC guidelines were initially developed by researchers in the field of sex offender treatment to better estimate the effectiveness of sex offender programs, while controlling for the influence of study quality. The CODC guidelines consist of 21 items that assess whether methodological factors within the study present bias in the estimation of the treatment effect and whether these factors influence the rater's confidence in the study findings. Items are organized into seven domains, including: 1) administrative control of independent variables, 2) experimenter expectancies, 3) sample size, 4) attrition, 5) equivalency of groups, 6) outcome variables, and 7) whether correct comparisons were conducted. After rating the individual items, studies are given global ratings,

in the form of structured judgment, of either: ‘rejected’, ‘weak’, ‘good’, or ‘strong’. Measures similar to the CODC Guidelines exist for examining the methodological rigour of outcome studies (e.g., the Maryland scale; Sherman, Gottfredson, Mackenzie, Eck, Reuter, & Bushway, 1997).

According to the CODC (2007), for a study to be deemed ‘strong’ it must be well-executed and contain few methodological flaws that do not influence the observed effects. To be deemed ‘good’, there must be high confidence that the study presents limited bias and only contains minor methodological issues. A ‘weak’ study generally has considerable flaws, but still provides relevant information that contributes to our understanding of the effectiveness of treatment. Finally, a study is ‘rejected’ if multiple significant flaws produce considerable bias and generates low confidence in the findings. Importantly, studies are coded as ‘weak’ as opposed to ‘rejected’ in the case of missing information because it is unclear whether the information is truly missing or if the authors failed to report it. For example, for the purposes of the current study, studies including a comparison group that received some form of alternative programming but no specific details on that program (e.g., program type, length of program, length of follow up, etc.) were considered ‘weak’ rather than rejected. Global study quality was assessed for all studies, and inter-rater agreement was 100% on four of the seven studies (i.e., all studies that were coded independently).

Inter-rater Reliability

Inter-rater reliability analyses were conducted based on four studies, resulting in four common coded effect sizes between raters. High levels of agreement were found, with an absolute intraclass correlation coefficient (ICC) of .98 (95% CI = [.86, .99]), based on a two-way mixed model with a single rating. The seven remaining continuous variables (e.g., length of

follow up, total sample sizes) had ICC values of 1.0 based on a single rating. Notably, 14 continuous variables could not be analyzed due to missing data.

There was a high level of percentage agreement (75-100%; median = 100%; mean = 91%) for all categorical variables ($n = 35$). Overall, the categorical variables that had the lowest percentage agreement included the following: items pertaining to descriptions of the comparison group, type of treatment the comparison group received, average risk level of participants (both comparison and treatment group), whether the programs were structured, where the recidivism information came from, adherence to the need principle, and whether there was a valid evidence-based risk tool used to classify the offenders. Additionally, there were three variables that had kappa values less than 1.0, which included the items assessing program structure (.50), quality of recidivism information (.50), and whether programs adhered to the need principle (.64). Overall, the categorical variables demonstrated acceptable levels of reliability, defined as Kappa values exceeding .40 (Landis & Koch, 1977). Given that interrater reliability was based on four studies, any single discrepancy dramatically influenced the percentage agreement (by 25%). Coders arrived at consensus ratings for items where there were initial disagreements and the consensus ratings were used for further analyses.

Index of Program Effectiveness

Effect sizes were exclusively derived from 2×2 tables that displayed the outcomes (i.e., recidivism vs. no recidivism) for both the treatment and comparison groups. Odds ratios (OR) were calculated to estimate the effectiveness of culturally-relevant programming compared to generic programming. The benefit of odds ratios is that they provide stable estimates for variables that are dichotomous in nature.

Odds ratios are used when calculating the likelihood of an outcome given exposure to a particular factor of interest, compared to the likelihood of that same outcome given no exposure to the factor. Therefore, an odds ratio of 1.0 indicates that the ratio of recidivism for the treatment group is equal to the ratio of recidivism for the comparison group. Alternatively, an odds ratio of less than 1 indicates that the odds of recidivism for the treatment group are small relative to the odds of recidivism for the comparison group. Given that odds ratios are not normally distributed (i.e., one side of the ratio is bound between 0.00 and 1.00, while the other side of 1 is unbounded), they were converted to log odds ratios before calculating mean effect sizes. Doing so ensures that opposing effects accurately impact the overall meta-analytic average (Borenstein, Hedges, Higgins, & Rothstein, 2009). The log odds ratios were then converted back into odds ratios, which are the effect sizes reported in the current study.

Summarizing Findings

All data were entered into the Statistical Package for the Social Sciences (SPSS) version 24 and analyzed using syntax files developed by Helmus and Babchishin (2011). Both fixed-effect and random-effects models of meta-analyses were used to calculate summary statistics across studies (Borenstein et al., 2009). Fixed-effect models are theoretically restricted to studies included in the meta-analysis. Conversely, random-effects models provide estimates for the population being considered by the sample in the meta-analysis and, unlike fixed-effect models, incorporate the variability across samples into the error term. If variability across studies is low ($Q < df$), the results of the fixed-effect and random-effects models will be similar; if variability across studies is high, the confidence intervals (CI) for the random-effects model become wider than the fixed-effect model (Borenstein et al., 2009).

Cochran's Q and the I^2 statistic were used to assess the variability in the findings across studies (Borenstein et al., 2009). Cochran's Q is a significance test for variability across studies, whereas I^2 is an effect size measure for variability comparable across analyses. Generally, I^2 values of 25, 50 and 75% represent low, moderate, and high variability, respectively (Higgins, Thompson, Deeks, & Altman, 2003).

A search for outliers was conducted using criteria outlined by Hanson and Morton-Bourgon (2009). To be considered an outlier, the finding must have been an extreme single value that accounted for over 50% of the total variance and had a significant Q value. In addition to outliers, extremely large weights can also influence the results. In the current study, no outliers or excessively influential weights were identified.

Results

The majority of the seven studies included in this meta-analysis were from unpublished reports (71.4%, $k = 5$), originating from New Zealand (57.1%, $k = 4$) with the remaining studies conducted in Canada (see Table 27). The dates of completion for the studies ranged from 1999 to 2015 ($M = 2005$); however, most were completed from 2003 onwards (85.7%, $k = 6$). The majority of evaluations were conducted by agency-based researchers (85.7%, $k = 6$) utilizing a matched-group design (71.4%, $k = 5$), and were conducted on programs delivered in a custody/institutional setting (71.4%, $k = 5$). The average follow-up length for the treatment and comparison groups was 47.8 weeks ($SD = 16.03$, $k = 6$) and 41.1 weeks ($SD = 15.3$, $k = 5$), respectively.

Demographic information is based on the full sample ($N = 2,006$) of offenders who contributed to each study. Not all offenders remained in the recidivism analyses, either due to missing information or insufficient time at risk. The Trevethan et al. (2005) study accounted for

most sample attrition (92%), as the sample initially consisted of those who had enrolled in the program ($n = 218$) but was reduced to 112 after considering whether the participant completed programming or was released before the end of the study, or whether there was sufficient information for follow-up. The comparison group for this study also experienced attrition due to not being released. Of the 135 comparison clients identified, only 64 participants were released and eligible for the follow-up analyses. Notably, other studies could have experienced similar rates of attrition, but the samples were preselected to ensure that participants would have sufficient time at risk for recidivism analyses. As a result of attrition, the number of offenders who contributed to the calculation of the effect size in each study ranged from 93 to 517 ($M = 259$, $SD = 154.5$), with a total combined sample of 1,731 offenders ($n = 728$ offenders in the culturally-relevant treatment group and $n = 1,003$ offenders in the comparison group).

Although the mean age of the total sample could not be obtained, due to missing information, all studies consisted of exclusively adult offenders (i.e., older than 17 years of age). At least two-thirds of all samples were males from various Indigenous ancestries, with the majority of the samples identifying as Māori (57.1%, $k = 4$). For the three Canadian studies, one study included exclusively Inuit offenders, one included First Nations offenders, and one indicated including Indigenous peoples in general. For programs that specified the use of a validated risk assessment ($k = 4$), the overall risk level of the offenders in both groups was medium to high. Treatment programs included in the review tended to target a variety of offender groups, with two programs designed for sex offenders, two programs designed for violent offenders, and the remaining three programs designed to target any offenders (see Table 24). The average percentage of offenders with prior involvement in the criminal justice system

(e.g., prior convictions) was 70.8% ($SD = 12.4$, $k = 4$) for the treatment group and 68.2% ($SD = 14.01$, $k = 3$) for the comparison group.

For the comparison groups, three of seven (43%) evaluations utilized a retrospective cohort of eligible Indigenous offenders who participated in a generic treatment program, one study used an eligible random sample from another jurisdiction, and the remaining studies did not provide information on how the comparison group was defined; however, they indicated that offenders received standard programming services.

Although efforts were made to code for dosage (e.g., frequency and duration of treatment), the variety of metrics utilized in each study prohibited any meaningful combination. However, it should be noted that a considerable range was apparent in the duration of treatment. For example, the evaluation of the New Life Akoranga program reported a program length of four days, whereas the Te Piriti program reportedly occurred over the course of 40 weeks. It is not possible from this information to glean the length of each session to inform accurate estimations of dosage (e.g., 1 vs. 8 hours per session). For those programs that specified ($k = 3$), the number of treatment hours ranged from 70 hours to 470.

Findings for Study and Treatment Quality

Study and treatment quality were assessed using the global outcome rating of the CODC guidelines (i.e., ‘strong’, ‘good’, ‘weak’, or ‘rejected’; CODC, 2007) and the level of adherence of each program to the RNR principles. For study quality, only one study received a rating of ‘good’ (i.e., Stewart et al. 2015); however, the remaining six studies were rated as ‘weak’ due to major methodological limitations. These limitations included inadequate group matching techniques to ensure equivalency, focussing on program graduates rather than performing an intent-to-treat analysis, and a lack of information pertaining to the programs offered to the

treatment and comparison groups (e.g., dosage and service delivery). For treatment quality, three studies demonstrated adherence to the risk principle, four studies demonstrated adherence to the need principle, and five studies noted the use of cognitive-behavioural interventions as part of their curriculum. Put differently, three studies demonstrated adherence to all three of the RNR principles, one study demonstrated adherence to two, one study showed adherence to one principle, and two studies demonstrated adherence to none of the RNR principles.

Table 24

Study Characteristics

Study	Country	Indigenous Ancestry ^a	Setting	Offender Type	Treatment program's Adherence to RNR ^b	Risk Level ^c	Design	Comparison Program	CODC Rating
1	Canada	Inuit	Custody	Sex Offender	High ^d	High	Convenience	Sex offender	Good
2	Canada	First Nations	Custody	Mixed	Some ^d	High	Convenience	Moderate and High Intensity Substance Abuse ^d	Weak
3	New Zealand	Māori	Custody	Mixed	Minimal	-	Matched	Mixed generic ^e	Weak
4	New Zealand	Māori	Community	Violent	Some ^d	High	Matched	Unspecified	Weak
5	New Zealand	Māori	Community	Mixed	Minimal	-	Matched	Unspecified	Weak
6	Canada	Indigenous	Custody	Violent	High ^d	High	Matched	Unspecified	Weak
7	New Zealand	Māori	Custody	Sex Offender	Some ^d	-	Matched	Sex offender ^d	Weak

Note. Empty cells indicate that information was not available. RNR = Risk, Need, and Responsivity; CODC = Collaborative Outcome Data Committee.

^aAt least two-thirds of the sample identified with the listed ancestry.

^b*Minimal* adherence indicated that routine services were provided, *Some* referred to one or two of the principles being considered, and *High* indicated that there was evidence of adherence to all three principles.

^cRisk level represents the majority risk presented by the sample. Risk level was comparable in every study across treatment and comparison groups.

^dThis is a cognitive-behavioral program.

^eParticipants attended a variety of programming, such as drugs and alcohol, violence prevention, education skills, cognitive skills, etc.

Effects of Culturally-relevant Programs on Recidivism

Figure 29 shows the effect sizes for each of the seven studies as well as the overall mean weighted odds ratio for the meta-analysis. Using both fixed and random effects analyses, Table 25 provides the mean weighted odds ratio for general recidivism for Indigenous offenders who participated in culturally-relevant programming compared to Indigenous offenders who participated in generic/standard programming. Recidivism was defined as any new reconviction in the majority of the studies ($k = 5$), with the remaining two studies relying on new charges and readmissions to custody as the index of recidivism. All possible recidivism outcomes were coded (e.g., violent, sexual, technical violations); however, there were an insufficient number of studies ($k < 3$) to analyze each recidivism outcome separately. Therefore, only the results for general recidivism are provided.

Figure 29. Individual odds ratios for general recidivism ($N = 1,731$). The horizontal bars represent the 95% confidence intervals.

Table 25

Mean Weighted Odds Ratio for the Effect of Culturally-relevant Programming on General Recidivism using Fixed and Random Effects Models

	Odds Ratio	Fixed 95% CI		Odds Ratio	Random 95% CI		<i>Q</i>	<i>I</i> ² (%)	<i>k</i>	<i>n</i>
		Lower	Upper		Lower	Upper				
General recidivism	.72	.59	.89	.71	.51	.99	13.38	55.15	7	1,731
General recidivism ^a	.69	.54	.89	.65	.44	.97	6.30	52.40	4	1,207

Note. General recidivism includes any recidivism outcome; CI = confidence interval; *k* = number of studies.

^aIncludes only studies where information on comparison group programming is specified.

General recidivism rates for the treatment and comparison groups ranged from 29.5 to 52.7% and 21.9 to 56.3%, respectively (see Table 26). It is important to highlight that although 6 of the 7 studies favoured a treatment effect, only 2 of these (Study 1 and 2) effects were significant. Weighted recidivism rates (inverse of the variance) were calculated to facilitate comparison between the treatment and comparison groups. The weighted average recidivism rate for offenders who participated in culturally-relevant programming was 9% lower ($M = 39.1\%$, 95% CI = 35.7% - 42.6%, $n = 728$) than the comparison group ($M = 48.4\%$, 95% CI = 45.3% - 51.4%, $n = 1,003$). For general recidivism, the odds ratios ranged from 0.33 to 1.76, with a fixed-effect mean weighted odds ratio of 0.72 (95% CI = [0.59, 0.89], $k = 7$), indicating that those in the comparison group experienced greater odds of recidivism compared to the treatment group, on average. As presented in Table 25, the results for fixed and random effects analyses converged, and the 95% confidence intervals did not contain 1.0, indicating significantly lower rates of recidivism for the treatment group relative to the comparison group.

Table 26

Outcome Information for Individual Studies

Study	Recidivism	Mean Follow-up (weeks)	<i>n</i> Treatment	Treatment Base Rate (%)	<i>n</i> Comparison	Comparison Base Rate (%)
1	Reoffence/ new charges	30.3	61	29.5	32	56.3
2	Reconviction	28.7	94	36.2	423	52.0
3	Reconviction	52.0	224	52.7	224	55.8
4	Reconviction	71.5	79	30.4	79	41.8
5	Reconviction	52.0	90	33.3	100	47.0
6	Readmission to Custody	52.0	112	33.0	64	21.9
7	Reconviction	52.0	68	41.2	81	44.4

In light of the large amounts of missing information for the comparison group samples and to strengthen the accuracy of the comparisons between the two groups, Table 25 also presents the overall meta-analytic results excluding the three studies in which programming information for the comparison group was largely “unspecified” (i.e., Berry, 2003; Maxwell et al., 1999; Trevethan et al., 2005). Consequently, when only the four studies with programming information for both groups was included, the fixed-effect mean weighted odds ratio showed a similar treatment effect ($OR = 0.69$, 95% $CI = [0.54, 0.89]$).

For both sets of comparisons, there was no more variability in the effect sizes than would be expected by chance. Although the non-significant Q suggests consistency among the studies, there was a moderate proportion of variability ($I^2 = 55.15\%$, $k = 7$). Further examination of study, sample, and program characteristics, however, yielded no significant moderators to account for the observed variability, which was expected given the small number of studies and low statistical power.

Discussion

The importance of cultural relevance with regards to the effectiveness of programming for offenders is a topic of great significance, particularly to justice systems with widely diverse populations. It is an issue of particular importance to jurisdictions where unique sub-populations are overrepresented in their criminal justice systems (e.g., Indigenous peoples in Canada, Australia, and New Zealand; Black and Hispanic/Latino peoples in the United States). The purpose of the present study was to examine this issue as it relates to the effectiveness of programs designed specifically for Indigenous peoples (e.g., First Nations peoples of Canada, Māori peoples of New Zealand) compared to conventional programs. Specifically, this review sought to identify whether culturally-relevant programs are more effective than generic programs at reducing re-offending behaviours for Indigenous offenders.

Based on a total of seven studies and 1,731 offenders, Indigenous offenders who participated in programs described as culturally-relevant had significantly lower odds of recidivism (i.e., any new convictions/charges; OR = 0.72) compared to those who participated in generic programs. Specifically, the weighted average recidivism rate for Indigenous offenders who participated in culturally-relevant programming was 9% lower than their counterparts (39.1 versus 48.4%). Furthermore, despite the small number of studies ($k = 7$) and the variety of program types and Indigenous populations, a general consensus among the individual studies was evident. However, the imprecision in each study's effect size (as evidenced by wide confidence intervals) could be masking genuine dispersion in the effectiveness of each program examined (Borenstein et al., 2009). Given the small number of studies and considerable methodological issues, there are two likely explanations for the observed findings: 1) culturally-relevant programs are indeed more effective than generic programs at reducing future criminal

behaviour; or, 2) the pervasive methodological problems systematically influenced obtaining a treatment effect, and therefore, the results may in large part be attributable to a methodological artefact.

Cultural-relevance as a Necessary Component of Treatment

If taken at face value, the results suggest that culturally-relevant programs out-perform generic programs for Indigenous offenders and the results of individual studies demonstrated surprising consistency (as shown in Figure 29). This overall finding is consistent with the concept of specific responsivity, which contends that treatment environments that maximize relevance through engagement and learning will in turn result in more effective interventions (i.e., reduced rates of reoffending; Andrews et al., 1990; Bourgon & Bonta, 2014). Although the ultimate outcome of interest is reducing re-offending, intermediate indicators of effective responsivity are outcomes such as higher rates of participation/low attrition, increases in observable learning (e.g., pre-post knowledge tests), or higher rates of satisfaction. Some evidence suggests that culturally-relevant programs are effective in this regard. As described earlier, Ellerby & MacPherson (2002) observed that treatment attrition rates were reduced following the inception of a traditional healing program for Indigenous sex offenders. Nathan et al. (2007) found that Māori participants demonstrated post-program increases in knowledge related to cultural history, skills, values and beliefs. Therefore, it seems plausible that treatment programs that are more culturally compatible – in terms of language, format, regional or historical context, for example – with their target group are indeed more accessible and applicable, and therefore, more effective.

In addition to providing a more responsive treatment context, culturally-relevant programs might be more effective because they tap into unique criminogenic risk/need areas that

are not otherwise targeted by generic programs. As previously described and explored in Study 2, conversations that have been occurring in the area of risk assessment around culturally-relevant risk/need factors suggest the need to explore whether unique social history factors provide important information regarding offending behaviour for Indigenous peoples (e.g., Homel, Lincoln, & Herd, 1999; Shepherd, 2015; Wilson & Gutierrez, 2014). For example, the residential school system in Canada resulted in an expansive cultural genocide of generations of Indigenous peoples. The institutionalized trauma that resulted was not only experienced by those who lived it first-hand, but was also transmitted intergenerationally. This intergenerational trauma has been identified as a contributor to various negative outcomes, including substance abuse, FASD, suicide, family and domestic violence, and high rates of involvement in the criminal justice system (TRC, 2015). It is therefore argued that the harmful manifestations of this culturally-specific trauma indeed render it a unique criminogenic factor. To meaningfully reduce the risk factors that stem from this trauma (and in turn, reduce the problematic outcomes), the *underlying cause* must therefore be targeted through relevant treatment. Barring the ability to access program manuals for the programs included in this review, we are unable to speak to how culturally-unique risk factors were addressed in these treatment programs. This area requires further research to gain knowledge regarding which treatment targets, culturally-unique or otherwise, are most effective when working with different Indigenous populations.

A Methodological Artefact?

One of the issues inherent in meta-analysis is that it involves the combination of various different studies, which in turn results in the inclusion of research of varied quality. It is therefore important to assess methodological quality to know how confident we can be in the observed results. In the present review, study quality was assessed using a modified version of the CODC

guidelines. All but one study received a ‘weak’ rating on account of major methodological problems. Among these issues were the following: inadequate group matching procedures (e.g., matching on a small number of basic demographic factors); the use of program graduates only to examine treatment effectiveness (i.e., three programs reported on program graduates exclusively); and, limited information on treatment dosage, structure, and modality, for both groups. For all but one study, the principal authors were agency-based researchers (i.e., affiliated with the treatment program being evaluated). Although their level of involvement with service delivery, or their investment in the outcomes of these evaluations, is unknown it is argued that an arm’s length approach to evaluation can decrease the potential introduction of bias (intentional or unintentional) in favour of a treatment effect (CODC, 2007).

The most common methodological limitation was a large amount of missing information, particularly with regards to the comparison groups and the types of treatment they received. One of the difficulties with missing information is that it prohibits determining whether the observed treatment effect was due to the “cultural-relevance” of the programs, or simply because these programs were generally better quality than the programs to which the comparison group participants were exposed. For example, five of the seven culturally-relevant programs reportedly used cognitive-behavioural interventions, whereas it was only possible to identify two studies where the comparison group received treatment that was considered cognitive-behavioural in nature. Cognitive-behavioural interventions are among the most effective treatment approaches with a variety of offender populations (e.g., Cullen & Gendreau, 1989; Gendreau & Andrews, 1990; Lipsey, Chapman & Landenberger, 2001; Schmucker & Lösel, 2015). Furthermore, in our assessment of treatment quality (i.e., adherence to the principles of risk, need and responsivity), five of the seven programs demonstrated adherence to at least one

of the RNR principles, and three of the programs demonstrated adherence to all three. Without information on the comparison group and the quality of treatment they received, it is difficult to draw strong conclusions from such comparisons. On the one hand, it could be that the comparison groups also received good quality treatment, but this information was simply not included in the studies; therefore, a true treatment effect occurred in favour of culturally-relevant programming. On the other hand, this information was perhaps not included because the programs the comparison groups received were of a lower quality, and therefore these comparisons are artificially biased in favour of a treatment effect. It is reasonable to expect that in all likelihood, a combination of these issues is at play in the current pool of studies and the effect of culturally-relevant programs may indeed be significant but potentially weaker, or potentially stronger (for example, the culturally-relevant group had a 14% longer average follow-up time, which could be minimizing the magnitude of the effects), than what has been observed in the present study. Although the lack of variability and small number of studies precluded our ability to examine the influence of various study and program characteristics, such examinations will be enabled by future research.

Implications and Future Directions

Taken together, the results of this review present a case for cautious optimism. Although the current pool of research studies is small and of low methodological quality, the findings suggest that, on average, participation in culturally-relevant programs is related to lower odds of re-offending than standard programming. Given that random assignment of participants to treatment conditions is often not possible, there are many ways in which high-quality quasi-experimental designs can be accomplished. For example, in the evaluation of the Tupiq program for Inuit sex offenders, researchers made efforts to match groups on risk level, applied post-hoc

statistical controls to account for differences between groups, utilized an intent-to-treat sample to evaluate outcomes (i.e., included drop-outs in the treatment group), and examined history of treatment exposure for each group, given its potential influence on subsequent treatment outcomes (e.g., Lösel, 2001; Stewart et al., 2015). In the evaluation of the Te Piriti program, the researchers compared a culturally-relevant program founded on a cognitive-behavioural approach to a similar cognitive-behavioural program with the specific intention of isolating the effects of the cultural components of treatment (Nathan et al., 2007).

Clearly, more (higher quality) research needs to be conducted to have confidence in these findings; furthermore, increased transparency and communication of detailed methodological information will enable meta-analysis, with the specificity of information required, to more accurately answer these questions. The lack of research in this area cannot be simply attributed to a lack of programs available for evaluation. A recent environmental scan revealed over 100 rehabilitative programs specifically for Indigenous offenders operating internationally (Camman, Ferguson, Appell, & Wormith, 2011). Transparency can be improved by simply reporting more information in outcome studies, and improving the quality of the research rests on researchers making sound methodological choices.

Given that most criminal justice systems are comprised of diverse peoples, it is incumbent on these agencies to generate evidence-based knowledge of “what works best for whom”, rather than assuming a one-size-fits-all approach (Wormith, Althouse, Simpson, Reitzel, Fagaon & Morgan, 2007). Accomplishing this requires cultural competence, which can only come via earnest and thorough consultations and collaborations with communities and Indigenous peoples, as well as rigorous empirical validation of program effectiveness. It also requires flexibility and recognition that Indigeneity, in this case, encompasses a diversity of

peoples with differing histories and present realities; and therefore cannot be accomplished by utilizing a pan-Indigenous approach. Otherwise, we run the risk of making the same assimilative mistakes of the past. A blended approach, combining culturally-relevant components with conventional principles of effective correctional programming, may ultimately be *necessary* to achieve the best outcomes, with neither component sufficient on its own. Addressing these questions, however, relies on a greater commitment by researchers, practitioners, and governments to support higher quality examinations of these issues in the future.

CHAPTER 5: General Discussion

Criminal justice agencies have a responsibility to provide appropriate services to their populations to enhance public safety. Part of what is required for the application of appropriate services is the recognition that individuals under the jurisdiction of the justice system are culturally diverse. Furthermore, it requires translating that recognition into concrete policies and services. The importance of attending to cultural diversity is not simply a goal for achieving humane treatment. Rather, based on the findings of the present research as well as the broader literature, cultural-relevance can have an impact on the effectiveness of services specifically, as well as the effectiveness of the administration of justice more generally (e.g., Ferrante, 2013; Gutierrez et al., 2018; Shepherd, 2015).

Specifically in the case of Indigenous peoples in Canada, efforts to increase the cultural relevance of the criminal justice system have come largely as a result of external pressures to reverse the damaging legacies of colonization that have led to the over-representation of Indigenous peoples in the system (e.g., RCAP, 1996; TRC, 2015). Similar patterns of over-representation can be observed in Australia, where 27% of the national prison population are Aboriginal and Torres Strait Islander peoples, and New Zealand, where Māori and Pacific Islanders comprise approximately 50% of the prison population, while only accounting for roughly 13% of the general population (Australian Bureau of Statistics 2015; New Zealand Department of Corrections 2016). In the United States, although concerns regarding racial inequities in the justice system largely focus on Black and Hispanic/Latino populations, Native Americans are also overrepresented (e.g., Native Americans in South Dakota account for 60% of federal caseloads despite accounting for only 8.5% of the general population; United States Sentencing Commission, 2016).

A variety of common factors have been identified as contributors to the overrepresentation of Indigenous peoples. Broadly, these include the devastating effects of colonization and the ensuing social, economic, and political marginalization as well as specific systemic discrimination within the justice system (e.g., over-policing, imposing longer sentences, higher rates of revocation on conditional release, etc.; Jackson, 1988; LaPrairie, 1997; Mann, 2009; OCI, 2016). In Canada, in an attempt to ameliorate the issue of overrepresentation, governments have adopted various strategies to improve how the correctional systems respond to the needs of Indigenous peoples. These efforts have included changes to the sentencing regimes (e.g., s. 718.2 [e] of *CCC*, and the introduction of conditional sentences), adding requirements for greater cultural-relevance in programming (e.g., section 80 of the *CCRA*) and putting pressure on the federal correctional system to evaluate the applicability of risk/needs assessment procedures for peoples of Indigenous heritage (e.g., OAG Audit of Indigenous federal offenders, 2016; SECU parliamentary study on Indigenous offenders, 2017; SCC declaration in *Ewert v. Canada*, 2018). Arguably, the culturally-responsive strategies that have been ushered in over the last 40 years have yielded mixed opinions, equivocal results in many cases, and little to no results in others (e.g., Mann, 2009; Public Safety, 2017; Roberts & Melchers, 2003, 2017; Rudin, 2009). And despite the efforts to target and address the issues of overrepresentation, the proportion of Indigenous peoples in the criminal justice system, in most cases, has *increased* rather than decreased (Cunneen, 2013; Marie, 2010; Public Safety Canada, 2016).

The lack of progress on over-representation could be in part explained by the potentially vacuous nature of some of the initiatives themselves (see Mann, 2009). It could also be that our understanding of how these initiatives have been applied, and whether they are achieving the

intended impacts, has been insufficient. Therefore, a more in-depth analysis could shed greater light on what may be working and what is not.

The purpose of the present research was therefore, to more closely examine the effectiveness of culturally-informed approaches that have attempted to address the issue of over-representation, and explore ways in which understandings of the culturally-relevant risk/needs of Indigenous peoples in the justice system can be addressed and supported. For example, given the over-incarceration of Indigenous peoples, conditional sentences orders (CSOs) were introduced in large part to divert Indigenous peoples from serving custodial sentences in provincial facilities (e.g., MacKay, 2005; Reid, 2017; Roach, 2005). Study 1 therefore compared the outcomes of Indigenous and Caucasian individuals on CSOs to examine how these sentences have been applied and concluded. Relatedly, changes to the *Criminal Code* required courts to consider culturally-relevant risk/need factors in the sentencing of Indigenous peoples. Given the lack of clarity and research in this area, Study 2 sought to identify what culturally-relevant risk/need factors are and how they appear in a sample of Indigenous peoples in the criminal justice system. Lastly, with the introduction of the *CCRA* in 1992, criminal justice agencies have been required to offer culturally-relevant correctional programs for offenders of Indigenous heritage. Study 3 therefore consisted of a quantitative summary of evaluations of their effectiveness for reducing future offending, in hopes of gaining a better understanding of what works in correctional treatment for Indigenous peoples in the justice system. While the specific results from each study have been discussed in the previous chapters, the following offers a higher-level discussion of the three studies within the broader context of sentencing, treatment, and risk/need factors/assessment for Indigenous peoples in the Canadian criminal justice system.

Sentencing

The changes made to the *Criminal Code* in 1996 marked a turning point in how Canadian courts approached the sentencing of Indigenous individuals. Specifically, there was official recognition that Indigenous peoples face differential hardships, largely brought about by a long history of marginalization, which has had a direct impact on their representation in the justice system. Furthermore, through cases such as *R v. Gladue* (1999), the courts recognized the need to better understand and incorporate consideration of the culturally-relevant factors (e.g., “Gladue Factors”) that bring Indigenous peoples into contact with the justice system. As observed in Study 2, there are a variety of culturally-relevant issues that are likely factors that increase the frequency with which Indigenous peoples come in to contact with the criminal justice system. While it was not possible to directly examine this relationship (e.g., to recidivism) in this study, through consultation with those who work with Indigenous peoples in the justice system, these factors (e.g., stability of upbringing, exposure to abuse, excessive poverty and substance abuse, trauma of experience of residential school system) have been identified as relevant factors to consider in the assessment and treatment of criminogenic risk/needs for Indigenous peoples. Unsurprisingly, these factors overlap with those named in the case of *R v. Gladue* (1999), as relevant social history factors that should be considered in sentencing.

Evaluating and increasing Gladue. Following the introduction of s. 718.2 [e] and the case of *R v. Gladue* (1999), there was an expectation that judges would have social history information readily available upon which to contextualize their sentencing decisions for Indigenous peoples appearing before the courts. Unfortunately, due to the inconsistent and largely unsupported infrastructure for reporting on “Gladue factors”, the impacts of s. 718.2 [e] appear less compelling than what was expected. For example, in 2013, the Department of Justice

commissioned a report on Gladue practices in Canada. They found that there was a considerable amount of variation in whether and how social history information was provided to the courts (April & Magrinelli, 2013). Specifically, only two jurisdictions (i.e., Ontario and Newfoundland and Labrador) had formal directives on how to provide culturally-relevant social history information; and, for non-custodial sentences, only three jurisdictions had formal directives on how to communicate this information to the courts (i.e., Ontario, Newfoundland and Labrador, and Yukon). All remaining jurisdictions submitted Gladue information in a variety of (informal) ways. They also found that all jurisdictions, with the exception of Nunavut, reported that Indigenous social history information was provided to the courts primarily via presentence reports (PSRs), written largely by probation officers who received little training on Gladue factors. Five of the jurisdictions (inconsistently) provided this information by means of a specialize Gladue Report.

While there is considerable variation in the methods and quality of information provided to the courts, there is preliminary evidence to suggest that culturally-relevant social history information can have an impact on sentencing. For example, an evaluation conducted by the Legal Services Society (LSS) of British Columbia found that Indigenous peoples who received a Gladue report had fewer jail sentences and received shorter sentences overall (i.e., the median sentence length was 18 days compared to 45 days for those who did not receive a Gladue report; LSS, 2013). More research on how culturally-relevant social history information is provided to the courts and how this information is utilized in sentencing would provide a greater understanding of how s.718.2 [e] has been used in practice and its potential impact on how it can reduce Indigenous over-representation (e.g., Are Gladue factors being considered as intended? Are Gladue factors being use as mitigating or aggravating factors in practice?). Such research

would involve interviewing judges regarding how they consider social history information generally, but further, a review of individual court decisions and transcripts would enable the examination of how individual-level social history factors are being considered in the sentencing of individuals, in the context of their offence histories, index offence severities, risk for future offending, and social histories. Clearly there is still a need to improve and standardize directives and practices for Gladue reporting, increase the training needed for those writing the reports, and enhance research efforts to understand the impacts of these reports and factors on sentencing.

Availability of Gladue information beyond the courts. While the original intent of s.718.2 [e] was to guide decision-making at sentencing, it is clear that consideration of culturally-relevant social history information is needed at various stages of justice system (e.g., case management, assessment, treatment and release planning). Therefore, to increase the potential impacts, information on culturally-relevant risk/need factors that is compiled at sentencing (e.g., for the purposes of s. 718.2 [e]) should not be held at the courts stage. Rather, this information, with the consent of the individual, should follow them through the system and inform how they are supervised and served in custodial, community and release stages of the justice system. Unfortunately, this is inconsistent or inadequate in most jurisdictions.

For example, in British Columbia, Gladue reports are kept in the custody and control of LSS, and when they are ordered by a judge, they become part of the court file. While the individual and the court can access a Gladue report, there is currently no infrastructure in place for correctional systems to systematically access this information without consent of the individual or an individualized court order to access the document (Corrections Branch Headquarters, Ministry of Public Safety British Columbia, personal communication, June 2018). While PSR information often follows an offender throughout the system, Gladue reports, which

provide a richer source of culturally-relevant information, make their way to those providing case management, oversight, and treatment with considerably less consistency and frequency.

As suggested by the findings in Studies 2 and 3, information on culturally-relevant factors could be important for enhancing criminogenic rehabilitation and community reintegration. Justice systems should therefore look to improve the continuity of information-sharing practices so that this social history information not only informs sentencing, but also serves case management and rehabilitation efforts. For example, the recent audit conducted by the Office of the Auditor General (OAG) that evaluated the reintegration of Indigenous offenders from the federal system, found that CSC staff did not adequately consider Indigenous social history factors in their case management decisions and the information that staff used to assess Indigenous offenders for their security levels and required correctional programs was limited (OAG, 2016). Furthermore, the audit concluded that CSC had not obtained many of the relevant documents related to the offenders before completing the intake assessments. Specifically, in 41 of 45 case files of Indigenous offenders that were reviewed, CSC did not obtain Indigenous social history reports from the courts. While these reports are only available if requested during sentencing proceedings, the files contained no evidence that CSC had requested whether these reports were available (OAG, 2016). Similarly, the CSC conducted a study examining the extent to which Indigenous social history factors were considered in assessments for decisions relating to security classification and discretionary release. The study found that while Indigenous social history factors were documented in the majority of cases, it did not appear that Indigenous social history factors actually influenced decisional recommendations (Keown, Gobeil, Biro & Beaudette, 2015).

Enhancing consistent practices for accessing relevant social history information held by the courts, for example, could enable agencies at the later stages of the justice system to more effectively and efficiently meet the needs of Indigenous individuals. Importantly, it should also be acknowledged that the sharing of this information across systems would also serve in reducing the number of times an individual is required to retell their stories. As seen in Study 2, while many individuals are willing to share their experiences and perspectives, this can also be an emotionally taxing and in some cases re-traumatizing experience. Therefore, the retelling of one's personal history should be a choice and not occur as a result of poor information sharing practices.

In summary, in order to achieve the intended aims of s. 718.2 [e], there needs to be a better understanding of what and how culturally-relevant social history factors are provided to and used in courts for sentencing, and how these factors can be more effectively shared to inform case management, assessment and treatment decisions. Furthermore, a better infrastructure for the Gladue mechanism could support more consistent and timely reporting of this information across the country (e.g., funding, training, greater accessibility).

Consideration for a broader application of the principles of s. 718.2 [e]

While s. 718.2 [e] provides a principle to guide decision-making at the sentencing stage, with the specific intention of accounting for the circumstances of Indigenous peoples, consideration should be given to applying similar principles at later stages of the criminal justice system where similarly important decision-making occurs. In the absence of such principles, space is left for bias (either intentional or unintentional) that can contaminate the administration of justice. For example, in Study 1 it was found that Indigenous offenders were more likely to be convicted of a breach of their CSO compared to their Caucasian counterparts. This finding

suggests that Indigenous individuals were either breaking the rules with greater frequency, or being convicted of a breach due to unfair or biased decision-making (e.g., over-supervised/policed, disproportionate hardship of supervision conditions, discriminatory breaching practices; see Discussion in Study 1 for a fulsome exploration of the potential causes of differences observed in breaches). If the source of the difference in breach rates is due to the latter, the breaching system serves as an example of a decision-making mechanism, which allows for a considerable amount of discretion, that is vulnerable to the influence of bias. Therefore, formal directives or structures, such as those provided in s. 718.2 [e] could serve to potentially reduce bias. For example, changes to the breaching mechanism in the *Criminal Code*, similar to those made for sentencing, could require the consideration of relevant social history factors (much like s.718.2 [e]) and could therefore deter potential bias in the application of breaches. We have learned that the sentencing provision does not necessarily stop the introduction of bias in the sentencing of Indigenous offenders (we need more research to know if this is the case). However, having the explicit instruction in the *Criminal Code* that relevant social history factors should guide aspects of decision-making would be a step towards promoting greater fairness at different stages of the justice process.

Consideration of Risk/Needs in Sentencing. The original intent of the sentencing provision (and as clarified by *R v. Proulx*, 2000) was for judges to administer CSOs in part based on their assessment of the risk an individual poses to public safety. Given that the types of information judges utilize to understand risk (e.g., risk assessments, PSRs), judges base their “assessments” of risk on common conceptions of general risk/need factors (e.g., Scurich & John, 2011; Blais, 2014). As a result, it is possible as Martel et al., (2011) suggest, that Indigenous offenders may “appear” higher risk if potentially less relevant factors are being used as the

yardstick for risk. Consequently, judges may be less likely to give Indigenous offenders a community sentence due to a perception of higher risk. Therefore, a better understanding of the risk/need factors relevant to Indigenous peoples would help support better judicial decision-making that is truly “risk-based” and could potentially increase the use of community-based sentences for Indigenous offenders. Furthermore, research examining how judges are making decisions on when (and to whom) to give a community-based sentence will provide greater clarity on how sentences, such as CSOs, are being applied to Indigenous and non-Indigenous individuals. While Study 1 found that judges in this particular jurisdiction were giving generally equivalent sentences (in terms of length, number and types of optional conditions), it does not answer the question of whether net-widening is occurring and whether Indigenous offenders are being given CSOs at the same frequency and/or for the same types of offences as their Caucasian counterparts.

Availability of Community-based Programs and Services. Similar to the assessment of risk, another factor that judges are required to consider when deciding on the suitability of a community sentence is the availability of appropriate community-based programs and services (MacKay, 2005; *R v. Proulx*, 2000). When available and known to the courts, judges have the option of diverting individuals from incarceration to complete their sentences in the community through the support of community-based services and treatment programs. In the absence of these programs, judges are limited in their ability to justify community supervision, particularly in cases of serious offences. For example, in the case of *R v. Wells*, the fact that the accused was deemed ineligible for treatment in the Tsuu T’ina Nation Spirit Healing Lodge due to his sexual assault conviction, and due to the lack of “anti-sexual assault programs” in his home community were factors that were used to justify the use of incarceration over a community sentence.

There has been a wealth of research demonstrating that community-based correctional programs out-perform programs delivered in custodial settings (Bonta & Andrews, 2007; Andrews & Bonta, 2010). Furthermore, if the system is indeed striving to incorporate the principles of restorative and rehabilitative justice through mechanisms such as CSOs, the availability of relevant programs should not be the reason an individual is given incarceration, particularly in the case of Indigenous individuals (MacKay, 2005; see *R v. Proulx*, 2005). For example, as described in the OAG audit on the reintegration of Indigenous offenders, greater reliance on section 81 and 84 releases²⁶ for Indigenous individuals could serve to meet the culturally-responsive and restorative goals the justice system is striving to achieve, while promoting the goals of public safety (OAG, 2016). Therefore, greater funding for community-based alternatives that respond to the unique risk/needs of individuals, particularly for Indigenous peoples, should be a priority for the relevant justice agencies.

Treatment

Knowledge of “what works” in correctional rehabilitation has advanced considerably over the last 30 years. As described earlier, the most promising approaches to offender programming have been founded on the risk, need, responsivity (RNR) model of offender rehabilitation (Andrews, Bonta & Hoge, 1990). Based on a general psychological cognitive-social learning perspective (GPCSL), this model stipulates that treatment should be: a) matched to the offender’s level of risk-to-reoffend, b) focus on addressing risk and need factors related to re-offending (i.e., criminogenic needs), and, c) employ cognitive-behavioural methods within an environment that is conducive to the individual’s style of learning (Andrews & Bonta, 2010;

²⁶ Sections 81 and 84 of the *CCRA* provide the opportunity for Indigenous communities to become active partners in the care and custody of Indigenous offenders and the provision of correctional services. These provisions allow CSC to work with communities to provide Indigenous offenders with innovative services that CSC could not itself provide in a culturally effective manner (*CCRA*, 1992).

Bourgon & Bonta, 2014). Decades of research has demonstrated that correctional programs that incorporate the principles of RNR can produce significant reductions in recidivism compared to non-RNR programs (e.g., Andrews & Bonta, 2010; Dowden & Andrews, 1999a; Smith, Gendreau & Swartz, 2009). Similarly, greater adherence to the RNR principles can result in greater reductions in recidivism for a variety of offender types, outcomes, and treatment settings (e.g., women offenders, Dowden & Andrews, 1999a; young offenders, Dowden & Andrews, 1999b; and sex offenders, Hanson, Bourgon, Helmus & Hodgson, 2009).

As prescribed by the RNR model, effective treatment requires the appropriate matching of risk to the level of intensity of the intervention, which requires appropriate assessments of risk. In the case of Indigenous offenders, the applicability of commonly used risk tools (as exemplified by the case of *Ewert v. Canada*, 2018) largely developed on non-Indigenous samples, calls into question whether correctional systems have the most appropriate measures of risk upon which to match Indigenous offenders to programming. This suggests that the ability of correctional systems to adhere to the Risk Principle for Indigenous offenders is therefore questionable. Similarly, the RNR model calls for the identification of appropriate criminogenic need factors in order to alter an individual's risk level through treatment (i.e., the Need Principle; Andrews & Bonta, 2010). As evidenced by the results of Study 2 and previous research examining the validity of risk/need tools with Indigenous offenders (e.g., Gutierrez, et al., 2013; Wilson & Gutierrez, 2014), there is a considerable amount of research yet to be done to better understand: 1) how culturally-relevant risk/need factors relate to offending; 2) the source of the discrepancy in the predictive ability of current risk assessments for identifying criminogenic factors that can serve as treatment targets; and, 3) unique or more salient factors related to offending that can serve as treatment targets for Indigenous offenders, that are currently missing

from risk/needs assessments. Without a more accurate understanding of the criminogenic needs that are most relevant for reducing risk for an offender of Indigenous heritage, the ability of correctional programs to effectively adhere to the Need Principle is limited.

The results from Study 3 demonstrate that the existing literature on the effectiveness of culturally-relevant programs is under-developed in both volume and quality. However, taken together, the preliminary evidence demonstrating a greater effectiveness of culturally-relevant programming for Indigenous offenders, compared to standard programming, is promising. As defined by the Responsivity Principle, the effectiveness of programming is in part dictated by its inclusion of cognitive-behavioural interventions and the creation of a learning context that is responsive to the individual learner/client (Andrews, et al., 1990; Andrews & Bonta, 2010). By definition, culturally-relevant programs are aimed at accomplishing the latter for Indigenous offenders. While it was not possible to isolate the effects of the culturally-relevant components from the cognitive-behavioural components in Study 3 (given the considerable amounts of missing information on the comparison groups), the coherence between culturally-relevant programs and the principles outlined in the RNR model provide at the very least conceptual and theoretical support for increasing the amount of culturally-relevant programs for Indigenous offenders. While more research is needed to better understand the impacts of these programs on outcomes of interest (e.g., reoffending), in the meantime, there needs to be greater efforts to increase the availability of these programs to those who they are intended to benefit.

In the recent OAG audit (2016), they found that Indigenous offenders did not have timely access to CSC programs in general, access varied considerably across institutions, and CSC had not examined whether it provided enough access to culturally-specific correctional interventions to meet the needs and demands of the Indigenous offender population. For example, they found

that Indigenous offenders waited almost five months, on average, to start correctional programs after admission to federal custody. As a result, few Indigenous offenders (20%) serving short-term sentences were able to complete their correctional programs by the time they were first eligible for release²⁷. Furthermore, they found that approximately half of Indigenous offenders, who participated in correctional programs (and were released during that fiscal year), took programs specifically designed for Indigenous offenders. CSC officials indicated that the small number of Indigenous offenders at some institutions makes it a challenge to provide timely access to culturally-specific programs. Furthermore, they indicated that some Indigenous offenders opt to take general correctional programs because they are offered more frequently, allowing them to complete their required programming earlier, while others might not be interested in taking a culturally-specific program (OAG, 2016).

As a part of their 94 calls-to-action, the *Truth and Reconciliation Commission* (2015) recommended that justice agencies provide realistic alternatives to incarceration and respond to the underlying causes of offending for Indigenous peoples. Specifically, they highlight the need to eliminate barriers to culturally-responsive offender management strategies (e.g., the creation of more healing lodges) and programming (e.g., access to culturally-relevant treatment) in order to achieve the goal of eliminating Indigenous overrepresentation within the next decade (TRC, 2015). As demonstrated by the OAG's audit, there are clear operational and financial implications associated with offering culturally-responsive services to offenders in a large correctional system. However, given the empirical, conceptual, and theoretical arguments that can be made for adherence to RNR, and how these principles align with the aims of culturally-relevant services, greater investments need to be made into better understanding "what works".

²⁷ It should be noted that the OAG did not compare wait times or completion rates for programming for non-Indigenous offenders.

And consequently, further investments aimed at increasing the availability of these programs, in a consistent and timely manner, should similarly be made. As described earlier, increasing the availability community-based culturally-relevant programs will also further enable judges to impose community sentences rather than incarceration. This will not only serve to reduce the over-representation of Indigenous peoples in prisons, but more importantly, will facilitate a continuum of culturally-relevant care between the institutional and community corrections systems. Ultimately, this will serve to enhance the effectiveness of reintegration efforts for Indigenous peoples leaving the system and returning to the community.

Risk/Need Factors and Assessment

While risk/need assessment has become an integral component of correctional practice, and forensic psychology more generally, surprisingly little research has been conducted on the applicability of risk assessments to different cultural groups (Ogloff & Douglas, 2003). As described earlier, an individual's risk/need factors have a substantial impact on decision-making at all stages of the justice system. For Indigenous individuals, at sentencing, various social history factors (including risk/need factors) are expectedly used to guide a judge in determining aspects of the individual's sentence, including whether the risk they pose is manageable or whether incarceration is required. At later stages of the system, the assessment of risk/needs informs security classification, supervision level, the type and intensity of programming, and (ideally) case management and release planning (Andrews, et al., 2006; Mugford, Bourgon, Hanson & Coligado, 2017).

Decades of research have yielded a wealth of knowledge on risk/need factors as they apply to the general (largely Caucasian, male) offender population (Hanson, 2005; Singh et al., 2014). As described in the previous sections, knowledge of the risk/need factors that are most

relevant to assessing an Indigenous individual's likelihood of criminal behaviour, and identifying appropriate targets for treatment, is arguably decades behind our knowledge of general risk/need factors and assessment. While it is not productive to dismiss the theoretical and empirical knowledge that has been accumulated on risk/need factors, it is similarly unproductive (and potentially destructive) to assume that criminogenic factors are created and apply equally to all individuals in the justice system.

How theory informs our understanding of risk/needs. The conceptual underpinnings of many common “fourth generation”²⁸ risk tools, and many of the risk/need factors contained within, can be found in a general personality and cognitive social learning theory of criminal behaviour, but more specifically, in the personal, interpersonal and community-reinforcement model of criminal behaviour (PIC-R; Andrews, 1982; Andrews & Bonta, 2010). Briefly, this model contends that humans are active agents who guide their own behaviour (including criminal behaviour), which is ultimately determined by personal and interpersonal controls, and the self-regulation of rewards and costs associated with a given behaviour. Specifically, these controls operate both at the individual level (i.e., attitudes to towards the rewards and costs associated with criminal behaviour) as well as at the interpersonal level, by how the individual perceives the costs and rewards associated with a behaviour, as it is experienced by those in his/her community (e.g., family, friends/peers).

One of the practical and functional applications of PIC-R is it seeks to explain the causal mechanism underlying the development of criminal behaviour at the individual level, which links to the factors that are related to criminal behaviour. Using theories, such as PIC-R, has guided the development of tools used to estimate the risk of criminal behaviour and furthermore,

²⁸ The four generations of risk assessment, as proposed by Bonta (1996), progress as follows: 1) professional clinical judgements; 2) purely actuarial assessments; 3) assessments that include both static and dynamic factors; 4) assessments that include both static and dynamic factors, and link outcomes to case management strategies.

to guide offender interventions to reduce risk of future offending. The PIC-R model could have similar utility for understanding the potentially unique risk/need factors for Indigenous peoples that are more relevant to their cultural history and present realities. Ultimately, PIC-R contends that in order for someone to engage in criminal activity, they must perceive the relative benefits of crime as high compared to the costs of crime, for themselves and others (Andrews, 1982; Andrews & Bonta, 2010). Based on some of the learnings from Study 2, the differential costs and rewards associated with criminal behaviour for many Indigenous peoples in the justice system, particularly those from communities experiencing greater levels of disadvantage, the mechanisms of PIC-R support the notion that there would be differences in the risk/need factors for Indigenous peoples compared to non-Indigenous peoples. While the psychological mechanism may be the same, the factors (e.g., criminogenic risk/needs) would be different (e.g., unique or different salience). Therefore, leveraging existing valuable theoretical models to guide innovative empirical research on culturally-relevant factors is where risk assessment research should go next.

Lessons learned from *Ewert v. Canada*. The case of *Ewert v. Canada* (2018) is arguably one of the most significant cases in Canadian history to debate the science and role of risk assessment in corrections. The potential impacts of this case for advancing knowledge on risk factors and assessments for Indigenous peoples in the justice system cannot be overstated. While there were five specific tools identified in the *Ewert* case, the broader question of whether psychological constructs vary across cultural groups, and its implications for cross-cultural assessment, has relevance to the application of psychometric tools in a variety of forensic contexts (Haag et al., 2016).

The Ewert case involved a considerable amount of scientific and academic debate regarding the validity, test equivalence, and test bias of existing risk assessment tools as they are applied to Indigenous offenders (i.e., see Hart, 2016 for a summary of the *Merits Hearing* in 2015 and *Remedies Hearing* in 2016 for the *Ewert v. Canada*, 2015 case). While these proceedings are valuable for understanding whether the current state of affairs is meeting the needs of Indigenous offenders with adequacy (i.e., scientific validity, as defined by academics and psychologists), the absence of culturally-relevant factors in assessments remains an issue that goes unresolved by *Ewert*. Taken together, the evidence suggests most risk assessment tools predict re-offending with sufficient levels of statistical validity – albeit, lower than for non-Indigenous offenders – when applied with Indigenous offenders (e.g., Babchishin et al., 2012; Helmus et al., 2012; Olver et al., 2013; Wilson & Gutierrez, 2014). It is hoped however that this case will serve to advance a new conversation of how to innovate and improve risk assessment with Indigenous offenders, rather than simply confirming the adequacy of current practices. Furthermore, given that risk assessment measures are not only intended to predict recidivism, but also to serve as a guide for case management and programming, failing to look beyond the factors that are currently in assessment tools runs the risk of systematically ignoring factors that could be relevant for treatment.

The SCC ruled on *Ewert v. Canada* on June 13th, 2018, and issued a declaration that CSC at a minimum should conduct research examining the potential for bias in psychological tests used with Indigenous offenders. There has been no official response by the CSC regarding plans for validating existing tools, or examining the issue of culturally-relevant assessment with Indigenous offenders. However, it is reasonable to expect that external pressures will continue to

be applied to the justice system, at all levels, to acknowledge the need to better understand how culturally-relevant factors affect decision-making tools.

Next steps for risk/needs assessment research. While there have been tools developed to guide practitioners in more culturally-responsive approaches to supervision with Indigenous offenders (e.g., the *Yókw'tól* Risk Management tool²⁹; Boer, Couture, Geddes & Ritchie, 2003), these tools were not developed to serve as formal risk assessment instruments. Therefore, they have not been empirically examined in relation to outcomes. As evidenced by Study 2, more research is needed to understand how culturally-relevant factors relate to criminal behaviour. But also as demonstrated by Study 2, examining these factors on a moderate to large scale requires cooperation and collaboration by a number of parties. This can be accomplished in a number of ways.

First, Indigenous social history information provided to the courts could be shared to inform research. Improvements to the infrastructure for Gladue reporting would enable the collection of social history information that could be compiled and shared to inform research on culturally-relevant factors. This would require consistent and dedicated funding to agencies who have the ability (e.g., cultural competence, resources, capacity, training, etc.) to provide this service across the country. Alternatively, working within the existing system, social history information communicated to the courts via PSRs could be used to inform research on culturally-relevant factors. This however would require improvements to the quality of training given to probation officers on how to collect and report on Gladue information, and require minimum

²⁹ The *Yókw'tól* Risk Management tool was developed in consultation with Indigenous Elders to guide practitioners who work with Indigenous offenders. The assessment includes 20 items, such as: relationship of offender to culture, historical/generational issues, and the relevance of section 81 or 84 releases (Boer, Couture, Geddes & Ritchie, 2003).

quality standards of reporting on Gladue information in PSRs, supported and given credibility by the necessary amendments to the *Criminal Code*³⁰.

A third method by which more research on culturally-relevant factors could be accomplished, as was partially modeled in Study 2, is by accessing individuals in the system and asking them to share their histories via a questionnaire or inventory, much like the Culturally-Relevant Factors Questionnaire. This would enable rich, first-hand accounts of individual social histories, as well as allow for the prospective examination of outcomes of interest (e.g., re-offending, changes in treatment-relevant factors). This methodology would require cooperation by justice ministries/agencies to facilitate access to the offender population, and it would also require the cooperation and involvement of individuals and communities who are affected by such research initiatives (e.g., as was seen in Study 2B in the case of Community X). Ultimately, in order for advancements to be made in the area of culturally-relevant risk/need assessment, greater cooperation and investment needs to occur at the conceptual, political, operational and empirical levels to facilitate the collection and analysis of social histories at the individual level.

Conclusion

On November 7th, 2017, the Ombudsman for Federal Corrections in Canada addressed the parliamentary SECU committee further to their study of Indigenous peoples in the correctional system. In his opening remarks, he summarized the current situation as it pertains to Indigenous issues in the correctional system as follows:

“The Correctional Service has still not developed tools to assess how culturally specific interventions for Indigenous offenders, such as Elder services, Healing Lodges, Pathways and partnerships with community groups and organizations contribute to safe and successful reintegration. There is still not adequate guidance or training on how Aboriginal social history should be considered in case management decisions. As a consequence, not near enough attention or understanding is applied

³⁰ Section 721 of the *Criminal Code* stipulates the enabling provisions that govern the content and structure of PSRs.

to *Gladue* factors in the administration of an Indigenous person's sentence." (Ivan Zinger, 2017)

It is clear that the criminal justice system has considerable gaps in the oversight and services it provides to peoples of Indigenous heritage. Although efforts have been made, largely on the heels of the RCAP (1996), to infuse the system with policies and practices that enhance how the system works with Indigenous offenders, these efforts have been implemented with generally underwhelming degrees of success. While the over-representation of Indigenous peoples remains a perennial issue, the momentum now created by the *Truth and Reconciliation Commission* (2015) to recognize issues relevant to Indigenous peoples in Canada, should not be squandered. Instead, it should serve to inspire an effective and sustainable transformation of the criminal justice system, with a view to addressing long-standing issues for Indigenous peoples who enter its doors.

Equality vs. Equity. It is often said that the measure of a just society can be found in how it treats its most vulnerable members. By this metric, Canada has been failing Indigenous peoples, particularly in the context of the administration of justice. Although the criminal justice system often inherits the failures of other systems and the institutions and policies of the past, it is not exempt from the responsibility of providing effective and humane services in order to prepare individuals to transition to productive lives in the community. Acknowledging the importance of cultural-relevance in the justice system in large part comes down to the issue of equality versus equity. Equality involves treating everyone the same, which on the surface appears fair; however, this erroneously assumes that everyone is starting from the same place and context. Equity on the other hand involves giving everyone what they need in order to succeed. An equitable system recognizes that individuals or groups may differ in what they need in order to be successful, and therefore it tailors its approach and services to maximize

everyone's chances at success. Given the meaningful diversity of the population, and the over-representation of Indigenous peoples specifically, the criminal justice system has a responsibility to strive in favour of equity over equality in order to close the pervasive gaps in justice for Indigenous peoples in Canada.

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Appendix A

Additional Tables and Figure for Study 2

Table A1.

Four Offender Samples by Indigenous and non-Indigenous Status

Four Sample Groups	Indigenous % (n)	Non-Indigenous % (n)	χ^2	OR (95% CI)
Pre-training	36.2 (271)	33.0 (536)	2.34	1.15 (0.96, 1.38)
Baseline	12.0 (90)	13.0 (211)	0.43	0.92 (0.70, 1.19)
Experimental	23.8 (178)	25.1 (408)	0.50	0.93 (0.76, 1.14)
Post-training	28.0 (210)	28.9 (470)	0.20	0.96 (0.79, 1.16)

Note. OR = odds ratio; CI = confidence interval.

Table A2.

Logistic regression – Sentence length predicting Indigenous status

Variable	B	SE	Wald's χ^2	df	<i>p</i>	OR	(95% CI)	
Block 1								
Sentence Length	-.04	.009	17.93	1	< .001	0.96	0.95	0.98
Block 2								
Sentence Length	-.04	.009	17.55	1	< .001	0.96	0.95	0.98
Age	-.03	.005	49.23	1	< .001	0.97	0.96	0.98
Gender	.38	.121	9.79	1	.002	1.46	1.15	1.85
Criminal History	.15	.028	27.89	1	< .001	1.16	1.10	1.22
Most Serious Offence	.07	.019	11.59	1	.001	1.07	1.03	1.11

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(5) = 118.21$, $p < .001$, -2 Log likelihood = 2841.85. Reference category for gender was female = 0.

Table A3.

Logistic Regression Examining the Relationship between Total Number of Optional Conditions and Indigenous Status

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(<i>B</i>)	95% CI	
						Lower	Higher
Block 1							
Number of Optional Conditions	.04	.03	1.37	.24	1.04	0.97	1.11
Block 2							
Number of Optional Conditions	.04	.04	1.24	.27	1.05	0.97	1.13
Criminal history	.14	.04	10.92	.001	1.15	1.06	1.24
MSO Index	.06	.03	4.44	.04	1.06	1.00	1.12
Sentence length	-.04	.01	7.06	.01	0.96	0.94	0.99
Age	-.04	.01	29.78	<.001	0.96	0.95	0.98
Gender	.41	.17	5.91	.02	1.51	1.08	2.10

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(6) = 61.64$, $p < .001$, -2 Log likelihood = 1376. Reference category for gender was female = 0.

Table A4.

Logistic Regression Examining the Relationship between Total Number of Punitive Conditions and Indigenous Status

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(<i>B</i>)	95% CI	
						Lower	Higher
Block 1							
Number of Optional Conditions	.06	.04	2.14	.14	1.06	0.98	1.15
Block 2							
Number of Optional Conditions	.06	.05	1.96	.16	1.07	0.98	1.17
Criminal history	.14	.04	11.02	<.001	1.15	1.06	1.24
MSO Index	.06	.03	3.84	.05	1.06	1.00	1.12
Sentence length	-.04	.01	7.02	.01	0.97	0.94	0.99
Age	-.04	.01	30.08	<.001	0.96	0.95	0.98
Gender	.42	.17	6.09	.01	1.52	1.09	2.11

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(6) = 62.35$, $p < .001$, -2 Log likelihood = 1375.27. Reference category for gender was female = 0.

Table A5.

Logistic Regression Examining the Relationship between Total Number of Rehabilitative Conditions and Indigenous Status

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(<i>B</i>)	95% CI	
						Lower	Higher
Block 1							
Number of Optional Conditions	-.02	.08	.04	.84	0.98	0.84	1.16
Block 2							
Number of Optional Conditions	-.02	.09	.05	.83	0.98	0.82	1.17
Criminal history	.13	.04	10.30	.001	1.14	1.05	1.24
MSO Index	.07	.03	6.67	.01	1.07	1.02	1.13
Sentence length	-.03	.01	5.64	.02	0.97	0.95	1.00
Age	-.04	.01	31.27	<.001	0.96	0.95	0.98
Gender	.40	.17	5.75	.02	1.50	1.08	2.09

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(6) = 60.44$, $p < .001$, -2 Log likelihood = 1377.20. Reference category for gender was female = 0.

Table A6.

Survival Analysis examining proportional hazards assumption

Variable	<i>B</i>	<i>SE</i>	Wald's χ^2	<i>df</i>	<i>p</i>	HR	(95% CI)	
Indigenous Status	.22	.114	3.82	1	.051	1.25	1.00	1.56
Age	-.01	.006	3.63	1	.057	0.99	0.98	1.00
Criminal History	.25	.039	41.60	1	<.001	1.29	1.19	1.39
Most Serious Offence	-.04	.022	2.81	1	.094	0.97	0.93	1.01
Gender	-.03	.148	0.05	1	.828	0.97	0.72	1.30
Sentence Length	-.09	.014	42.18	1	<.001	0.91	0.89	0.94
Indigenous Status*Time	.08	.079	0.91	1	.342	1.08	0.92	1.26
Age*Time	-.003	.004	0.43	1	.512	1.00	0.99	1.01
Criminal History*Time	.01	.025	0.24	1	.623	1.01	0.96	1.06
Most Serious Offence*Time	.02	.016	1.11	1	.293	1.02	0.99	1.05
Gender*Time	.05	.105	0.18	1	.668	1.05	0.85	1.29
Sentence Length*Time	-.01	.009	1.22	1	.269	0.99	0.97	1.01

Note. Time = the natural logarithm of SPSS' internal time variable.

Table A7.

Logistic Regression Examining the Relationship between Total Number of Breaches and Indigenous Status

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(<i>B</i>)	95% CI	
						Lower	Higher
Block 1							
Number of Breaches	.37	.15	5.98	.01	1.45	1.08	1.96
Block 2							
Number of Breaches	.40	.16	6.03	.01	1.48	1.08	2.03
Criminal history	.12	.06	4.12	.04	1.13	1.00	1.27
MSO Index	.05	.03	2.47	.12	1.05	.99	1.12
Sentence length	-.02	.01	1.39	.24	.98	.96	1.01
Age	-.04	.01	17.45	<.001	.96	.95	.98
Gender	.59	.22	7.31	.01	1.80	1.18	2.77

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(6) = 35.34$, $p < .001$, -2 Log likelihood = 942.75. Reference category for gender was female = 0.

Table A8.

Logistic Regression Examining the Relationship between Days in Custody and Indigenous Status

Variable	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(<i>B</i>)	95% CI	
						Lower	Higher
Block 1							
Days in Custody	.001	.001	0.50	.48	1.00	0.99	1.00
Block 2							
Days in Custody	.001	.001	0.30	.60	1.00	1.00	1.002
Criminal history	.12	.06	3.89	.05	1.13	1.001	1.27
MSO Index	.05	.03	2.41	.12	1.05	0.99	1.12
Sentence length	-.01	.02	0.67	.41	0.99	0.95	1.02
Age	-.04	.01	17.43	<.001	0.96	0.95	0.98
Gender	0.60	0.22	7.54	.01	1.82	1.20	2.79

Note. Dependent variable: Indigenous status. Model statistics from Block 2: $\chi^2(6) = 29.60$, $p < .001$, -2 Log likelihood = 948.50. Reference category for gender was female = 0.

Table A9.

Survival analysis examining relationship between Indigenous status and recidivism (full follow-up period)

Variable	<i>B</i>	<i>SE</i>	Wald's χ^2	df	<i>p</i>	HR	HR 95% CI	
Block 1								
Indigenous Status	.16	.06	7.13	1	.01	1.18	1.04	1.33
Block 2								
Indigenous Status	-.05	.06	0.64	1	.42	0.95	0.84	1.08
Age	-.01	.003	6.06	1	.01	0.99	0.99	1.00
Gender	-.07	.08	0.65	1	<.42	0.94	0.80	1.10
Criminal History	.15	.04	15.41	1	<.001	1.16	1.10	1.25
Most Serious Offence	-.03	.01	5.83	1	.02	0.97	0.95	1.00
Time-at-risk	-.003	.00	154.14	1	<.001	1.00	0.99	1.00
Criminal history*Time ^a	.05	.02	8.52	1	.004	1.05	1.01	1.10

Note. Model statistics from Block 2: -2Log likelihood = 17165.93, $\chi^2(7) = 398.61$. Reference category for Indigenous Status was 0 = Caucasian. Reference category for gender was 0 = female. Time = the natural logarithm of SPSS' internal time variable.

^a Interaction between criminal history and time were included in the final model to correct for the violation of the proportional hazards assumption. Average follow-up time (in days) for Indigenous and Caucasian individuals was $M = 519.20$ ($SD = 141.85$) and $M = 558.54$ ($SD = 161.32$), respectively.

Figure A1. Survival time (in months) to recidivism for Indigenous and Caucasian individuals controlling for criminal history, most serious offence, time-at-risk, age and gender.

Appendix B

Informed Consent – IAG Participant

The purpose of an informed consent is to ensure that you understand the purpose of the study, the nature of your participation, and have enough information so that you have the opportunity to decide whether you would like to participate in the study.

Study title: *Addressing the Cultural Divide in Risk Assessment with Aboriginal Offenders: An examination of culturally-specific factors and recidivism*

What is the purpose of the study? To gain a better understanding of how culturally-specific factors play a role in why Aboriginal peoples come into contact with the criminal justice system. Through close consultations with peoples who work with Aboriginal offenders and/or in the area of risk assessment, the goal of the study is to create a questionnaire that asks questions about culturally-relevant factors that may be helpful in understanding risk for criminal re-involvement among Aboriginal offenders. This questionnaire will then be used in a later study with Aboriginal offenders in the criminal justice system.

Who is conducting the study? Should you have any questions or concerns, or if you require any additional information, please contact the principal researcher Leticia Gutierrez (Doctoral student, Carleton University Department of Psychology) by phone at [REDACTED], or email: [REDACTED]. Should you have any ethical concerns about this study, please contact Dr. Shelley Brown (Chair, Carleton University Ethics Committee for Psychological Research, (613) 520-2600, ext. 1505, shelley.brown@carleton.ca). If you have any other concerns regarding this study, please contact: Dr. Joanna Pozzulo (Chair, Carleton University Department of Psychology, (613) 520-2600, ext. 1412, psychchair@carleton.ca).

What will you be asked to do? If you choose to participate in the study, you will be asked to attend a consultation meeting to discuss your views on what culturally-specific risk factors are and the role they play in understanding and explaining risk for criminal behaviour among Aboriginal offenders. The length of these meetings will range from approximately 60 minutes to 7 hours depending on the format of the meeting and availability of participants (one-on-one versus group format). You will be asked to provide input on the creation of this questionnaire; however, your level of involvement in the ongoing consultation and questionnaire creation process is entirely up to you.

Where is the study taking place? Meetings will be conducted either in-person (at 340 Laurier Ave. West in Ottawa) or over the telephone, depending on the location of the participants. Meetings will be either conducted as a group session, or one-on-one with the principal investigator (Leticia Gutierrez), depending on the availability and comfort level of the participants.

What are the potential risks and/or discomfort to you? There are no known risks associated with your participation in this study. However, participation may cause you to reflect on historical and/or current events and/or life experiences that may be upsetting. If you are upset,

please contact the Distress Center of Ottawa and Region at (613) 238-3311 or the Manitoba 24-hour Crisis Line at (204) **786-8686**. You can also make use of the psychological services made available through your respective employers (e.g., Employee Assistance Program of the Government of Canada at 1-888-366-8213). There is no direct benefit or remuneration for participating in this study. The knowledge gained from the study may improve our understanding of the factors associated with risk for criminal behaviour among Aboriginal peoples in the criminal justice system. This information could lead to better practices, supports, and interventions for Aboriginal peoples involved in the system in the future.

Confidentiality/Anonymity: All information collected as part of this research project will remain strictly confidential and will only be used by the principal researcher. Participants will remain anonymous and will not be identified in any of the research. All data will be stored on a password protected government computer drive or locked secure filing cabinet at 340 Laurier Avenue West in Ottawa (Public Safety Canada headquarters). It must be noted that a digital voice recorder will be used to ensure accuracy of recall of the discussions that took place during the meetings. These recordings will be destroyed once the study has concluded.

Right to withdraw. Your participation in this study is entirely voluntary. At any point during the study, you have the right to not complete certain questions, or to withdraw without penalty. If you withdraw, you have the right to request that your data be deleted; however, this may not be possible in the case of data related to group meetings.

This study has received clearance by the Carleton University Psychology Research Ethics Board (Reference #14-118).

Consent to participate:

I have read the above form and understand the conditions of my participation. My participation in this study is voluntary, and I understand that if at any time I wish to leave the study, I may do so without having to give an explanation and with no penalty whatsoever. Furthermore, I am also aware that the data gathered in this study are confidential and will not be used by anyone other than the principal researcher. My signature, verbal consent, and/or handshake indicates that I agree to participate in this study.

Signature of Participant

Name of Participant
(please print)

Date

Signature of Researcher

Name of Researcher
(please print)

Date

Thank you for your participation!

Appendix C

Debriefing form – *IAG Participant*

What are we trying to learn in this research?

The purpose of this study is to gain a thorough and well-informed understanding of the types of factors that may uniquely play a role in explaining or understanding risk for criminal behaviour among Aboriginal offenders. There is currently limited knowledge of what these factors are, how they should be defined and measured, and how they relate to observed criminal offending behaviour. The consultations in the present study will inform the creation of a questionnaire that will be given to people who identify as Aboriginal and are serving a community supervision sentence, who volunteer to participate in a subsequent study.

Why is this important to scientists or the general public?

There is currently little information on what culturally-specific risk factors are and how they play a role in explaining criminal offending behaviour among Aboriginal peoples involved in the criminal justice system. Research to-date has shown that the factors and measures we currently use for assessing risk with Aboriginal offenders could potentially benefit from the inclusion of more culturally-informed indicators of risk. What is learned from the present study will greatly inform the role culturally-specific factors play in our assessments of risk, as it will enable us to explore these factors in a subsequent study. Aboriginal peoples are currently overrepresented in the criminal justice system compared to their proportion of the general Canadian population. A greater knowledge of culturally-informed risk factors and the role they play will help improve services offered to Aboriginal offenders, and better support practitioners in the criminal justice system.

What are our hypotheses and predictions?

It is expected that these consultations will provide a thorough and productive context for the development of a questionnaire from which these culturally-informed factors can be explored with a sample of offenders in a future study. We hypothesize that factors that are culturally and historically-informed will improve our understanding of risk among Aboriginal offenders for re-involvement in the criminal justice system.

Where can I learn more?

If you are interested in learning more about the factors related to reoffending among Aboriginal peoples in the criminal justice system, please refer to the following sources:

- Martel, J., Brassard, R., & Jaccoud, M. (2011). When two worlds collide: Aboriginal risk management in Canadian corrections. *British Journal of Criminology*, 51, 235-255.

- Gutierrez, L., Wilson, H. A., Rugge, T., & Bonta, J. (2013). The prediction of recidivism with Aboriginal offenders: A theoretically-informed meta-analysis. *Canadian Journal of Criminology and Criminal Justice*, 55, 55-99.
- Shepherd, S. M. (2014). Finding Color in Conformity: A Commentary on Culturally Specific Risk Factors for Violence in Australia. *International Journal of Offender Therapy and Comparative Criminology*. DOI: 10.1177/0306624X14540492

Is there anything I can do if I found this experiment to be emotionally upsetting?

If you find that during or after participating in this study you feel any sort of emotional, mental or physical stress or anxiety, please contact the Distress Center of Ottawa and Region at (613) 238-3311 or the Manitoba 24-hour Crisis Line at (204) **786-8686**. You can also make use of the psychological services made available through your respective employers (e.g., Employee Assistance Program of the Government of Canada at 1-888-366-8213).

What if I have questions later?

If you wish to discuss this research further feel free to contact the principal investigator Leticia Gutierrez (Doctoral student, Carleton University Department of Psychology) by telephone: 613-██████████; or by email: ██████████

If you have any ethical concerns about this study please contact, Dr. Shelley Brown (Chair, Carleton University Ethics Committee for Psychological Research) by phone: 613-520-2600, ext. 1505; or by email: shelley.brown@carleton.ca.

Should you have any other concerns please contact, Dr. Joanna Pozzulo (Chair, Carleton University Department of Psychology) by phone: 613-520-2600, ext. 1412; or by email: psychchair@carleton.ca.

This study has received clearance by the Carleton University Ethics Committee for Psychological Research (Reference #: 14-118). Please refer to this number when contacting the Chair of the Department or the Chair of Carleton University Ethics Committee for Psychological Research.

Thank you for participating in this research!

Appendix D

Example Prompting Questions for IAG Session

Below is a sample of questions that will be used to prompt the discussions for the consultation meetings.

- What risk factors should be considered when assessing risk for re-offending among Aboriginal peoples in the criminal justice system?

If there are different or unique risk factors for Aboriginal peoples in the justice system...

- What are these different or unique factors (in general)?
- What indicators might constitute/make-up these different or unique factors?
- What might these factors and indicators look like for someone who is *low risk* versus someone who is *high risk* to re-offend?
- Are there any different or unique factors that may be related to *successful* outcomes (e.g., protective factors)?
- In your experience with risk assessment, do you think anything is missing when it comes to assessing risk with Aboriginal offenders? If so, what?
- Any other comments, suggestions, advice that you would like to offer relating to the topic, research methodology, and/or consultation.

Appendix E

Photos of Process for Development of Themes

Appendix F

CULTURALLY-RELEVANT FACTORS QUESTIONNAIRE***COVER PAGE*****Instructions for Probation Officer:**

To protect your client's information in the highly unlikely event that a completed *Culturally-relevant Factors Questionnaire* gets misplaced, we are asking that your client's identifying information be included separately on this cover page, and not included on the questionnaire itself. The researcher will be able to match the Cover Page information with the questionnaire once both are received (separately). You have been assigned a Research Identification Number series (e.g., 200s, or 300s) by the researcher. Using this series, please assign your client a unique Research Identification Number below and fill in the personally identifying information below.

Ensure you also put the Research Identification Number at the beginning of the questionnaire (the first question on the next page) so that the researcher can match the information on the cover page to the questionnaire.

Once completed, please send this information to the researcher separately from the questionnaire. It can be sent via secure fax, email, or mail to the following:

Email: Leticia.Gutierrez@carleton.ca

Fax: [REDACTED]

Mail: Leticia Gutierrez, [REDACTED]

****This form should be completed by the Probation Officer and sent to the researcher with the Informed Consent form****

1. Research Identification Number: _____
2. Client Name: _____
(First/Last Name)
3. Client Date of birth: _____
(Month/Day/Year)
4. Probation Officer Name: _____
(First/Last Name)

REMEMBER TO SEND THIS PAGE (ALONG WITH THE CONSENT FORM) SEPERATELY FROM THE QUESTIONNAIRE THAT FOLLOWS

Culturally-relevant Factors Questionnaire

Instructions:

The following questionnaire asks about different areas of your life (past and present). Some of the questions may bring up difficult memories and thoughts, so please take your time completing it. If at any point you need to stop, take a break, or ask for support, please let your probation officer (PO) know. If you do not want to answer certain questions, you may leave them blank. Your honesty and strength in sharing your story is very important to this study and I am grateful for your participation.

You may choose to complete the questionnaire on your own or with your PO. Please complete the questionnaire in your probation office so that if you have any questions or need access to support, it can be provided to you. Make sure to ask your PO for your Research Identification Number. If you prefer your questionnaire be sent directly to me, your PO will give you an envelope to seal your questionnaire and it will be sent directly to me at the following address:

Leticia Gutierrez

Email: Leticia.Gutierrez@carleton.ca

Fax: [REDACTED]

Mail: Leticia Gutierrez, [REDACTED]

Background Information

Research Identification Number (ask your PO for this): _____

Today's Date: _____
(DD/MM/YYYY)

Please place a checkmark (✓) in the boxes that apply to you:

1. How are you completing this questionnaire?

☐ On your own ☐ With your Probation Officer

2. Do you identify as:

☐ First Nations ☐ Métis ☐ Inuit

☐ Other (if you identify as another group, e.g., Anishinaabe, please specify: _____)

3. Do you currently speak an Aboriginal language? ☐ No ☐ Yes

If yes, which one(s): _____

4. Do you have an Aboriginal/Anishinaabe name? ☐ No ☐ Yes

A. Childhood/Teenage Years (0 to 17 years old)

The following section has questions about your childhood and teenage years, from birth to the age of 17.

The following questions are about your upbringing and the community that you grew up in.

5. What is the name of the town, city or community you mainly grew up in?

6. What type of community did you live in mostly, while growing up?

- ☐ Large city (e.g., 100,000+ population)
- ☐ Small City (e.g., 10,000-100,000 population)
- ☐ Rural community (e.g., less than 10,000 population)
- ☐ Reserve
- ☐ Métis community

7. Did you ever live on-reserve during your childhood/teen years? ☐No ☐Yes

If yes to #7:

a. How old were you when you lived on-reserve? _____

b. Did you live there for: ☐ Less than 5 years ☐ More than 5 years

8. When you were growing up, were your basic needs in life met (food, clothing, housing)?

☐No ☐Sometimes ☐Always

9. Did you go hungry and/or have limited access to clean drinking water?

☐No ☐Sometimes ☐Always

10. Did you feel your house was crowded and/or in need of major repairs?

☐No ☐Sometimes ☐Always

11. Did you ever miss out on participating in activities or experiences (e.g., sports, trips) because you didn't have enough money? ☐No ☐Sometimes ☐Always

12. Did you ever feel embarrassed, shamed, or made fun of, for not having enough money?

☐No ☐Sometimes ☐Always

13. Did you ever rely on any charities, churches, or government services (e.g., welfare) to survive? ☐No ☐Sometimes ☐Always

14. Did you live with at least one of your biological parent(s), grandparent or aunt/uncle until the age of 18? ☐No ☐Yes

15. Did you have at least one person who took care of you, with whom you felt loved and safe prior to the age of 18? ☐No ☐Yes (one person) ☐Yes (more than one person)

If you answered yes to #15, please answer questions 'a' to 'e' below based on the person who was most important to you:

- f. Who was this person who took care of you (e.g., biological/adoptive mother, grandmother, uncle, older sibling)? _____
- g. Was s/he Aboriginal? ☐No ☐Somewhat ☐Yes
- h. Did s/he teach you about your Aboriginal heritage or culture, and/or help you access Aboriginal teachings/ways of life? ☐No ☐Yes
- i. Were you permanently separated from him/her prior to the age of 18? ☐No ☐Yes
- i. If yes, at what age were you (first) separated from him/her?
Age: _____ ☐ I don't know
- j. Is s/he still an important source of support in your life today? ☐No ☐Yes
16. Were you ever placed in a group home? ☐No ☐Yes ☐ I don't know

If 'No' to #16, skip to #17:

- a. How old were you when you were first placed in a group home? _____
- b. How many group homes were you in? _____ ☐ I don't know
- c. Did you see physical or sexual abuse in your group home? ☐Never ☐Sometimes ☐Often
17. Were you ever placed in foster care? ☐No ☐Yes ☐ I don't know

If 'No' to #17, skip to #18:

- a. How many foster homes were you in? _____ ☐ I don't know
- b. How many foster homes had at least one caregiver who was an Aboriginal person? _____
- c. Did any of the foster homes have a *positive* impact on you and your life? ☐No ☐Yes
- If yes,
- i. How long were you placed here (weeks, months)? _____ ☐ I don't know
- ii. Was at least one caregiver in this foster family an Aboriginal person? ☐No ☐Yes
- d. Did any of your foster homes have a *negative* impact on you and your life? ☐No ☐Yes
- If yes,
- iv. How long were you placed here (weeks, months)? _____ ☐ I don't know
- v. Was at least one caregiver in this foster family an Aboriginal person? ☐No ☐Yes

vi. Did you see physical or sexual abuse in your foster home?

☐Never ☐Sometimes ☐Often

18. Were you ever adopted? ☐No ☐Yes

If 'No' to #18, skip to #19:

a. At what age were you adopted? _____ ☐ I don't know

b. Was at least one caregiver in this adoptive family an Aboriginal person? ☐No
☐Yes

c. Did they teach you about your Aboriginal heritage or culture, and/or help you access Aboriginal teachings/ways of life? ☐No ☐Yes

d. Did you feel safe and loved by your adoptive caregiver(s)? ☐No ☐Yes

e. Are you still in contact with your adoptive caregiver(s)? ☐No ☐Yes

The following section asks questions about your experience of abuse and whether you were sent to residential or day school. These questions may be difficult to answer and may bring up painful memories. If you need to take any breaks, or if you need any support during or after answering these questions, please let your PO know and support will be provided for you.

19. Did you see physical or sexual abuse growing up? ☐Never ☐Sometimes ☐Often

If you answered 'Never' to #19, please skip to question #30

20. Did you see physical or sexual abuse in your home? ☐Never ☐Sometimes ☐Often

21. Did you see physical or sexual abuse around your community/people you know?
☐Never ☐Sometimes ☐Often

22. Was anyone close to you ever sent to hospital or need medical help due to physical or sexual abuse? ☐No ☐One ☐Two ☐Three or more

23. Did anyone close to you ever pass away due to physical or sexual abuse?
☐No ☐One ☐Two ☐Three or more

24. How old were you when you first saw physical/sexual abuse? Age: _____ ☐ I don't know

25. Were you ever physically abused growing up? ☐No ☐Once ☐Twice ☐Three or more times

26. Were you ever sexually abused growing up? ☐No ☐Once ☐Twice ☐Three or more times

a. If you were sexually abused, was it ever by a relative? ☐No ☐Yes

27. How old were you when you first experienced physical/sexual abuse?
Age: _____ ☐ I don't know ☐ I was never physically/sexually abused

28. Were you ever mentally or emotionally abused growing up? ☐No ☐Yes

29. Have you ever had help to deal with your experiences of abuse (example: psychologist/counsellor, an Elder)? ☐ No ☐ Yes

30. Did you go to residential or day school? ☐ No ☐ Yes

If you answered No to #30, please skip to #43.

31. How old were you when you started residential or day school? Age: _____ ☐ I don't know

32. How long did you attend residential or day school? Years: _____

33. Were you allowed to participate in traditional Aboriginal ceremonies while in residential or day school (for example, smudging, prayers, etc.)? ☐ No ☐ Yes

34. Were you allowed to speak your Aboriginal language while in residential or day school?

☐ No ☐ Yes ☐ Not Applicable (example: if you did not speak an Aboriginal language)

35. How often were you allowed to visit/see your family while in residential or day school?

1	2	3	4	5
Never	Rarely	Sometimes	Often	All the time

36. Were you ever punished (verbally or physically) for speaking your Aboriginal language, or for practicing an Aboriginal tradition/ceremony? ☐ No ☐ Yes

37. Were you ever abused at residential or day school? ☐ No ☐ Yes

a. Physical (not sexual) abuse? ☐ No ☐ Yes

b. Mental and/or Emotional abuse? ☐ No ☐ Yes

c. Sexual abuse? ☐ No ☐ Yes

38. Did you ever see any abuse of others while in residential or day school?

☐ No ☐ At least Once ☐ More than Once ☐ Many times

39. How would you rate your overall experience at residential or day school?

1	2	3	4	5
Extremely Negative	Negative	So-so	Positive	Extremely Positive

40. How often do you think about your experiences in residential or day school?

1	2	3	4	5
Never	Rarely	Sometimes	Often	All the time

41. Do you use alcohol, drugs, or other substances to deal with your residential or day school experiences? ☐ No ☐ Yes

42. Have you ever had help to deal with your residential or day school experiences (example: psychologist/counsellor, an Elder)? ☐No ☐Yes

43. What is the highest grade/level of schooling you completed?

Grade: _____

☐ Post-secondary (example: college, university)

44. Did you ever drop out of school? ☐No ☐Yes

If yes,

a. Did you drop out to take care of your family? ☐No ☐Yes

b. Did you drop out because it was too hard to get to school? (example: too far from home, couldn't afford it) ☐No ☐Yes

c. Did you drop out of school because what they were teaching wouldn't help you survive in your community? ☐No ☐Yes

d. Did you drop out for another reason not listed above? If so, please describe:

The following section asks about stressful situations and how you dealt/coped with them. These questions may bring up painful memories, so please let your PO know if you need any support.

45. Growing up, when you were stressed or upset, how often did you:

	Never	Rarely	Sometimes	Often	All the time
a. Use alcohol and/or drugs to the point of intoxication?	1	2	3	4	5
b. Hurt or intentionally cause pain to yourself (e.g., cutting, burning)?	1	2	3	4	5
c. Lash out, yell at, or hurt others?	1	2	3	4	5
d. Talk it through with someone you trust (e.g., friend, Elder)	1	2	3	4	5
e. Use art, dancing, writing, smudging, etc. to deal with the stress?	1	2	3	4	5

46. Did you ever try to commit suicide prior to the age of 18? ☐No ☐Yes

47. Did you ever lose someone close to you due to suicide prior to the age of 18? ☐ No
☐ Yes

The following section asks questions about your experiences with substance use, including alcohol, drugs and other substances, prior to the age of 18.

48. How old were you when you started using alcohol regularly? Age: _____ ☐ I didn't use alcohol
49. How old were you when you started using drugs? Age: _____ ☐ I didn't use drugs
50. Did you ever use alcohol, drugs and/or other substances excessively (to get intoxicated/high) for a long period of time (months or years) before you were 18?
☐ No ☐ Yes
- If yes,
 a. How long was this for? ☐ Months ☐ Years
51. Were you ever not allowed to participate in a community activity (example: a hunt, a dance) because you were intoxicated or high? ☐ No ☐ Yes
52. Were you ever kicked out of school because you were intoxicated or high? ☐ No
☐ Yes
53. Did you ever overdose or black out from too much alcohol/drugs? ☐ No ☐ Yes
54. Did you ever get into a physical fight because you were on drugs or drinking? ☐ No
☐ Yes
55. Were you ever hurt (physically) while you were intoxicated or high? ☐ No ☐ Yes

The following section asks questions about your experiences of discrimination or racism, prior to the age of 18. These questions may bring up painful memories, so please let your probation officer know if you need any support during or after answering these questions.

56. Were you ever treated unfairly/discriminated against because you are an Aboriginal person?
☐ No ☐ Yes

If No, skip to #59

57. How often were you treated unfairly because you are an Aboriginal person, in each of the following situations?

	Never	Hardly Ever	Sometimes	Often	Very Often
a. At work or at school?	1	2	3	4	5
b. At home, by neighbours or at somebody else's house?	1	2	3	4	5

	Never	Hardly Ever	Sometimes	Often	Very Often
c. By the police, security guards, lawyers or other people who work in the courts?	1	2	3	4	5
d. By people at restaurants, hospitals, stores, banks, in taxis or when getting other services?	1	2	3	4	5
e. By other Aboriginal people?	1	2	3	4	5

58. When you were treated unfairly because you are an Aboriginal person, how often did you:

	Never	Hardly Ever	Sometimes	Often	Very Often
a. Ignore it, forget about it, or accept it as a fact of life?	1	2	3	4	5
b. Talk to family/friends about it, or write, draw, sing or paint about it?	1	2	3	4	5
c. Feel ashamed, humiliated, anxious or fearful?	1	2	3	4	5
d. Feel angry, annoyed or frustrated?	1	2	3	4	5
e. Feel powerless, hopeless or depressed?	1	2	3	4	5
f. Get a headache, upset stomach, tense muscles, or a pounding heart?	1	2	3	4	5

59. For questions 'a' to 'k', start each question with: *"When growing up, I was..."*

<i>"When growing up, I was..."</i>	Never	Rarely	Sometimes	Often	All the time
a. ...told about how I may encounter racism or discrimination because I am Aboriginal.	1	2	3	4	5
b. ...taught that when I encounter racism/discrimination, I should ignore it.	1	2	3	4	5
c. ...taught that when I encounter racism/discrimination, I should confront the person (example: fight, yell at).	1	2	3	4	5

<i>“When growing up, I was...”</i>	Never	Rarely	Sometimes	Often	All the time
d. ...taught that when I encounter racism/discrimination, I should talk about my experience and feelings with someone I trust.	1	2	3	4	5
e. ...warned that I will need to behave better than others to avoid being treated poorly/unfairly.	1	2	3	4	5
f. ...warned that I will need to be more cooperative with authority figures (e.g., police) to avoid being treated poorly/unfairly.	1	2	3	4	5
g. ...taught that being Aboriginal is an important part of who I am and how I live my life.	1	2	3	4	5
h. ...taught to be proud of my Aboriginal culture/background.	1	2	3	4	5
i. ...taught/told about the cultural/spiritual teachings of my people.	1	2	3	4	5
j. ...encouraged to learn about the important Aboriginal historical figures and role models.	1	2	3	4	5
k. ... taken to visit important historical locations, events or ceremonies of my people.	1	2	3	4	5

60. Did you participate in or attend any traditional Aboriginal activities/ceremonies while you were growing up (examples: smudges, drumming, traditional dancing, hunting/fishing etc.)?

☐ No ☐ Yes

If yes to #60:

a. At what age did you start participating in these activities/ceremonies? _____

B. Caregivers/Parents

The following section asks questions about some of the experiences of your caregivers/parents and family.

1. Were either of your biological parents sent to residential or day school?

- ☐ No ☐ Yes (both)
☐ Yes (mother only) ☐ I don't know if my mother was sent to residential or day school
☐ Yes (father only) ☐ I don't know if my father was sent to residential or day school

2. Were any of your grandparents sent to residential or day school? ☐ No ☐ Yes ☐ I don't know

3. Were any of your aunts/uncles sent to residential or day school? ☐ No ☐ Yes ☐ I don't know

4. Were any of your brothers/sisters sent to residential or day school? ☐No ☐Yes ☐I don't know
5. Do you know if any of your family members were abused (physical, sexual and/or mental) while in residential or day school? ☐No ☐Yes ☐I don't know
6. Did any of your family who were sent to residential school get any help to deal with their experiences? ☐No ☐Yes ☐I don't know
7. Were any of your parents, aunts/uncles, grandparents or siblings adopted or placed in foster care? ☐No ☐Yes ☐I don't know
- a. If yes, please check off who:
☐ Mother	☐ Aunt(s)	☐ Sister(s)	☐ Grandmother(s)
☐ Father	☐ Uncle(s)	☐ Brother(s)	☐ Grandfathers(s)
8. Was your mother using alcohol, drugs or other substances while pregnant with you? ☐No ☐Yes ☐I don't know
9. When you were growing up, did any of your caregivers have an alcohol and/or drug problem?
☐ No ☐ Yes-(Alcohol only) ☐ Yes-(Drugs and/or other substances only) ☐ Yes-(Alcohol, Drugs and/or other substances)

C. Adulthood (18 to now)

The following section asks questions about various areas of your life from when you were 18 to now.

The following are questions about the community that you currently live in today and your access to shelter, food and other resources.

10. What is the name of the town, city or community you live in now?

11. At the time of your most recent arrest, what type of community were you living in (*check one*)?
☐ Large city (e.g., 100,000+ population)
☐ Small City (e.g., 10,000-100,000 population)
☐ Rural community (e.g., less than 10,000 population)
☐ Reserve
☐ Métis community
12. How many different cities, towns or communities have you lived in during your life?
 Number: _____
13. Have you lived on-reserve at any point from 18 years old to now? ☐No ☐Yes
14. Do you currently live on-reserve? ☐No ☐Yes

15. Please indicate how much you agree or disagree with each of the following statements:

	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
a. I believe that I play a valuable role in my community.	1	2	3	4	5
b. My community has taken steps to heal from the pain of our history.	1	2	3	4	5
c. I have Aboriginal leaders/teachers in my community that I can go to for help.	1	2	3	4	5
d. I believe that the role I play in my community is valued by others.	1	2	3	4	5
e. My community has strong Aboriginal leadership and role models.	1	2	3	4	5

16. Do you currently have enough money for the basic needs in life (food, clothing, housing)?

☐No ☐Sometimes ☐Always

17. Do you currently live in a home that you feel is crowded and/or in need of major repairs?

☐No ☐Yes

18. Do you currently go hungry and/or have limited access to clean drinking water?

☐No ☐Sometimes ☐Always

19. Do you rely on any charities, churches, or government services (e.g., welfare)? ☐No

☐Yes

The following questions are about your experiences of work/employment.

20. Is it hard for most people to find paid work where you live? ☐No ☐Yes

21. Is it hard for you to find paid work where you live? ☐No ☐Yes

If yes, is it hard to find work because:

a. You have trouble reading and/or writing? ☐No ☐Yes

b. Transportation problems (example: no buses, not enough money for car/gas)? ☐No ☐Yes

c. Other reasons not listed above? Please describe:

22. Is it hard for you to get/keep work because of discrimination/racism you experience from employers and/or co-workers? ☐No ☐Yes

23. Are you employed now? ☐No ☐Yes

a. Is your main work seasonal (you can only do it for part of the year)? ☐No ☐Yes

If yes,

i. Does your seasonal work require you to change employers each season? ☐No ☐Yes

24. Do you do a lot of unpaid work to support yourself and your family (example: hunting/fishing, arts)? ☐No ☐Yes

If yes,

a. Are you doing this work for most of the season (75% or more of the available season)? ☐No ☐Yes

The following section asks about stressful situations and how you deal/cope with them. These questions may bring up painful memories, so please let your PO know if you need any support.

25. Have you ever been diagnosed with Posttraumatic Stress Disorder (PTSD³¹)? ☐No ☐Yes ☐I don't know

26. Do you believe you have Posttraumatic Stress Disorder (PTSD)? ☐No ☐Yes

27. Have you tried to commit suicide at any point from 18 years old to present? ☐No ☐Yes

28. Have you lost someone close to you due to suicide at any point from 18 years old to present? ☐No ☐Yes

29. When you are stressed or upset, how often do you:

	Never	Rarely	Sometimes	Often	All the time
a. Use alcohol and/or drugs to the point of intoxication?	1	2	3	4	5

³¹ Post-traumatic stress disorder (**PTSD**) is a mental diagnosis for people who have experienced trauma, such as death, serious injury, or sexual violence. People with PTSD can experience nightmares, flashbacks, and extreme stress when recalling the traumatic event.

	Never	Rarely	Sometimes	Often	All the time
b. Hurt or intentionally cause pain to yourself (e.g., cutting, burning)?	1	2	3	4	5
c. Lash out, yell at, or hurt others?	1	2	3	4	5
d. Talk it through with someone you trust (e.g., friend, Elder)	1	2	3	4	5
e. Use art, dancing, writing, smudging, etc. to deal with the stress?	1	2	3	4	5

The following section asks questions about your experiences with substance use, including alcohol, drugs and other substances.

30. Do you have a substance abuse problem?

☐ No ☐ Yes-(Alcohol only) ☐ Yes-(Drugs and/or other substances only) ☐ Yes-(Alcohol, Drugs and/or other substances)

31. Do others (e.g., family, friends) think you have a substance abuse problem? ☐ No

☐ Yes

32. Have you ever used alcohol, drugs and/or other substances excessively (to get intoxicated/high) for a long period of time (months or years)? ☐ No ☐ Yes

If yes to #32:

a. How long was this for? ☐ Months ☐ Years

b. How recent was this? ☐ 5-10 years ago ☐ In the last 12 months

During the past 12 months, when you had the opportunity:

	Never	Once a month	Once a week	Daily	Constantly
g. How often are you intoxicated from alcohol?	1	2	3	4	5
h. How often do you use marijuana?	1	2	3	4	5
i. How often do you use prescription medications and/or opiates to get high (e.g., pain killers, oxys, morphine, heroin)?	1	2	3	4	5
j. How often do you use cocaine, amphetamines and/or methamphetamines?	1	2	3	4	5
k. How often do you use inhalants to get high (e.g., gases, solvents)?	1	2	3	4	5

	Never	Once a month	Once a week	Daily	Constantly
I. How often do you use other drugs? (e.g., cough/cold medication, hallucinogens, bath salts)	1	2	3	4	5

33. Does your current partner/spouse have an alcohol, drug, and/or substance problem?

☐ No ☐ Yes ☐ I don't currently have a partner/spouse

34. Have you ever been fired from a job because you were intoxicated or high, since you were 18? ☐ No ☐ Yes

35. Were you ever not allowed to participate in a community activity (example: a hunt, a dance) because you were intoxicated or high, since you were 18? ☐ No ☐ Yes

36. Have you overdosed or blacked out from too much alcohol/drugs, since you were 18? ☐ No ☐ Yes

37. Have you ever been in a physical fight because you were on drugs or drinking, since you were 18? ☐ No ☐ Yes

38. Have you ever been hurt (physically) while you were intoxicated or high, since you were 18?
☐ No ☐ Yes

39. Have you ever been diagnosed with Fetal Alcohol Spectrum Disorder (FASD³²)?
☐ No ☐ Yes ☐ I don't know

40. Of the people in your life (family/friends), how many are intoxicated more than 3 days of the week?

1	2	3	4	5
None of them	Few of them	Some of them	Most of them	All of them

The following section asks questions about your views about justice and the justice system.

Please indicate how much you agree or disagree with each of the following statements:

	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
41. The rules of the police and courts are made for non-Aboriginal people, not Aboriginal people.	1	2	3	4	5

³² Fetal Alcohol Spectrum Disorder (FASD) is a general term that describes a range of disabilities that may affect a child if the child's birth mother drank alcohol while she was pregnant.

	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
42. The government cannot be trusted to treat Aboriginal people fairly.	1	2	3	4	5
43. If I was a victim of a crime, I would trust the police to help me.	1	2	3	4	5
44. The criminal justice system is racist against Aboriginal people.	1	2	3	4	5
45. In my community, we look out for ourselves and don't want outsiders to cause trouble.	1	2	3	4	5
46. My Aboriginal heritage provides me with a strong sense of right and wrong.	1	2	3	4	5

The following section asks questions about your experiences of discrimination or racism, from 18 years of age to present. These questions may bring up painful memories, so please let your PO know if you need any support during or after answering these questions.

47. Have you ever been treated unfairly/discriminated against because you are an Aboriginal person?

☐ No ☐ Yes

If 'No' to #47, please skip to question #50

48. How often are you treated unfairly because you are an Aboriginal person, in each of the following situations?

	Never	Hardly Ever	Sometimes	Often	Very Often
f. At work or at school?	1	2	3	4	5
g. At home, by neighbours or at somebody else's house?	1	2	3	4	5
h. By the police, security guards, lawyers or other people who work in the courts?	1	2	3	4	5
i. By people at restaurants, hospitals, stores, banks, in taxis or when getting other services?	1	2	3	4	5
j. By other Aboriginal people?	1	2	3	4	5

49. When you are treated unfairly because you are an Aboriginal person, how often do you:

	Never	Hardly Ever	Sometimes	Often	Very Often
a. Ignore it, forget about it, or accept it as a fact of life?	1	2	3	4	5
b. Talk to family/friends about it, or write, draw, sing or paint about it?	1	2	3	4	5
c. Feel ashamed, humiliated, anxious or fearful?	1	2	3	4	5
d. Feel angry, annoyed or frustrated?	1	2	3	4	5
e. Feel powerless, hopeless or depressed?	1	2	3	4	5
f. Get a headache, upset stomach, tense muscles, or a pounding heart?	1	2	3	4	5

Please indicate how much you disagree or agree with each of the following statements:

	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
50. I feel accepted by other Aboriginal people.	1	2	3	4	5
51. Aboriginal people have less opportunities than other Canadians.	1	2	3	4	5
52. I am proud that I am Aboriginal.	1	2	3	4	5
53. I have confidence in the teachings of the Elders.	1	2	3	4	5
54. I look to my Aboriginal heritage for direction in my life.	1	2	3	4	5
55. There is almost never anything good about Aboriginal people in the media (TV, online, newspapers, etc.).	1	2	3	4	5
56. I feel that I do not belong or fit within the "larger/mainstream society" because I am Aboriginal.	1	2	3	4	5

57. Do the people you spend time with know that you are Aboriginal?

1	2	3	4	5
No, hardly anybody	No, not many	Some	Yes, most	Yes, everyone

58. Do you think people can identify that you are Aboriginal by your appearance (example: physical features, clothing, etc.)? ☐No ☐Yes

59. In the last 12 months, did you participate in any traditional Aboriginal activities/ceremonies (examples: smudges, drumming, traditional dancing, hunting/fishing etc.)? ☐No ☐Yes

On a scale of 1 (*Not at all*) to 5 (*Yes, very much*), please circle the answer that best represents how you think/feel about the following statements:

60. Participating in traditional Aboriginal cultural/spiritual activities is an important part of my life and who I am.	Not at all 1	No 2	Sort of 3	Yes 4	Yes, very much 5
61. I feel that my Aboriginal identity/culture has been stolen from me.	Not at all 1	No 2	Sort of 3	Yes 4	Yes, very much 5
62. I feel connected with my Aboriginal cultural background/heritage.	Not at all 1	No 2	Sort of 3	Yes 4	Yes, very much 5
63. I have access to Aboriginal activities/groups to keep my cultural identity strong.	Not at all 1	No 2	Sort of 3	Yes 4	Yes, very much 5

Appendix G

Culturally-relevant Factors Questionnaire (Ojibway)

**Nando'gikenjigaade ge'wiji'ogowaaj Anishinaabeg Dakonigowi
Ganawendagoziwining**

Ba'gidinidizowi Mooshkinebii'igan

Owe inwaade ba'gidinidizowi moshkinebii'igan debwe ji'nisido'taman enwaadeg nandogikenjigewin, ji'dagwii'an, gaye ji'ayagaadeg wiindamaagewin ji'gikendaman gegiin omaa ji'dagwii'an nandogikenjigewining.

Wegonen enwadeg owe nandogikenjigewin?

Wiikagwejimawag anishinaabeg aaniin ezhigikendamowaaj gaa'anishinaabewiwaaj jiizhi babaamiziwaaj onaakonigewining. Ji'nisidawenjigaadeg andi gaa'onji gashkidowaaj gaye gaa'onji gashkitoosigwaa anishinaabeg gii'baminamowaaj dazhiikewining ga'biminaagaji'awaaj omamaazhiin weweni ji'wiji'iwemaganig. Megwa noongom aapiji bangii ningikendaamin aaniin ezhise'igowaaj anishinaabeg onaakonigewining gaa'izhisewaaj. Giishpin dash wiitabaajimoyan ninga'wiji'gomin aaniin ezhise'igoyan onaakonigewining gaye godagiyag anishinaabeg gagii'mamazhiwaaj dazhiikewining gaa'bimiganawendaagoziwaaj. Gii'ozhichigaade gagwejimiwewinan jinakwedoowaaj anishinaabeg dedibaa Canada akiing ga'anokiiwaaj onaakonige anokiiwining. Gagwejimiwewinan gii'ozhibii'igaadewan ji'nakwetoowaaj anishinaabeg aaniin ezhise'igowaaj onaakonigewining. Gegiin omaa dagwii'an dagichiinabandan genoonji wiidokigaadeg dazhiikewining gaganawendagoziwaaj omamaaziig ge'ani wiji'igowaaj anishinaabeg wedi niigaan.

Wenen anokaadang owe nandogikenjigewin?

Niin Leticia Gutierrez nindizhikaaz, nimbimi gikinomaagoz Carleton University Ottawa, dago nindanokii gaanando'gikenjigadeg mamow ayangwaminigewin. Giishpin gegoon wiikagwedweyan gemaa migoshkadendaman owe onji nandogikenjigewin, bi'ganoonishin omaa [REDACTED], gemaa ozhibii'amawishin omaa [REDACTED]. Giishpin danendami'igoyan ga'ananokaadeg owe nandogikenjigewin, kanoozh Dr. Shelley Brown (Chair, Carleton University Ethics Committee, 613-520-2600 ext. 1505, Shelley.Brown@carleton.ca).

Aaniin gezhi gagwejimigooyaan ji'dodamaan?

Giinigo ga'onendaan wiitagwii'an omaa nandogikenjigewining. Giishpin wiitagwii'an, gagagwejimigoo jinakwetoo'an anishinaabe bimaadiziwi izhisewinan gagwejimiwewinan. Bebakaan gezhigagwejimigoo gi'bimaadiziwining, odaanaang gaye noongom gaabi bimaadizi'an. Giinigo ganakwetonan, gidaa wiidookawig gaa'bimi ganawenimik, gemaa awiya gaadebagenimaj. Gagagwejimigoo jibagidinaman jiwaabanjigaadeg gidibaajimowin gaye jibimi nagajichigaadeg eniizhisegwen gidazhiikewining ganawenjigewin anokiiwin.

Aandi gedazhi dojigaadeg nandogikenjigewin?

Gagagwejimigoo jinakwetaman anishinaabe bimaadiziwi izhisewinan gagwejimiwewinan megwaa apii waabamik gidazhiikewining naagajichigewi anokii'agan.

Aaniin gedoojigaadegin nindibaajimowinan?

Gidibaajimowinan gaagii pagidinaman gaye gaagii pagidinishiyan jiwaabandamaan da'ayangwami ganawendagwan gaye wiineta oga'waabandaan mayaa gaa'nandogikenjigej (Leticia Gutierrez), giishpin eta gaa'bimi naagaji'ik naagajichigewi anokii'agan inaj jiwaabandang. Giin ga'onendaan. Achiganing da'izhi gibaigaade gemaa mamakadaapikong. Da'ganwenjigaade baamaa ishkwa anokaadeg nandogikenjigewin danishwanaajichigaade.

Wegonen ezhi naniizaanak omaa dagwiinaaniwak?

Gaawin gegoon ge'onji naniizanak omaa dagwii'an nandogikenjigewining. Magizhwaa gagii onji mamikow gaagiipi maanzhise'an. Giishpin onji maanendaman megwaa gemaa ishkwa giizhipii'aman gagwejimiwewin, gagii onji waawidookaag naagajichigewi anokii'agan.

Ninga'gii noonde poonichige na omaa dagwii'aan?

Eya, giinigo ga'onendaan wiitagwii'an nandogikenjigewining. Bisaan igo gaawin gakina gakwedwewinan ganakwetoosiin, gemaa gidaa noonde boonichige. Wiinoonde boonichige'an, gagii andodamaage gidibaajimowin ji'gaasiipii'igaadegin.

Owe nandogikenjigewin gii'shabonigaade ji'maadanokaadeg omaa Carleton University Psychology Research Ethics Board.

Bagidinidizowin ji'dagwii' nandogikenjigewining:

Ninisidotaan enachigaadeg omaa gaawiitagwii'aan. Niinigo nindoonendaan ji'dagwii'aan gaye apii bigo ninga boonichige, gaawin ninga wiindasiin wegonen onji gaye gaawin gegoon ninga inagindamaagosiin. Ningii wiindamagoo gaye gagii tibiaajimayaan dagaajigaadewan awe eta mayaa ga'baminang nandogikenjigewin ogawabandaan. Nindozyhibii'odizowin, nimochi'ikidowin gemaa ni'zaginginjiiniwewin niwaabanda'iwe ji'dagwii'aan omaa nandogikenjigewining

Giishpin wii'mochi wiidamawaj gi'bagidinidizowin naagajichigewi anokii'agan gemaa zaginginjiiniwewin abajitoo'an, jaki'bi'an owe makak ☐

GEMAA:

Odoozyhibii'odizowin
Gawiitagwii'

Ezhinikaazoj Gawiitagwii'
(Ozyhibii'an)

Enakinzoj

Miigwech gaagii tagwii'an!

Bimaadiziwi Izhisewinan Gagwejiwewinan

Ge'izhichigeyan:

Bebakaan gegoonan gani gagwejimigoo gi'bimaadiziwining, odanaang gaye noongom gabimaadizi'an. Magizhwaa anind gegoonan gagiiwe mamikawendanan, bekaa bimidodan. Giishpin andawendaman wiiji'jigowin, gibichiin, gagweden ji'wiidokaagowan, wiindamow naagajichigewi anokii'agan. Giishpin wiinakwetasiwan anind gagwedwewinan gegowin nakwetanin. Gidebwewin gaye gagashkito'an ji'dibaajimoyan gichiinendaagwan omaa nandogikenjigewining gaye nimirwendaan gaagiitagwii'an.

Giinigo gadodaan, gawii'ig naagajichigewi anokii'agan, gemaa awiya gadebagenimaj. Naagajichigewi anokii'agan ga'dananokii' izhimooshkinebi'an gagwedwewinan, ji'onji wiiji'ik giishpin gegoon nisidotasiwan. Giishpin wiijiiniza'amaawishi'an ginakwechiganan, naagajichigewi anokii'agan gamiinig biinji'mazina'igan gezhibiina'aman omaa gaani ozhibi'igaadeg jiizhi biijiniza'amaagooyaan:

Leticia Gutierrez

Gidibaajimigowin

Gidizhinikaazowin: _____

Apii gagiinitaawigi'an: _____ / _____ / _____
(ENAGINZOJ/GIIZIS/GIKINOWINOWIN)

Ezhinikaazoj gabiminaagaji'ik: _____

Noongom Enangizoj: _____ / _____ / _____
(ENAGINZOJ/GIIZIS/GIKINOWINOWIN)

Aabajitoon owe gikinawajibi'igan (✓) makakoon nakwechige'an:

1. Aaniin ge'izhi nakwetoo'an gagwejiwewinan?

☐ Giinigo ☐ Gawii'ig anokii'agan ☐ Gawii'ig ga'debagenimaj

2. Aanenakanezi'an:

☐ Anishinaabe ☐ Wiisaakodewinini ☐ Inuit
☐ Godag (giishpin bakaan inakaaneziwin dapishkoo Anishinaabe, mayaa wiindan: _____)

3. Gi'nitaa anishinaabem na? ☐ Gaawin ☐ Eya

Giishpin eya, wegonen izhigiihwewin?: _____

4. Gidanishinaabewinikaaz na? ☐ Gaawin ☐ Eya

A. Giibi abinoojiishiwi'an/Oshkaadizi'an (0 akonaag 17 dasobiboone'an)

Gigagwejimigoo gegoonan gii'bi abinoojiishiwi'an gaye giibi oshkaadizi'an, gii'oshki nitaawigi'an akonaag 17 e'tasobibone'an.

Gigagwejimigoo gagiipi ombigi'igo'an gaye dazhiikewining gaagii dazhi ombigi'an.

5. Anezhinikaadeg dazhiikewining mayaa gaagiidazhi ombigian? _____
6. Wegonen dinowi dazhiikewining gaagii'izhidaayan, megwaa gii'bi ombigi'an?
 - ☐ Gichi odenaa (awashime 100,000 dashinaniwan)
 - ☐ Odenaasiwan (10,000 -100,000 dashinaniwan)
 - ☐ Dazhiikewinesing (gaawin ganage 10,000 dashinaniwan)
 - ☐ Ishkoniganing
 - ☐ Wiisaakodewininiwi dazhiikewining
7. Gigii izhidaa na ishkoniiganing gii'bi abinoojiishiwi'an gaye giibi oshkaadizi'an? ☐ Gaawin ☐ Eya
Giishpin eya #7 gagwejimiwewin:
 - a. Anendasobiboneyamban gagii izhidayan ishkoniiganing? _____
 - b. Gi'gii izhidaa na: ☐ Gaawin ganage 5 dasobiboone ☐ Awashime 5 dasobiboone
8. Megwaa giibi ombigi'an, weweni na gikii pami'igoo (miijim, gigishigan, ge'izhidayan)?
☐ Gaawin ☐ Eshkam ☐ Moozhak
9. Gikii naanoondeskade na gemaa gikii naanoondese gaabekaagaming gaminikwaadeg nibi?
☐ Gaawin ☐ Eshkam ☐ Moozhak
10. Gaagii izhidaayan na giimooshkine gemaa gii'piikoshkaa wakaa'igan?
☐ Gaawin ☐ Eshkam ☐ Moozhak
11. Gikiipi baapanise na izhichigewinan (odaminowinan, maajaawin) e'ozhooniyaamisiwan?
☐ Gaawin ☐ Eshkam ☐ Moozhak
12. Gikiipi ayagajii na gemaa gikiipi ayagaji'igo e'ozhooniyaamisiwan?
☐ Gaawin ☐ Eshkam ☐ Moozhak
13. Gikii onji wiidookaagoo na wiidokigewin gaabaminamowaaj, anami'ewigamigoon gemaa ogimaawi wiidokigewin (ashandinaan) ji'onji bimaaji'oyan? ☐ Gaawin ☐ Eshkam ☐ Moozhak
14. Gikii wiijidamaa na ganage bezhig gi'niigi'ig, gokom, gimishoomis, gi'doosis, gi'mishoomenzh akonaag 18 gii'an dasobibone'an? ☐ Gaawin ☐ Eya
15. Ganage na bezhig awiya gi'gii kanawenimig, egii shawenimik gaye weweni egii kanawenimik jibwaa 18 anidaso bibone'an? ☐ Gaawin ☐ Eya (bezhig awiya) ☐ Eya (awashime bezhig awiya)

Giishpin nakwedo'an eya #15 gagwejimiwewin, nakweton 'a' biinish 'e' jabashiish wenen maawach gaagii gichiinenimaj:

- a. Wenen gaagii kanawenimik (Gi'niigi'ig/gaagii nitaawigi'ik, gookom, gimishoomenzh, gi'misenz)? _____
- b. Gii'anishinaabewi na? ☐ Gaawin ☐ Eniwek ☐ Eya

- c. Gikii kikinomaag na gidanishinaabewaadiziwin gemaa gigii wiidoogaak ji'mikaman anishinaabe gikinomaagewin? ☐ Gaawin ☐ Eya
- d. Gikii nebiji bakewinig na jibwaa 18 anidasobibone'an? ☐ Gaawin ☐ Eya
i. Giishpin eya, aaniin etaso'bibooneyamban nitam gaa'bakewinik? Daso'biboone: _____ ☐ Manjisa
- e. Gayabi na gi'bimi waawiidoogaak noongom gaagiihigaag? ☐ Gaawin ☐ Eya
16. Gikii kanawendaagoz na maamawi ganawenimiwigamigong? ☐ Gaawin ☐ Eya ☐ Manjisa
Giishpin nekwedo'an gaawin #16 gagwejimiwigawining, #17 onji'maajitaan:
- a. Enendasobibone'an nitam ekanawendaagozi'an mamowi ganawenimiwigamigong? _____
- b. Aandasin mamowi ganawenimiwigamigong gaagii ayaayan? _____ ☐ Manjisa
- c. Gigii wabandaan na godagi'iwewin gemaa bishigwaji'iwewin ganawenimiwigamigong gaagii ayaayan? ☐ Gaawin ☐ wiikaa ☐ Eshkam ☐ Moozhak
17. Gigii kanawendaagoz na akawe ganawenimigoowining? ☐ Gaawin ☐ Eya ☐ Manjisa
Giishpin nekwedo'an gaawin #17 gagwejimiwigawining, #18 onji'maajitaan:
- a. Aandasin akawe ganawenimigoowining gaagii ayaayan? _____ ☐ Manjisa
- b. Aandasin akawe ganawenimigoowining e'anishinaabewij gaa'gii kanawenimik? _____
- c. Aanind na akawe ganawenimigoowining weweni gigii toodaagoo? ☐ Gaawin ☐ Eya
Giishpin eya,
i. Aaniin minigok gaagii ganawenimigooyan (dawate, giisis)? _____ ☐ Manjisa
ii. Ganage na bezhig gii'anishinaabewi gaagii kanawenimik? ☐ Gaawin ☐ Eya
- d. Aanind na akawe ganawenimigoowining gigii maazhi toodaagoo? ☐ Gaawin ☐ Eya
Giishpin eya,
i. Aaniin minigok gaagii ganawenimigoo'an (dawate, giisis)? _____ ☐ Manjisa
ii. Ganage na bezhig gaa'anishinaabewi gaagii kanawenimik? ☐ Gaawin ☐ Eya
iii. Gigii wabandaan na godagi'iwewin gemaa bishigwaaji'iwewin akawe ganawenimigoowining gaagii ayaayan? ☐ Gaawin ☐ wiikaa ☐ Eshkam ☐ Moozhak
18. Gikii nepiji odaapinigoo na nitaawigi'igoowining? ☐ Gaawin ☐ Eya
Giishpin nekwedo'an gaawin #18 gagwejimiwigawining, #19 onji'maajitaan:
- a. Endso'bibone'an gaa'nepiji odaapinigoo'an? _____ ☐ Manjisa
- b. Ganage na bezhig gii'anishinaabewi gaagii izhi'nepiji odaapinigoo'an? ☐ Gaawin ☐ Eya
- c. Gikii gikinomaagoog na gidanishinaabewaadiziwin gemaa gigii wiidookaagoog ji'mikaman anishinaabe gikinomaagewin? ☐ Gaawin ☐ Eya
- d. Gigii shawenimigoog na gaye weweni gigii kanawenimigoog? ☐ Gaawin ☐ Eya
- e. Geyaabi na giwaabamaag gaagii kanawenimikwaa? ☐ Gaawin ☐ Eya

Minawaa gani'gagwejimigoo giishpin gii'godagi'igowanen gemaa egii'kanawendagozi'an gikinomaadiigamigong gemaa godag gikinomaadiwining. Maagizhwaa gazanagendaan ji'nakwetaman ji'giuwemaamikawi'an. Akawe wii'kaakibichii'an gemaa ji'wiidookaago'an, wiindamow anokii'agan.

19. Gii' wabandaan na godagi'iwewin gemaa bishigwaji'iwewin gii'bi'ombigi'an? ☐ Gaawin wiikaa ☐ Eshkam ☐ Mooshak

Giishpin nekwedoyan 'Gaawin wiikaa' #19 gagwejimiwewining, #30 onji'maajitaan

20. Gii' wabandaan na godagi'iwewin gemaa bishigwaji'iwewin endaayan? ☐ Gaawin wiikaa ☐ Eshkam ☐ Mooshak
21. Gii' wabandaan na godagi'iwewin gemaa bishigwaji'iwewin megwe daawining gemaa awiyag gaa'gikenimadwaa? ☐ Gaawin wiikaa ☐ Eshkam ☐ Mooshak
22. Gi'gii kikenimaa na awiya jiizhiwinaaganiwij aakoziwigamigong e'gii'koda'gi'inj gemaa pishi'gwaaji'inj? ☐ Gaawin ☐ Bezhiig ☐ Niizhin ☐ Nisin gemaa awashime
23. Gi'gii kikenimaa na awiya egii'onji niboj e'gii'koda'gi'inj gemaa bishi'gwaaji'inj? ☐ Gaawin ☐ Bezhiig ☐ Niizhin ☐ Nisin gemaa awashime
24. Aanepiidaadiziyan nitam gii'waabandaman godagi'iwewin gemaa bishigwaji'iwewin? Dasobiboone: _____ ☐ Manjisa
25. Gi'gii koda'gi'igoo na gii'bi'ombigi'an? ☐ Gaawin ☐ Bezhiigwaa ☐ Niizhwaa ☐ Niswaa gemaa awashime
26. Gi'gii bishi'gwaaji'igoo na gii'bi'ombigi'an? ☐ Gaawin ☐ Bezhiigwaa ☐ Niizhwaa ☐ Niswaa gemaa awashime
- a. Gi'dinawemaagan na gaagii bishi'gwaaji'ik? ☐ Gaawin ☐ Eya
27. Aanepiidaadiziyan nitam gii'godagi'igooyan gemaa gii'bishi'gwaaji'igooyan? Dasobiboone: _____ ☐ Manjisa ☐ Gaawin wiikaa ningii' koda'gi'igoosiin/bishi'gwaaji'igoosiin
28. Gi'giipi maanendami'goo na gii'bi'ombigi'an? ☐ Gaawin ☐ Eya
29. Gi'giipi waawiidookaagoo na gaagiipi goda'gi'igooyan (gaganoozhiwewin, gichi'ayaa)? ☐ Gaawin ☐ Eya
30. Gi'gii kanawendaagoz na gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya

Giishpin nekwedoyan Gaawin #30 gagwejimiwewining, #43 onji'maajitaan

31. Aanepiidaadiziyan nitam gaagii andawi kanawendaagoziyan gikinomaadiigamigong gemaa nitam gaagii maajii gikinoomaagoziyan? Dasobiboone: _____ ☐ Manjisa
32. Aaniin mingok imaa gaagii yaayan gemaa gaagii gikinoomaagoziyan? Dasobiboone: _____
33. Gikii pagidinigoo na ji'anishinaabe'izhichige'an megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong (nookwezowin, anami'awin, godag)? ☐ Gaawin ☐ Eya
34. Gikii pagidinigoo na ji'anishinaabe'moyan megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong?

☐ Gaawin ☐ Eya ☐ Gaawin ga'nakwetoosiin (giishpin egii nitaa anishinaabemosiwan)

35. Aaniin aayapii ga'gii bagi'dinigoo'an ji'maawadisikwaa gi'dinawemaganag megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong?

1	2	3	4	5
Gaawin wiikaa	Gichi waawiikaa	Eshkam	Mooshak	Bizhishik

36. Gi'gii tibaakonigoo na (ganoonigoowin gemaa bakite'ogoowin) giishpin e'anishinaabemoyan, gemaa etoodaman gidanishinaabe izhichigewin? ☐ Gaawin ☐ Eya

37. Gi'gii kodagi'igoo na megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya

- Bakite'ogoowin? ☐ Gaawin ☐ Eya
- Ke'onji gagwaadagenimoyan? ☐ Gaawin ☐ Eya
- Gi'gii pishigwaaji'igoo? ☐ Gaawin ☐ Eya

38. Gi'gii wabange na ekodagi'indwaa godagiyag megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong?

☐ Gaawin ☐ Ganage bezhigwaa ☐ Awashime bezhigwaa ☐ Baatiinwaa

39. Aaniin gaa'inendaman megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong?

1	2	3	4	5
Giigichi maanendaagwan	Giimaanendaagwan	Gaawin gegoon	Gii'minwendaagwan	Giigichi minwendaagwan

40. Andaswaa emamikawendaman gaagiipiizhiseyan megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong?

1	2	3	4	5
Gaawin wiikaa	Gichi waawiikaa	Eshkam	Mooshak	Bizhishik

41. Gi'minikwe na, gi'mashkikiike na, gemaa godag gegoon e'ka'gwe waniike'an gaagiizhiseyan megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya

42. Gi'giipi wiidookaagoo na gaagiizhiseyan megwaa gii kanawendaagozi'an gikinomaadiigamigong gemaa godag gikinomaadiigamigong (gaganoozhiwewin, gichi'ayaa)? ☐ Gaawin ☐ Eya

43. Aaniin minigok gaa'gii akoshkaayan gikinomaagewining?

Akoshkaawin: _____

☐ Gaa'ishpaag Giki'nomaagewin (college, university)

44. Gi'kii poonitoo na gi'gikinomaagoowin? ☐ Gaawin ☐ Eya

Giishpin eya,

- Gi'kii poonitoo na gi'gikinomaagoowin ji'bami'aj gi'dinawemaagan? ☐ Gaawin ☐ Eya
- Gi'kii poonitoo na gi'gikinomaagoowin e'sanagag jiizhaayan (waasawan, niibiwa inakinde) ☐ Gaawin ☐ Eya

- c. Gi'kii poonitooon na gi'gikinomaagoowin izhi' gikinomaagewin gaawin gegoon inaabadasinoon ji'wiidookaagoyan ji'bimaaji'owaageyan? ☐ Gaawin ☐ Eya
- d. Gi'kii poonitooon na gi'gikinomaagoowin godag gegoon onji? Mayaa wiindan:

Gani'gagwejimigoo aaniin ezhi'se'igoyan gegoon gaa'ojaanimi'igoyan. Maagizhwaa ga'onji giwe maamikaw odaanaag gidizhisewinan, wiindamow anokii'agan andawendaman wiidookaagowin.

45. Giibi'ombigiyen, apii gi'ojaanimendaman gemaa migoshkadendaman, andaswaa gaagii:

	Gaawin wiikaa	Gichi waawiikaa	Eshkam	Mooshak	Bizhishik
a. Minikweyan gemaa mushkikiigeyan biinish ji'giwashkwebiiyan?	1	2	3	4	5
b. Gaa'wisaga'odisoyan (giishkishodiso, jaagisodiso)?	1	2	3	4	5
c. Gaagii maamiigaaniweyan?	1	2	3	4	5
d. Gaagii wiindamawaj gaadebagenimaj (wijjiwaagan, gichi'ya'aa)	1	2	3	4	5
e. Gaagii mazinibii'ige'an, ozhibii'ige'an, niimiyen, nookwezoyan e'onji wiidookaazoyan?	1	2	3	4	5

46. Gi'gii pi'gagwe nisidiz na jibwaa 18 ani dasobibooneyan? ☐ Gaawin ☐ Eya

47. Gi'giipi wani'aa na nisidizowining gaa'saa'gi'aj jibwaa 18 ani dasobibooneyan? ☐ Gaawin ☐ Eya

Gani'gagwejimigoo giipi abajitoowanen gagiiwashkweshkaagemagakin, minikweyan, mashkikiin gaye godagiyen, jibwaa 18 ani dasobiboneyan.

48. Anepiitaadiziyen enimaajii minikweyan? Apiitaadizi: _____ ☐ Gaawin ningii piminikwesiin

49. Anepiitaadiziyen enimaajii mashkikikeyan? Apiitaadizi: _____ ☐ Gaawin ningii pimashkikiikesiin

50. Gakinwezh na giigii minikwe, mashki'kiike ji'giwashkwebiiyan jibwaa 18 gaani dasobibooneyan? ☐ Gaawin ☐ Eya

Giishpin eya,

- a. Aaniin minigok apiich? ☐ Dasogiisis ☐ Dasobiboon

51. Gi'gii bagidinigoosigoo na ji'dagwi'an mamow izhiigewining (gii'andawenjiganiwak, nimiwining) betoozh ekiwashkwebii'an gemaa e'kiwashkwezoyan? ☐ Gaawin ☐ Eya

52. Gii saagidaakonigoo na gigikinomaagowining betoozh ekiwashkwebii'an? ☐ Gaawin ☐ Eya

53. Gii ozaami mashkikiike gemaa gii wanaakizige? ☐ Gaawin ☐ Eya

54. Gii miigaaz na megwaa gii washgwebiiyan gemaa gii washkwesoyan? ☐ Gaawin ☐ Eya

55. Gii onji wiisagishin na megwaa gii washgwebiiyan gemaa gii washkwesoyan? ☐ Gaawin ☐ Eya

Gani'gagwejimigoo gaagiipi nagishkaman majenjigewin, jibwaa 18 dasobiboneyan. Maagizhwaa ga'onji giiwe maamikaw odaanaag gidizhisewinan, wiindamow anokii'agan andawendaman wiidookaagowin megwaa gemaa ishkwaa nakwechigeyan.

56. Gii pi onji maazhidodaagoo na e'anishinabewiyan? ☐ Gaawin ☐ Eya
Giishpin Gaawin nekwedoyan, #59 onji'maajitaan

57. Andaswaa gaagiipi maazhidodaago'an e'anishinabewiyan, omaa bepezhig izhisewinan?

	Gaawin wiikaa	Gaawin wiikaa gega	Eshkam	Mooshak	Gega mooshak
a. Anokiiwining gemaa gikinomaagewining?	1	2	3	4	5
b. Ezhidayan, wiiji'dazhiikemaaganag gemaa awiya odaawining?	1	2	3	4	5
c. Dakoniwewinini, ga'ganawenjigej, giigidotamaage gemaa godag gaa'anokii' dibaakonigewining?	1	2	3	4	5
d. Wiisiniwigamigong, aakoziwigamigong, adaawewigamigong, zhooniyawigamigong gemaa godag anokiiwining?	1	2	3	4	5
e. Godag anishinaabeg?	1	2	3	4	5

58. Apii gii'maazhi'doodaago'an e'anishinabewiyan, andaswaa gaagii:

	Gaawin wiikaa	Gaawin wiikaa gega	Eshkam	Mooshak	Gega mooshak
a. Bisiskendasiwan, waniikendaman gemaa gi'dinedaan onjida ezhisege?	1	2	3	4	5
b. Wiindamaage'an, ozhibi'aman, nagamotoo'an, mazinibi'aman?	1	2	3	4	5
c. Ga'ayagajii'an, migoshkaajii'igoyan gemaa segi'igoyan?	1	2	3	4	5

d. Gaagii'nishi'igoyan gemaa migoshkadendaman?	1	2	3	4	5
e. Gaagii onji gichi maanendaman?	1	2	3	4	5
f. Gaagii onji aakoziyan?	1	2	3	4	5

59. Gagwejiwewinan 'a' akonaag 'k', onjimaajitoon: "Giibi ombigiyaan, ningii..."

"Giibi ombigiyaan, ningii..."	Gaawin wiikaa	Gichi waawiikaa	Eshkam	Mooshak	Bizhishik
a. ...wiindamaagoo jimajeminigooyaan e'anishinaabewiyaan.	1	2	3	4	5
b. ...gikinomaagoo apii onji majenimigooyaan, ji'bisiskendasiwaan.	1	2	3	4	5
c. ... gikinomaagoo apii onji majenimigooyaan, ji'nakwiyaan (jikiikaamag, jimiigaanag).	1	2	3	4	5
d. ... gikinomaagoo apii onji majenimigooyaan, ji'wiindamawag gadebagenimag aaniin enishkaagoyaan.	1	2	3	4	5
e. ...ayangwamimigoo weweni jiinaadiziyaan weweni ji'dodaagooyaan.	1	2	3	4	5
f. ...ayangwamimigoo ji'bizaanichige'aan meshkoj dakoniwewininiikaang weweni ji'dodaagooyaan.	1	2	3	4	5
g. ... gikinomaagoo nindanishinaabewin ekichiinendaagwak.	1	2	3	4	5
h. ... gikinomaagoo ji'gichiinendamaan e'anishinaabewiyaan.	1	2	3	4	5
i. ... gikinomaagoo gaye wiindamagoo anishinaabe izhichigewinan.	1	2	3	4	5
j. ...niwiji'igoo ji'gikendamaan me'ozha anishinaabe dibaajimowinan.	1	2	3	4	5
k. ... izhaa gaazhi gikinawaajichigaadegin me'ozha anishinaabe izhichigewinan.	1	2	3	4	5

60. Gi'gii wijitwaa na gemaa aa'izhaa anishinaabe izhichigewinan megwaa gi'bi ombigiyan (nookwesowin, dewe'igewin, niimiwin, andawenjigewin, godag)? ☐ Gaawin ☐ Eya

Giishpin eya #60:

a. Aanepiitaadiziyan nitam giimaajitaayan omaa izhichigewinan? _____

B. Gaganawenjigewaaj/Oniigi'igomaag

Minawaa gani'gagwejimigoo gaagiipizhi gikenimadwaa gaagiipi ganawenimikwaa/gi'niigi'igoog gaye gidinawemaganag.

1. Giniigi'igoog na gii kanawendaagoziwag gikinomaadiigamigong gemaa godag gikinomaadiigamigong?

☐ Gaawin	☐ Eya (gakina)
☐ Eya (nimama eta)	☐ manjisa nimama gakanawendaagozigwen gikinomaadiigamigong gemaa godag gikinomaadiigamigong
☐ Eya (nibaba eta)	☐ manjisa nibaba gakanawendaagozigwen gikinomaadiigamigong gemaa godag gikinomaadiigamigong
2. Gookomag gaye gimishoomag na gii kanawendaagoziwag gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya ☐ Manjisa
3. Gidoozisag gaye gimishoomenzhag na gii kanawendaagoziwag gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya ☐ Manjisa
4. Giiizhaanag na gii kanawendaagoziwag gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya ☐ Manjisa
5. Gidinawemaaganag na gii'koda'gii'aawag (bakite'ogoowin, bishigwaaji'igoowin gemaa godagimigowin) megwaa gii kanawendaagoziwag gikinomaadiigamigong gemaa godag gikinomaadiigamigong? ☐ Gaawin ☐ Eya ☐ Manjisa
6. Gidinawemaaganag na gaagii kanawendaagoziwag gikinomaadiigamigong gemaa godag gikinomaadiigamigong giiwiidookawaganiwag gagiipi godagi'indwaa? ☐ Gaawin ☐ Eya ☐ Manjisa
7. Giniigi'igoog, gidoozisag, gimishoomenzhag, gookomag gaye gimishoomag gemaa giiizhaanag oginepiji odaapinigowaan aabinoojiishigimaan? ☐ Gaawin ☐ Eya ☐ Manjisa
 - a. Giishpin eya, gikinawaajibi'an wenen:

☐ Nimama	☐ Nindoozis (ag)	☐ Niiizhaan (ag)	☐ Nokom (ag)
☐ Nibaba	☐ Nimishoomenz (ag)	☐ Niiizhaan (ag)	☐ Nimishoom (ag)
8. Gi'mama na giminikwe, giimashkikiike gemaa godag megwaa gii gigishkawik? ☐ Gaawin ☐ Eya ☐ Manjisa
9. Megwaa giibi ombigiyan, gaagiipi ganawenimikwaa na gii'minikwewaapinewag gemaa mashkikiikewaapinewag?

☐ Gaawin	☐ Eya (minikwewin eta)	☐ Eya (Mashkikiikewin eta gemaa godag gegoon)	☐ Eya (minikwewin, Mashkikiikewin gaye godag gegoon)
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C. Gichi'aawaadiziwin (18 biinish noongom)

Gani'gagwejimigoo gegoonan gi'bimaadiziwining 18 gi'ani dasobiboneyan biinish noongom.

Ga'gawejimigoo gi'dazhiikewining gaa'izhidaayan noongom gaye gegoonan gii'ondinaman dabishkoo gabeshiwin, mijim gaye godagiyan gaa'aabajitooyan.

10. Aanezhinkaadeg dazhiikewin gaa'izhidaayan? _____

11. Apii gii'dakonigooyan, aandi eneke dazhiikewining endaayamban (*bezhig jakibii'an*)?

- ☐ Gichi odenaa (awashime 100,000 dashinaniwan)
☐ Odenaasiwan (10,000-100,000 dashinaniwan)
☐ Dazhiikewinesing (gaawin ganage 10,000 dashinaniwan)
☐ Ishkoniganing
☐ Wiisaakodewininiwi dazhiikewining

12. Aandasin bebakaan dazhiikewinan gaagii izhidaayan minigok gaa'bimaadiziyan?

Dasin: _____

13. Gigii izhidaa na ishkoniganing 18 gii'ani dasobiboneyan biinish noongom? ☐ Gaawin ☐ Eya

14. Megwaa na gidizhidaa ishkoniganing? ☐ Gaawin ☐ Eya

15. Wiindan minigok debwetaman gemaa debwetasiwan bepezhig ikidowinan:

	Niibiwa gaawin nindebwetasiin	Gaawin nindebwetasiin	Gaawin gegoon ninga ikidosiin	Nindebwetaa n	Niibiwa Nindebwetaa n
a. Nindebwetaan e'kidaabadiziyaan nindazhiikewining.	1	2	3	4	5
b. Nintazhiikewining anokaade ji'ani minoyaaniwak me'ozha gaa'giipi onji maanzhisenaaniwak.	1	2	3	4	5
c. Ayaawag anishinaabe niigaanitamaageg nindazhiikewining ge'wiidookawishiwaaj .	1	2	3	4	5
d. Nindebwetaan gaa'inaanokiyaan nindazhiikewining ekichiinenjigaadeg.	1	2	3	4	5
e. Nindazhiikewining mashkawiziiwag gaaniigaaniitamaage anokiwaaj.	1	2	3	4	5

16. Megwaa na gidebise zhooniyaa ge'onji wiidookaazoyan (miijim, gigishkigan, gaa'izhidayan)?

- ☐ Gaawin ☐ Eshkam ☐ Moozhag

17. Megwaa na gidizhidaa e'mooshkineg gemaa e'piikoshkaag wakaa'igan?

- ☐ Gaawin ☐ Eya

18. Gi'naanoondeskaade na gemaa gi'naanoondese gaabekaagaming gaminikwaadeg nibi?

☐ Gaawin ☐ Eshkam ☐ Moozhag

19. Gidoonji wiidookaagoo na wiidokigewin gaabaminamowaaaj, anami'ewigamigoon gemaa ogimaawi wiidokigewin (ashandinaan)? ☐ Gaawin ☐ Eya

Miinawaa gani gagwejimigoo gaagiipiizhiseyan gidanokiiwining.

20. Sanagan na jigii mikawanokiiwaaj awiyag gi'dazhiikewining? ☐ Gaawin ☐ Eya

21. Sanagan na jigii mikawanokiiyan gi'dazhiikewining? ☐ Gaawin ☐ Eya

Giishpin eya, sanagan na ji'mikawanokiinaaniwak owe onji:

- a. Gaawin ginitaawibii'igesiin gemaa ginisidawinasiin ozhibii'igan? ☐ Gaawin ☐ Eya
- b. Gaawin ayaasii ge'onji bimi'ayaayan (gaawin bimibisosiin odaabaan, gaawin diba'asiin waasigan)? ☐ Gaawin ☐ Eya
- c. Godag gegoon onji? Mayaa wiindan:

22. Sanagan na ji'mikawanokiiyan gemaa ji'anokiiyan e'majenimikwaa anokiiwigimaag gemaa wiidanokiimaaganag? ☐ Gaawin ☐ Eya

23. Megwaa na gidanokii? ☐ Gaawin ☐ Eya

- a. Megwaa na eta gii'anokiiwinikaag gidanokii? ☐ Gaawin ☐ Eya

Giishpin eya,

- i. Bebakaaniziwag na anokiiwigimaag daswaa gaa'ani anokiiyan gii'anokiiwinikaag? ☐ Gaawin ☐ Eya

24. Niibiwa na gidanokii gaa'izhi ondiziwiniwasinog e'onji ga'gwe bimaaji'oyan gaye gidinawemaganag (andawenjigewin, bagidawawin, mazinibii'igewin)? ☐ Gaawin ☐ Eya

Giishpin eya,

- a. Gabe'ii na gidinanokii owe megwaa eta gii'anokiiwinikaag (75% gemaa awashima megwaa gii'anokiiwinikaag)? ☐ Gaawin ☐ Eya

Gani'gagwejimigoo aaniin ezhi'se'igoyan gegoon gaa'ojaanimi'igoyan. Maagizhwaa ga'onji giawe maamikaw odaanaag gidizhisewinan, wiindamow anokii'agan andawendaman wiidookaagowin.

25. Gigii wiindamaagoo na enaapineyan gichi ozaamendamosewin inaapinewin (PTSD)?

☐ Gaawin ☐ Eya ☐ Manjisa

26. Gi'debwetaan na enaapineyan gichi ozaamendamosewin inaapinewin (PTSD)? ☐ Gaawin ☐ Eya

27. Gigiipi gagwe nisidiz na 18 gii'dasobibooneyan biinish noongom? ☐ Gaawin ☐ Eya

28. Gi'giipi wani'aa na nisidizowining gaa'saa'gi'aj 18 gii'dasobibooneyan biinish noongom?

☐ Gaawin ☐ Eya

29. Apii gii'ojaanimendaman gemaa migoshkadendaman, andaswaa gaagii:

	Gaawin wiikaa	Gichi waawiiikaa	Eshkam	Mooshak	Bizhishik
a. Minikweyan gemaa mushkikiigeyan biinish ji'giiwashkwebiiyan?	1	2	3	4	5
b. Gaa'wisaga'odisoyan (giishkishodiso, jaagisodiso)?	1	2	3	4	5
c. Gaagii maamiigaaniweyan?	1	2	3	4	5
d. Gaagii wiindamawaj gaadebagenimaj (wijiwaagan, gichi'ya'aa)	1	2	3	4	5
e. Gaagii mazinibii'ige'an, ozhibi'ige'an, niimiyen, nookwezoyan e'onji wii'dookaazoyan?	1	2	3	4	5

Gani'gagwejimigoo giipi abajitoowanen gagiiwashkweshkaagemagakin, minikwewin, mashkikiin gaye godagiyan.

30. Gi'mamaanjigonigon na gegoon gaabi odaapinaman?

- ☐ Gaawin ☐ Eya (minikwewin eta) ☐ Eya (Mashkikiikewin eta gemaa godag gegoon)
☐ Eya (minikwewin, mashkikiikewin gaye godag gegoon)

31. Gi'dinenimigoog na awiyag (gidinawemaaganag, giwijiwaganag) e'mamaanjigonigoyan gegoon gaa odaapinaman? ☐ Gaawin ☐ Eya

32. Gakinwezh na gigiipi minikwe, mashki'kiike ji'giiwashkwebiiyan? ☐ Gaawin ☐ Eya

Giishpin eya #32:

- a. Aaniin minogok owe gaa'izhichigeyan? ☐ Dasogiisis ☐ Dasobiboon
b. Aaniin apiich iwe? ☐ 5-10 dasobiboon odaanaang ☐ Akonaag 12 dasogiisis odaanaang

Megwaa 12 dasogiisis odanaang, apii giidawiseyan:

	Gaawin wiikaa	Bezhigwa bezhigogiisis	Bezhigwa bezhigodawate	Dasogon	Nepij
a. Andaswaa ekiwashkwebiiyan giiminikweyan?	1	2	3	4	5
b. Andaswaa abajitooyan giwashkwenoozowin?	1	2	3	4	5
c. Andaswaa abajitooyan wiisagendamomashkikiin ji'giiwashkwezoyan?	1	2	3	4	5
d. Andaswaa e'ayaabajitooyan biinisaakizige mashkikiin gemaa godag dino mashkikiin?	1	2	3	4	5
e. Andaswaa e'ayaabajitooyan ikwanaanjigewin?	1	2	3	4	5
f. Andaswaa e'ayaabajitooyan godag mashkikiin, agigokaa mashkiki, gaagiiwashkwezigemagak?	1	2	3	4	5

33. Giwiidigemaagan na minikwewaapine, mashkikiikewaapine gemaa godagiini?
☐ Gaawin ☐ Eya ☐ Gaawin megwaa nindowiigemaaganisiin
34. Gii onji webaakonigoo na e'kiwashkwebiiyan gemaa e'kiwashkwezoyan akonaag 18 giidasobibooneyan? ☐ Gaawin ☐ Eya
35. Gi'giibagidinigoosigoo na ji'dagwi'an mamow izhijigewining (gii'andawenjiganiwak, nimiwining) betoozh ekiwashkwebii'an gemaa e'kiwashkwezoyan akonaag 18 gii'bidasobibooneyan? ☐ Gaawin ☐ Eya
36. Gii ozaami mashkikiike gemaa gii wanaakizige akonaag 18 gii'bidasobibooneyan?
☐ Gaawin ☐ Eya
37. Giiimiigaaz na megwaa giiwashgwebiiyan gemaa giiwashkwesoyan akonaag 18 gii'bidasobibooneyan? ☐ Gaawin ☐ Eya
38. Gii onji wiisagishin na megwaa giiwashgwebiiyan gemaa giiwashkwesoyan akonaag 18 gii'bidasobibooneyan? ☐ Gaawin ☐ Eya
39. Gii igoo na enaapineyan megwaa gimama ekigishkawig egiiminikwej (FASD)?
☐ Gaawin ☐ Eya ☐ Manjisa
40. Aandasin awiyag ga'gikenimadwaa, ekiwashkwebiiwaaj awashime nisogon daso bezhigo dawate?

1	2	3	4	5
Gaawin bezhig	Agaasiinowag	Aanind	Baatiinowag	Gakina

Gani'gagwejimigoo aaniin enendaman onaakonigewi anokiwin.

Wiindan minigok debwetaman gemaa debwetasiwan bepezhig ikidowinan:

	Niibiwa gaawin nindebwetasiin	Gaawin nindebwetasiin	Gaawin gegoon ninga ikidosiin	Nindebwetaan	Niibiwa Nindebwetaan
41. Gaawin anishinaabeg ji'minose'igowaaj dakoniwe onaakonigewinan.	1	2	3	4	5
42. Gichi ogimaawin gaawin dagii debwetawaasiin weweni ji'dodawaaj anishinaaben.	1	2	3	4	5
43. Giishpin maazhi doodaagoyaan, ninga wiiji'ig dakoniwewinini.	1	2	3	4	5
44. Onaakonigewining onji majenimaawag anishinaabeg.	1	2	3	4	5
45. Ninganawenimidimin nindazhiikewining bakaan awiya jibi migoshkaajichigesig.	1	2	3	4	5

46. Nindanishinaabewin niwiidokaagon weweni jiizhi bimaadiziyaan.	1	2	3	4	5
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Gani'gagwejimigoo gaagiipi nagishkaman majenjigewin, 18 gaani dasobiboneyan biinish noongom. Maagizhwaa ga'onji giuwe maamikaw odaanaag gidizhisewinan, wiindamow anokii'agan andawendaman wiidookaagowin megwaa gemaa ishkwa nakwechigeyan.

47. Gagiipi onji maazhidodaagoo na e'anishinabewiyan?

☐ Gaawin ☐ Eya

Giishpin #47, #50 onjimaajitaan

48. Andaswaa gaagiipi maazhidodaagoyan e'anishinabewiyan, omaa bepezhig izhisewinan?

	Gaawin wiikaa	Gaawin wiikaa gega	Eshkam	Mooshak	Gega mooshak
a. Anokiiwining gemaa gikinomaagewining?	1	2	3	4	5
b. Ezhidayan, wiiji'dazhiikemaaganag gamaa awiya odaawining?	1	2	3	4	5
c. Dakoniwewinini, ga'ganawenjigej, giigidotamaage gemaa godag gaa'anokij dibaakonigewining?	1	2	3	4	5
d. Wiisiniwigamigong, aakoziwigamigong, adaawewigamigong, zhooniyawigamigong gemaa godag anokiiwining?	1	2	3	4	5
e. Godag anishinaabeg?	1	2	3	4	5

49. Apii gii'maazhi'doodaagoyan e'anishinabewiyan, andaswaa gaagii:

	Gaawin wiikaa	Gaawin wiikaa gega	Eshkam	Mooshak	Gega mooshak
a. Bisiskendasiwan, waniikendaman gemaa gi'dinedaan onjida ezhiseg?	1	2	3	4	5
b. Wiindamaageyan, ozhibii'an, nagamotooyan, mazinibii'aman?	1	2	3	4	5
c. Ga'ayagajii'an, migoshkaajii'igoyan gemaa segi'igoyan?	1	2	3	4	5
d. Gaagii'nishi'igoyan gemaa migoshkadendaman?	1	2	3	4	5
e. Gaagii onji gichi maanendaman?	1	2	3	4	5
f. Gaagii onji aakoziyan?	1	2	3	4	5

Wiindan minigok debwetaman gemaa debwetasiwan bepezhig ikidowinan:

	Niibiwa gaawin nindebwetasiin	Gaawin nindebwetasiin	Gaawin gegoon ninga ikidosiin	Nindebwetaan	Niibiwa Nindebwetaan
50. Anishinaabekaang mayaa nindoonjii.	1	2	3	4	5
51. Anishinaabeg gidimaagisewag biichiwin godagiyak Canadians gaa'inindwaa.	1	2	3	4	5
52. Ningichiinendaan e'anishinaabewiyaan.	1	2	3	4	5
53. Nindebwetamowaan gichi'a'aag ogikinomaagewiniwaa.	1	2	3	4	5
54. Nindaabajitoon nindanishinaabewin ge'izhiminoseyaan.	1	2	3	4	5
55. Gaawin gegaa wiikaa ji'minwaajimindwaa anishinaabeg gi'dazhimindwaa dibaajimowining.	1	2	3	4	5
56. Nindaanawendaagoz wemitogoozhiwi dazhiikewining e'anishinaabewiyaan.	1	2	3	4	5

57. Gii'wijiwwadwaa na awiyag ogikendaanawaa e'anishinaabewiyan?

1	2	3	4	5
Gaawin aapichi awiya	Gaawin baatiinosiwwag	Aanind	Eya, baatiinowag	Eya, gakina

58. Ginisidawinaagoo na e'anishinaabewiyan gaa'izhinaagoziyan (gidizhinaagoziwin, gaa'izhi'oyan)?
☐ Gaawin ☐ Eya
59. Akonaag 12 dasogiisis, gigii toodaan na anishinaabe izhichigewinan (nookwezowin, madwe'igewin, niimiwin, andawenjigewin)? ☐ Gaawin ☐ Eya**Abajitoon 1 (Gaawin ganage) biinish 5 (Eya, aapiji), waawiyebii'an gaa'inendaman i'kidowinan:**

60. Ni'wiidookaakon nimbimaadiziwin e'toodamaan anishinaabe izhichigewinan.	Gaawin ganage 1	Gaawin 2	Eniwek 3	Eya 4	Eya, aapiji 5
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61. Ningii makamigoo nindanishinaabe bimaadiziwin.	Gaawin ganage 1	Gaawin 2	Eniwek 3	Eya 4	Eya, aapiji 5
62. Ninbagakendaan nindanishinaabewaadiziwin	Gaawin ganage 1	Gaawin 2	Eniwek 3	Eya 4	Eya, aapiji 5
63. Dagwan anishinaabe izhichigewinan e'wiidookaagoyaan ji'mashkawiziyaan gaa'anishinaabewiyaan.	Gaawin ganage 1	Gaawin 2	Eniwek 3	Eya 4	Eya, aapiji 5

Nandogikenjigan mooshkinebii'igan

Wegonen gaa'wii kikendamaang omaa nandogikenjiganing?

Ni'wii kikendamin wegonen gaa'onji bakaanisewaaj gii'mamaazhiiwaaj anishinaabeg apii gii'dibaakonindwaa. Gaawin megwaa ji'gikenjigaadeg wegonen gaa'onji izhisewaaj anishinaabeg gii'dibaakonindwaa. Giishpin gikenjigaadenig gaa'onji izhisewaaj, mi'omaa weweni ge'gii onji wiidookawindwaaban anishinaabe dibaakonigewi naadamaagewining.

Wegonen e'onji gichiinendamowaaj oweni gakina awiyag?

Gaakii nandogikenjigaadeg giinaagwan megwaa gaa'bimi aabajichigaadegin gaa'naagaji'indwaa anishinaabeg gaagii mamaazhiiwaaj ge'anizhii wiiji'indwaa gaa'izhi anishinaabewiwaaj. Gaagii ondinigaadegin gegoonan omaa andogikenjigewining da'ondinigaadewan weweni ge'izhi wiidookawindwaa anishinaabeg gaagii mamaazhiiwaaj gaye weweni jizhisenig onadamaagoowiniwaa onaakonigewining.

Aaniin ge'izhichigeyaan onji migoshkaaji'igoyaan omaa andogikenjigewining?

Giishpin onji migoshkadendaman megwaa gemaa ishkwaaw giizhitooyan gaa'gii tagwiiyan andogikenjigewin, gagwejim anokii'agan ga'naaga'ji'ik gamiinig wenen geganonaj gewiiji'ik.

Aaniin giishpin geyaabi gegoon wiikagwedweyaan?

Geyaabi wii dazhindaman owe andogikenjigewin, ganoozh Leticia Gutierrez (Ga'ogimaawij) ogiigidowin: [REDACTED]; gemaa ozhibii'amow: [REDACTED].

Giishpin danendami'igoyan ga'ananokaadeg owe nandogikenjigewin, kanoozh Dr. Shelley Brown (Chair, Carleton University Ethics Committee for Psychological Research) ogiigidowin: 613-520-2600, ext. 1505; gemaa ozhibii'amow: shelley.brown@carleton.ca.

Owe nandogikenjigewin gii'shabonigaade ji'maadanokaadeg omaa Carleton University Ethics Committee for Psychological Research. Aabajitoon owe gikinawaadagindaason apii wiikanoonaj ga'abiitamaagej omaa Department gemaa ga'abiitamaagej Carleton University Ethics Committee for Psychological Research.

Geyaabi na gegoon giwiitibaadodaan?

Miigwech gaagii tagwii'an nandogikenjigewining!

የኃላፊ ጋራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን

20. የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
21. የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
22. የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
23. የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
24. ሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
25. ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
26. ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
 - a. የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
27. ሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
28. ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
29. ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
30. የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን

የሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
31. ሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን
32. ሥራ ልሳን ለ 19 ልሳን 30 ልሳን ልሳን ልሳን

44. ስላላው ህግ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

የሥራ ምንጭ

a. የህግ ስር ላይ ህግ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

b. የህግ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? (የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?)

c. የህግ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

d. የህግ ስር ላይ ለሆኑ ሁሉም ሁኔታዎች የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

ሥራ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

45. የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

	ሥራ ስር	የሥራ ስር	ሥራ ስር	የሥራ ስር	ሥራ ስር
a. የሥራ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?	1	2	3	4	5
b. የሥራ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? (የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?)	1	2	3	4	5
c. የሥራ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?	1	2	3	4	5
d. የሥራ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው? (የሥራ ምንጭ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?)	1	2	3	4	5
e. የሥራ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?	1	2	3	4	5

46. ስላላው ህግ ስር ላይ የሚገኝው የጥራት ደረጃ ምን ዓይነት ነው?

47. $\cdot \Delta^{\circ} b^{-} \quad a \quad p' \quad \triangleright r' \quad \cdot \Delta \sigma \Delta^{\circ} \quad \Delta \cdot \nabla a \quad b \quad \zeta p \Delta' \quad \nabla p \quad \sigma \cdot \Delta \cap r' \quad \triangleright r' \quad \cdot \langle L \rangle \quad \sigma \cdot \Delta \sigma \cdot \Delta \zeta \Delta \quad \wedge \rangle \sigma r' \zeta x$
 $\square \downarrow a \quad \square \nabla \nabla \backslash$

[illegible]

48. $\langle \sigma \nabla \Delta C \rangle \wedge \langle \sigma \nabla \Delta C \rangle \Delta^* \wedge b \Delta \cap \Delta \langle \sigma \nabla \Delta C \rangle \Gamma_a \Gamma_a b \Gamma \sigma \cdot b \sigma \cdot \Delta^* \nabla C \wedge \langle \sigma \nabla \Delta C \rangle$ _____
☐ $\Gamma_a \nabla \langle \sigma \nabla \Delta C \rangle b \Gamma \sigma \cdot b \sigma \cdot \Delta^*$

49. $C \sigma \nabla \Delta C) \wedge > \sigma r l y^2$ $\Delta^o \wedge b$ $< \nabla$ $< < r l y^2$ $L r$ $y d_{max}$ $\nabla C) \wedge > \sigma r l y^2$ _____
☐ J_{σ} $y r$ $< < r l y^2$ b $[\sigma : b \sigma : \Delta^o]$

50. $\neg \Delta^b \vdash a$ የየ $\Delta \vdash \Gamma$ ከ $\Gamma \vdash b$ ለ Γ ማጋራት ምክንያት $\Delta \vdash a$ የሚገኝበት (የ Δ የ Δ^b) የውጭ
 (ለ Δ^b ምክንያት $\Delta \vdash a$) $\vdash \Delta$ ማረጋገጥ ይቻላል። $\square$ $\square$

$\rho_5 \wedge \nabla \nabla \wedge$

a. $C_{\sigma} \Delta \sigma d^{\perp} \gg L_x$ $\square \Gamma \gamma \Delta \sigma^c$ $\square \Gamma \gamma \Delta \sigma^c$ $\Delta \sigma^c$

[illegible][illegible]

53. $\cdot \Delta^{\circ} b^{-}$ a pp $\triangleright \Delta \Gamma$ $\triangleright \Pi \tau^{\circ}$ $\tau^{\circ} C$ $\wedge d$ $\triangleleft \Delta^{\circ} \Delta^{\circ}$ ∇b b $P^{\circ} P^{\circ} \Delta^{\circ}$ $\cdot \nabla \Delta^{\circ}$ $\Gamma^{\circ} \Delta$ ∇ $\Gamma \sigma \cdot q \Delta^{\circ}$ $\tau^{\circ} C$ $\wedge d$
 $L \Gamma$ $\tau^{\circ} d \sigma a x$ $\square \Delta a$ $\square \nabla \nabla \Delta^{\circ}$

54. $\cdot \Delta^b - a \quad p p \quad L f b^3 \quad f q L \quad \nabla \quad \Delta < f C f^3 \quad L f \quad \textcircled{3} d_{p q} \quad \textcircled{b}^c \quad \Delta d \quad b \quad f \sigma \cdot b \sigma \cdot \Delta^x \quad \square \textcircled{J} a \quad \square \nabla \nabla^x$

55. $\cdot \Delta^b -$ α $\rho\rho$ $\triangleleft \cdot b \Delta d \cdot \Delta^3$ $\neg \cdot b -$ ∇ $\rho^u \cdot q \vee \zeta^3$ $\neg^c C$ $\wedge d$ b $\rho^u \cdot q \Delta d \zeta^3$ $q \cdot b^3_x$ $\square J_\alpha$ $\square \nabla \nabla \wedge$

[illegible]

56. $\neg \Delta^{\wedge} b^{\neg} \wedge \neg \Delta^{\wedge} \neg b^{\wedge} \wedge P^{\neg} \wedge \neg \Delta \neg C b^{\neg} \wedge \neg \neg C \wedge d \wedge b \wedge L \neg \sigma \neg \Gamma b^{\neg} \wedge \neg \neg q L \wedge \neg \Delta \neg \sigma \neg \Delta^{\wedge} \wedge d \wedge \neg \Gamma^{\neg}$
 $\neg \Delta^{\wedge} \neg \Delta^{\wedge} \neg$

ρ₅^Λ' J_Q 59 6.979J.Δ' ΔJ_U

57. $C^2C \nabla b \cdot b \wedge \Delta(Cb \cdot \Delta b) \wedge \Delta \sigma \sigma \cdot \Delta b \wedge d \triangleright \nabla \Delta \sigma \Delta \vee \nabla b \wedge \Delta \nabla \sigma \wedge U \nabla \Delta U \nabla$
 $b \text{ p } \Delta p p_x$

	ገጽ ልዩነት	የሥራ ልዩነት	ሰላም	ገንዘብ	ርዕስ
a. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
b. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
c. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
d. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
e. የሥራ ልዩነት ልዩነት	1	2	3	4	5

58. ልዩነት ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት

	ገጽ ልዩነት	የሥራ ልዩነት	ሰላም	ገንዘብ	ርዕስ
a. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
b. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
c. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
d. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
e. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5
f. የሥራ ልዩነት ልዩነት ለሥራ ልዩነት ልዩነት	1	2	3	4	5

59. ልዩነት ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት

ልዩነት ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት ለሥራ ልዩነት	ገጽ ልዩነት	የሥራ ልዩነት	ሰላም	ገንዘብ	ርዕስ
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- [illegible]

[illegible]

25. $\Delta^{\alpha\beta} = \frac{1}{2}(\gamma^\alpha \gamma^\beta - \gamma^\beta \gamma^\alpha) = \frac{1}{2}[\gamma^\alpha, \gamma^\beta]$
- ☐ Ja ☒ Vraag ☐ Ja 399900

26. $P' \vdash C \cdot VU \vdash \nabla \Delta \nabla \nabla \vdash \Delta \sigma L \vdash \Gamma \nabla \Gamma \cdot \Delta \vdash \Delta d \nabla \cdot \Delta \vdash \cdot \Delta \nabla \vdash b \vdash \Delta \nabla \cdot b \vdash \Delta \cap \nabla \nabla \cdot \square \vdash \square \vdash \nabla \nabla \nabla$

27. $\cdot \Delta^b - a$ PP dP^2 PR $\sigma < \Delta \cap P^b$ b $\sigma \leq a \cdot \Delta \leq \Delta$ $\Delta > \sigma P^b$ $\Delta \sigma^u$ $\Delta \sigma^x$ $\square \sqcup a$ $\square \nabla \nabla$

28. $\cdot \Delta^{\circ} b^{-} \quad a \quad p' \quad \triangleright \Gamma \quad \cdot \Delta^{\circ} \Delta^{\circ} \quad \Delta \cdot \nabla a \quad b \quad \zeta p \Delta' \quad \nabla p \quad \sigma < \Delta \cap p' \quad \triangleright \Gamma \quad \nabla \quad \sigma \vdash \omega \zeta \Lambda \quad \Lambda > \sigma' \zeta \Lambda \quad \Lambda \sigma^{\circ}$
 $\Delta \sigma^{-} x \quad \square \downarrow a \quad \square \nabla \nabla \backslash$

29. $\Delta^{\wedge} \Lambda$ ከ $\Gamma_5 \mathbb{P}^1(\mathbb{C})$ ጋር Λ_d ላይ ∇_b ሲገኝ Γ -ጥምር $\mathbb{C}^2 \times \mathbb{C}$ ላይ ከ $\Delta \mathbb{C}(\mathbb{C})$ ፣

	ጋፌ ልሳኔ	የየ ልሳኔ	ሳኔ	ገዢ	ርዕስ
a. ማህተም ለገንዘብ ማሳተፍ ለሚያስፈልግ የሚገኝ የገንዘብ ሰነድ ነው።	1	2	3	4	5
b. ማህተም ለገንዘብ ማሳተፍ ለሚያስፈልግ የሚገኝ የገንዘብ ሰነድ ነው። (ለሰነዱ ላይ ማህተም ማስፈን ያስፈልጋል)።	1	2	3	4	5
c. ማህተም ለገንዘብ ማሳተፍ ለሚያስፈልግ የሚገኝ የገንዘብ ሰነድ ነው። ማህተም ማስፈን ያስፈልጋል።	1	2	3	4	5
d. ማህተም ለገንዘብ ማሳተፍ ለሚያስፈልግ የሚገኝ የገንዘብ ሰነድ ነው። (ለሰነዱ ላይ ማህተም ማስፈን ያስፈልጋል)።	1	2	3	4	5
e. ማህተም ለገንዘብ ማሳተፍ ለሚያስፈልግ የሚገኝ የገንዘብ ሰነድ ነው። ማህተም ማስፈን ያስፈልጋል።	1	2	3	4	5

$\Delta\sigma_L$ б $\Delta\eta$ σ_{LU} $\Lambda^+p\bar{p}\eta$ б $q\bar{q}qJLb$ б $q\bar{q}q\Delta_a$ б ΔS p^+q^+CL б $q_b a$ б $\Delta\langle CP$ ΔS б $\Gamma\sigma_b\sigma\Delta$ $L\Gamma$ γd_{oa} π^+C dCP_b б $\Delta\langle CP_i$

30. $p' \triangleleft \sigma \Gamma \Delta d^3$ a $q \cdot b$ a b a $a^{\wedge} \triangleleft \Gamma \triangleleft \Gamma C \Delta^3$.

☐ጋጽ ☐የሃሳብ (ከ ገጽ-መጽሐፍ ላይ) ☐የሃሳብ(ለገጽ ጋጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ)
☐የሃሳብ(ከ ገጽ-መጽሐፍ ላይ ለገጽ ጋጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ)

31. ለመሆን ወርሶች (ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ) ለመሆን ወርሶች (ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ)
☐ጋጽ ☐የሃሳብ

32. ምን ዓይነት ሲሆን ከ ገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ወርሶች ላይ ባሉ ላይ ምን ዓይነት (ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ) ☐ጋጽ ☐የሃሳብ

ምንጩን ምን ዓይነት ሲሆን 32 ከገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ

a. ምን ዓይነት ሲሆን ☐ገጽ ለገጽ ለገጽ ለገጽ

b. ምን ዓይነት ሲሆን ለገጽ ለገጽ ለገጽ ለገጽ ☐ገጽ ለገጽ ለገጽ ለገጽ

ላይ ምን ዓይነት ሲሆን ለገጽ ለገጽ ለገጽ ለገጽ

	ጋጽ -ላይ	ሃሳብ ለገጽ ኃ	ሃሳብ ምን ር-ላይ	ርገጽ የሃሳብ ኃ	ርገጽ ኃ
a. ምን ዓይነት ሲሆን ከ ገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ	1	2	3	4	5
b. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ	1	2	3	4	5
c. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ (ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ) ☐ ገጽ ☐ የሃሳብ	1	2	3	4	5
d. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ	1	2	3	4	5
e. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ	1	2	3	4	5
f. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ	1	2	3	4	5

33. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ☐ገጽ ☐የሃሳብ ☐ገጽ ለገጽ ለገጽ ለገጽ

34. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ☐ገጽ ☐የሃሳብ

35. ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ምን ዓይነት ሲሆን ከ ለገጽ-መጽሐፍ ምረቃ ወርሶች ላይ ባሉ ላይ ☐ገጽ ☐የሃሳብ

[illegible]

37. $\neg \Delta^{\circ} b^{\circ} \rightarrow a$ P' $\Delta \Gamma$ $L \exists b^{\circ}$ $\Gamma q \Gamma$ q $\Delta \langle \Gamma \langle \Gamma \exists^{\circ} \rangle^{\circ} \rangle^{\circ}$ $\exists^{\circ} d$ $\neg^{\circ} C$ $\wedge d$ ∇ $\Gamma \sigma \cdot q \exists^{\circ} \rangle^{\circ}$ $\Delta \Gamma$ $\Delta^{\circ} \wedge^{\circ}$ b $\sigma \neg a \sigma$.
 $\Delta \exists^{\circ} \wedge$ $\wedge \rangle \neg^{\circ} p \exists^{\circ} \rangle^{\circ} x$ $\square \exists^{\circ} a$ $\square \nabla \nabla^{\circ} \rangle^{\circ} x$

38. $\Delta^{\alpha\beta} = \frac{1}{2}(\Delta^{\alpha\beta} + \Delta^{\beta\alpha})$ የሆነው $\nabla^{\alpha}\Delta^{\beta\gamma} = \Delta^{\alpha\beta}\nabla^{\gamma} + \Delta^{\alpha\gamma}\nabla^{\beta}$ ነው።

39. $\Delta^{\alpha} b^{-} \quad a \quad p \quad \Gamma^{\alpha} b d^{\alpha} \Delta^{\alpha} \quad \Gamma^{\alpha} q^{\alpha} \Delta^{\alpha} \quad \nabla \quad \triangleright \nabla^{\alpha} \wedge \nabla^{\alpha} \triangleright \quad \neg b^{-} \quad b \quad b^{\alpha} b^{\alpha} \quad p \quad b^{\alpha} \Delta^{\alpha} x$
 $\square \quad J a \quad \square \nabla \nabla^{\alpha} x \quad \square \quad J a \quad {}^3 p^{\alpha} q^{\alpha} U^{\alpha}$

[illegible]

1	2	3	4	5
$\mathcal{J}_a \triangleleft \nabla_a$	$\mathcal{L}b\mathcal{J}^{\sim}$	$\triangleleft \cap'$	$\mathfrak{q}b' \quad \Gamma \mathcal{J}' \nabla$	$\Gamma \mathcal{J}' \nabla$

$$\Delta \sigma_L \quad \sigma_{AU} \quad b \quad \Lambda^0 p \bar{p} n^+ \quad b \cdot q \bar{q} q \bar{q} L b^+ \quad b \cdot q \bar{q} q \bar{q} \cdot \Delta a \quad p^+ \quad \Delta U^+ C J \cdot \Delta a \quad n \bar{c}^+ d \bar{q} \cdot \Delta^+ \quad \bar{q}^+ c \quad \nabla S \quad \Lambda J U L b^+$$
[illegible][illegible]

d. የኃላፊነት ልዩ የፍርድ ቤት ስር ለፈ የሃሳብነት፤	1	2	3	4	5
e. የፍርድ ቤት ስር ለፈ ለ ፈላጊነት፤	1	2	3	4	5
f. ሀሳብነት ስር ለፈ ለፍርድ ቤት ስር ለፈ ስር ለፈ ለፍርድ ቤት ስር ለፈ፤	1	2	3	4	5

የፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ፤

	ፍርድ ቤት ስር	ፍርድ ቤት ስር	የፍርድ ቤት ስር	ፍርድ ቤት ስር	የፍርድ ቤት ስር
50. ስር ለፈ ለፍርድ ቤት ስር ለፈ፤	1	2	3	4	5
51. ስር ለፈ ለፍርድ ቤት ስር ለፈ፤	1	2	3	4	5
52. የፍርድ ቤት ስር ለፈ፤	1	2	3	4	5
53. ስር ለፈ ለፍርድ ቤት ስር ለፈ፤	1	2	3	4	5
54. የፍርድ ቤት ስር ለፈ፤	1	2	3	4	5
55. የፍርድ ቤት ስር ለፈ፤	1	2	3	4	5
56. የፍርድ ቤት ስር ለፈ፤	1	2	3	4	5

57. የፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ፤

1	2	3	4	5
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58. የ ሀሳብነት ስር ለፈ ለፍርድ ቤት ስር ለፈ፤ (የፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ፤)

59. የፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ፤ (የፍርድ ቤት ስር ለፈ ለፍርድ ቤት ስር ለፈ፤)

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Appendix I

Initial Recruitment Email to POs

Hello _____,

My name is Leticia Gutierrez, I am a researcher with the department of Public Safety in Ottawa and a doctoral candidate at Carleton University. Over the last couple of years, I have been working with Manitoba Justice and Pitama on a research project examining the role of culturally-relevant risk factors among Aboriginal peoples in the criminal justice system and how these factors may influence and/or improve our current assessments of risk (e.g., LS/CMI).

Recently, your manager will have told you about a research project we are looking to do examining culturally-relevant factors with Aboriginal male clients on community supervision in Manitoba. In order to do this, we have developed a *Culturally-relevant Factors Questionnaire* (see attached) that taps into a variety of areas of life (both past and present) that have been suggested to be important factors to consider in estimating risk for Aboriginal peoples in the justice system. This questionnaire was developed in consultation with numerous Aboriginal peoples who work in a variety of criminal justice settings (e.g., probation officers, spiritual caregivers, Gladue report writers, policy analysts, etc.). If you would like more information on how it was developed, I would be happy to provide you with additional information.

Now that the *Culturally-relevant Factors Questionnaire* has been developed, we are seeking your support to recruit clients on your caseload to complete the questionnaire and share information from their casefile. Specifically, we are asking you to seek the voluntary participation of some of your Aboriginal clients who are on community supervision to complete the questionnaire and allow me (the principal researcher) access to their risk assessment (i.e., LS/CMI), their supervision order, as well as monitor the outcome of their community supervision.

We will be asking for each PO to obtain a total of 10 to 15 questionnaires. The goal of the research is to obtain a total of at least 350 completed questionnaires to be able to examine a wide variety of factors.

Attached you will find the following documents:

1. ***Research Confidentiality Agreement***

This document outlines the terms of your participation in the research study, what you'll be asked to do, issues of confidentiality, the nature of voluntary participation, etc.

2. ***Consent form & Debriefing form***

Each client should fully understand what they are volunteering to do, the potential risks involved in their participation, and understand their rights and the resources available during and after the research process.

3. ***Culturally-relevant Factors Questionnaire***

This is the main research document. It contains a variety of questions about your client's life (both past and present). It can take anywhere from 30 minutes to 1 hour to complete,

depending on how many questions are relevant to each client. Your client will have the option of completing it on their own in the probation office (and have it sent directly to the researcher), or with your assistance.

4. *List of Emotional Distress & Crisis Support Services in Manitoba*

Some of the questions are very sensitive in nature and therefore, your client may need access to support services. I have provided a generic list of support services; however, there is space on the form (as well as the Debriefing form) for you to list any resources you are aware of in your community that may be relevant to your client.

Please take time to review the documentation, particularly the questionnaire, and feel free to reach out if you have any questions. I am available via phone [REDACTED] or by email [REDACTED] and can also accommodate discussing any issues one-on-one or in a conference call setting with a group.

For those who are interested in participating in the research, I will be coming to Manitoba (dates to be determined) to provide an overview of the research, the background to the research, what you would be asked to do, and what would be asked of your clients. An email invitation will be sent to you (via your manager) once a date has been set.

Once again, I thank you for your interest in this research and I look forward to meeting you soon.

Regards,

Leticia

Leticia Gutierrez
Research Analyst
Research Division
Public Safety Canada
Tel: [REDACTED]
[REDACTED]

Appendix J

Participant Recruitment Script & Talking Points for POs

The following document provides guidance on how to introduce the research project to your clients in order to solicit their voluntary participation in the research. We have also provided some questions that your client may ask, and options for how you can respond to these questions. The most important issues to emphasize when you are explaining the research project are:

- Their participation is *entirely voluntary*;
- Their choice to participate (or not) will have no negative consequences for their supervision;
- All information will be sent directly to the researchers who will keep their information private and confidential;
- They can choose to complete the questionnaire on their own, or with the assistance of their PO, but they must know that there are some questions regarding their current alcohol/drug use that could have implications for their supervision, if they have an abstain condition on their order. Specifically, if they disclose information about substance use that puts them in violation of their supervision conditions, you as the PO have the right to break confidentiality and exercise your role as a PO (e.g., initiate a breach, refer them to additional programming, etc.). Other circumstances under which you can break confidentiality is if your client discloses that he is going to harm himself or someone else, or if he discloses that a child is being abused. Otherwise, *all* other responses provided in the questionnaire process however will remain confidential.

Script for Introducing the Research Project:

Manitoba Justice and Public Safety Canada are doing research looking at how to improve the way the criminal justice system works with Aboriginal clients. One issue that they want to look at is how various life experiences unique to Aboriginal people are important to consider when looking at their risk factors. They have asked me to ask some of my clients if they would like to volunteer to complete a questionnaire that asks about various areas of their life (both past and present). You can complete it on your own here in the probation office in a private room and you can seal your questionnaire in an envelope and sent it directly to the researcher in Ottawa. Or, you and I can complete the questionnaire together. Your participation on this is completely voluntary and if you choose to participate, it has no negative impact on your supervision. I can show you the questionnaire before you decide on whether you want to participate. Although there isn't a direct benefit to you for participating, your participation in sharing parts of your story will be an important step to helping improve the way community supervision works with Aboriginal clients in the future.

Before you complete the questionnaire, you should know that all information you give will be kept private and confidential. There are only a few situations however where I may need to break confidentiality: if you tell me that you are going to hurt yourself or someone else, or if you tell me that a child is being abused, I will need to tell someone. There are also a few questions in the questionnaire that ask about substance use. It is completely up to you if you want to keep your

answers to these questions private so I don't see them. But you should know that if you share with me answers to these specific questions that put you in breach of any substance use conditions (i.e., abstain from alcohol or drugs) I *may* need to initiate a breach or refer you to the appropriate programming or services.

Possible questions from your client:

1. What do I have to do?

Possible answer: You're being asked to answer questions from a questionnaire that asks about various areas of your life. I can show you the questionnaire before you decide whether you want to participate. It's completely up to you if you want to answer it on your own, or I can also help you through it. Also, the researchers will be asking for a copy of your risk assessment, supervision order, and to see the outcomes of your supervision. I will give you a detailed written explanation of your participation and what would be asked of you (i.e., Informed Consent).

2. How long will it take?

Answer: It can take anywhere from 30 minutes to 1 hour, depending on how many questions are relevant to you. You don't have to do it all at once, you can spread it out over a few sessions if that works better for you. I will be giving you an envelope to seal your responses so they are kept private. If you choose to complete the questionnaire over the course of a number of sessions, I will give you a new envelope each time to seal your responses to make sure it is kept private. You can leave the sealed envelope with me to keep locked in your file, or you can take it with you and bring it to your next session.

3. Who is going to see my answers?

Answer: You can choose to complete the questionnaire on your own so only you and the researcher team see your answers. The lead researcher will ensure that all of your information remains confidential and secure and will not share information that is linked to your name (or other identifying information) with anyone. You can also choose to complete the questionnaire with the help of your PO. If you complete it with me (your PO), I can read you the questions and answers, and you can privately fill out your response and seal all your answers in an envelope once you're done. Alternatively, you also have the option of us completing it together, in which case I will see your answers. I will keep all of your responses private and confidential. There are only a few situations where I may need to break confidentiality: if you tell me that you are going to hurt yourself or someone else, or if you tell me that a child is being abused, I will need to tell someone. There are also a few questions in the questionnaire that ask about substance use. It is completely up to you if you want to keep your answers to these questions private so I don't see them. But you should know that if you share with me answers to these specific questions that put you in breach of any substance use conditions (i.e., abstain from alcohol or drugs) I *may* need to initiate a breach or refer you to the appropriate programming or services.

4. Will I get breached for not participating?

Answer: No. Your choice to participate or not participate is completely voluntary, up to you, and will have no consequences (positive or negative) for your community supervision.

5. Will I get breached for answering any questions?

Answer: The majority of the questions are about things like your childhood, who raised you, your experiences with different people, where you have lived, etc. These should have no negative impact on your supervision. All information you give will be kept private and confidential. There are only a few situations however where I may need to break confidentiality: if you tell me that you are going to hurt yourself or someone else, or if you tell me that a child is being abused, I will need to tell someone. There are also a few questions in the questionnaire that ask about substance use. It is completely up to you if you want to keep your answers to these questions private so I don't see them. But you should know that if you share with me answers to these specific questions that put you in breach of any substance use conditions (i.e., abstain from alcohol or drugs) I *may* need to initiate a breach or refer you to the appropriate programming or services.

Know that you have options for how you can answer these questions:

- You can complete them on your own and send the questionnaire directly to the researcher who will keep your answers private and confidential;
- You can leave blank any questions you are not comfortable answering;
- You can complete the questionnaire with the help of your PO, but they do not have to see your answers (e.g., they can read you the questions and answers, but you can sit far enough away to keep your answers private).

Appendix K

Research and Confidentiality Agreement – PO

Study title: *Addressing the Cultural Divide in Risk Assessment with Aboriginal Offenders: An examination of culturally-relevant factors and recidivism*

What is the purpose of the study? To learn from people who identify as Aboriginal about how culturally-relevant factors are related to involvement in the criminal justice system. Getting a better understanding of the factors that are related to successful and unsuccessful outcomes for Aboriginal people on community supervision will help improve how the justice system works. We currently know very little about how the unique experiences of Aboriginal peoples have an impact on how they come into contact with the criminal justice system. A questionnaire has been created with close guidance and input from Aboriginal people from across Canada who work with people in the criminal justice system. The questions are based on the issues that are seen as important factors for Aboriginal people in the justice system. Your participation will be an important step to helping improve the way community supervision works with Aboriginal clients in the future.

Who is doing the study? This study is being done in partnership with Manitoba Justice, Public Safety Canada, and Carleton University. If you have any questions or concerns, or require any additional information, please contact the principal researcher Leticia Gutierrez (Doctoral student, Carleton University Department of Psychology) by phone at [REDACTED], or email: Leticia.Gutierrez@carleton.ca. If you have any other concerns about this study, please contact: Dr. Robert Hoge (Research Supervisor, Carleton University Department of Psychology, robert_hoge@carleton.ca).

Ethical concerns? If you have any ethical concerns with this study, please contact Dr. Shelley Brown, Chair, Carleton University Research Ethics Board-B (by phone (613) 520-2600 ext. 1505 or via email at Shelley.Brown@carleton.ca). You may also contact the Carleton University Research Compliance Office directly at ethics@carleton.ca.

What will you be asked to do? If you choose to participate in the study, you will be asked to approach clients on your caseload who are adult males who identify as Aboriginal/Indigenous, and ask them for their *voluntary* participation in the research study. We are seeking 10 to 15 clients to be recruited by each participating PO. Specifically, you will be asked to do the following:

- Ask each client to participate and obtain their informed consent using the *Informed Consent Form – Client*;
- Provide the client with a paper copy of the *Culturally-relevant Factors Questionnaire* to complete in the office, as well as the *Emotional Distress & Crisis Support Services in Manitoba* list. Clients have the option of completing the questionnaire either on their own or with your help. Ideally, for those clients who need your help but would like to keep their responses private, you can read them the questions and responses and they can fill

out their responses privately (e.g., sitting far enough away to keep their responses private). Please provide *all* clients with an envelope in which to seal their completed questionnaire. If a client needs to complete the questionnaire over multiple sessions, please have them seal and sign over the seal each time until they complete it to maintain privacy of their responses.

- Review the *Debriefing Form* with your client
- Provide the principal researcher with a copy of the following for each client:
 1. Copy of the *Informed Consent Form – Client and Cover sheet (sent separately from the questionnaire)*;
 2. Copy of the Community Supervision Order;
 3. Copy of the risk assessment(s) (e.g., LSCMI); and,
 4. Completed *Culturally-relevant Factors Questionnaire*;

Terms of Confidentiality. All information sent directly to the principal researcher will remain strictly confidential and will only be used by the principal researcher and/or any member of the research team. The client also has the option of completing the questionnaire with their PO. All information the client shares with you during the completion of the questionnaire will be kept confidential, *except* under the following circumstances: the client discloses they are going to harm themselves or someone else, if they disclose a child is being abused, and/or if they disclose substance use that puts them in breach of their conditions. There are a few questions regarding type and frequency of substance use. If a client discloses substance use that they have not previously disclosed to you, and your job as an administrator of a court order requires that you initiate a breach, or refer the client to programming, or any other measure that your position as a PO requires, you may choose to exercise this, using the requirements and/or professional discretion your role as a PO allows. Otherwise, all other answers to the questionnaire should remain confidential and will have no negative implications for the client's supervision. Once the information is received by the researcher, all data will be stored on a password protected government computer drive or locked secure filing cabinet at 340 Laurier Avenue West in Ottawa (Public Safety Canada headquarters). All data will be kept up to a maximum of 10 years to allow for future research on this same research topic. After 10 years, the data will be destroyed and all identifying information (e.g., name, date of birth) will not be linked to the information provided.

Voluntary Participation. Given your experience, professional integrity, and expertise in what the law requires of supervised offenders, we understand that it is highly unlikely that knowing a client has chosen not to participate in a research study would have a negative impact on your case management style or decision-making in any way. Despite this, it is a requirement by Research Ethics Boards that researchers anticipate any possible consequences of conducting a research study (even if these consequences are unlikely) and do what they can to counter-act those potential consequences.

For this reason, it is our responsibility to remind you that participation in research is a fully voluntary activity that some individuals choose to do without compensation to benefit others. Since this principle also includes clients in the criminal justice system, no individuals

should be coerced in any way (directly or indirectly) to volunteer in this research, nor should there be any negative consequences for any individual who chooses not to volunteer their time, energy, and inner beliefs to the researchers, for whatever reason they may have to decline. Also, keep in mind that a client's decision whether to participate will not reflect positively or negatively on you.

Thank you again for your participation in this research and your anticipated understanding on this issue.

This study has received clearance by the Carleton University Psychology Research Ethics Board (Reference #106168 16-105).

_____ Signature of Probation Officer	_____ Name of Probation Officer (please print)	_____ Date
_____ Signature of Researcher	_____ Name of Researcher (please print)	_____ Date

Appendix L

Informed Consent Form – Client

The purpose of an informed consent is to make sure you understand the purpose of the study, what you will be asked to do, and have enough information so that you are able to decide if you would like to participate in the study.

Study title: *Addressing the Cultural Divide in Risk Assessment with Aboriginal Offenders: An examination of culturally-relevant factors and recidivism*

What is the purpose of this study? The purpose of the study is to learn from people who identify as Aboriginal about how issues they have dealt with in their lives are related to how they come into contact with the criminal justice system. Getting a better understanding of these factors will help the criminal justice system better work with Aboriginal peoples in a way that could help them succeed. A questionnaire has been created with close advice and input from Aboriginal peoples from across Canada who work with people in the criminal justice system. The questions in the questionnaire are based on the issues that are seen as important factors for Aboriginal peoples in the justice system. Your participation in sharing parts of your story will be an important step to helping improve the way community supervision works with Aboriginal clients in the future.

Who is doing the study? This study is being done in partnership with Manitoba Justice, Public Safety Canada, and Carleton University. If you have any questions or concerns, or require any additional information, please contact the principal researcher Leticia Gutierrez (Doctoral student, Carleton University Department of Psychology) by phone at [REDACTED] or email: Leticia.Gutierrez@carleton.ca. If you have any other research questions about this study, please contact: Dr. Robert Hoge (Research Supervisor, Carleton University Department of Psychology, robert_hoge@carleton.ca)

If you have any ethical concerns with this study, please contact Dr. Shelley Brown, Chair, Carleton University Research Ethics Board-B (by phone (613) 520-2600 ext. 1505 or via email at Shelley.Brown@carleton.ca). You may also contact the Carleton University Research Compliance Office directly at ethics@carleton.ca.

What will I be asked to do? Your participation in this study is completely voluntary. If you choose to participate, you will be asked to complete the *Culturally-relevant Factors Questionnaire*. The questionnaire asks about different areas of your life, both past and present. You can complete the questionnaire on your own or with your probation officer (PO), during your regularly scheduled sessions. The questionnaire can take up to one hour to complete, but you can choose to complete the questionnaire over a couple of sessions, if you prefer. You can leave any questions blank if you do not feel comfortable answering. You will also be asked to let the researcher see your case file information, specifically, your risk assessment and community supervision order (to get basic information about the offence you are on community supervision for, your supervision conditions, and start/end date of your supervision), and look at the outcomes of your community supervision (e.g., were there any breaches, new offences).

Where is the study taking place? You will be asked to complete the *Culturally-relevant Factors Questionnaire* during your regularly scheduled community supervision sessions.

What happens with my information? All information that you share and allow me to access will be confidential and will only be seen by the researcher (Leticia Gutierrez) and any member of the research team, unless you let your PO see your completed questionnaire. This is up to you. Along with your questionnaire, you will be given a pre-stamped and pre-addressed envelope to you to seal your questionnaire and it will be sent directly to the researcher. Once you seal the envelope, sign your name (or initials) over the seal to make sure your answers are confidential. If you want to complete the questionnaire over a number of sessions, you'll be given a new envelope each time to seal your questionnaire to make sure your privacy is kept between sessions. Your information will be stored on a password protected government computer drive or locked secure filing cabinet in Ottawa (Public Safety Canada headquarters). All data will be kept up to a maximum of 10 years to allow for future research on this same research topic. After 10 years, the data will be destroyed and all identifying information (e.g., name, date of birth) will not be linked to the information.

What are the risks of participating? Some questions may cause you to think about historical/current events, and/or life experiences that may make you upset. If you are upset, or feel any discomfort during or after completing the questionnaire, supports will be made available to you by your PO. Your PO will give you a list of resources and will help you get access to these resources if you need/want them. Although there is no direct benefit or reward for participating in this study, your participation in sharing parts of your story will be an important step to helping improve the way community supervision works with Aboriginal clients in the future.

Will participating in this study have an impact on my community supervision? The majority of the questions are about things like your childhood, who raised you, your experiences with different people, where you've lived, etc. These should have no negative impact on your supervision. All information you give will be kept private and confidential. There are only a few situations however where your PO may need to break confidentiality: if you tell your PO that you are going to hurt yourself or someone else, or if you tell them that a child is being abused, they will need to tell someone. There are also a few questions in the questionnaire that ask about substance use. It is completely up to you if you want to keep your answers to these questions private so your PO doesn't see them. But you should know that if you share answers to those specific questions with your PO that may put you in breach of any substance use conditions on your order (i.e., abstain from alcohol or drugs), your PO *may* initiate a breach, or refer you to the programming or services.

You have options for how you can answer these questions:

- You can complete them on your own and send the questionnaire directly to the researcher who will keep your answers private and confidential;
- You can leave blank any questions you are not comfortable answering;

- You can complete the questionnaire with the help of your PO, but they do not have to see your answers (e.g., they can read you the questions and answers, but you can sit far enough away to keep your answers private).

Can I back out of the study? Yes, your participation in this study is voluntary. At any point, you have the right to leave questions blank, or stop participating without consequences, by letting your PO know that you don't want to participate or you want your information deleted/destroyed. If you end your participation, you have the right to ask that your information be deleted or destroyed within one month of completing the questionnaire. Your PO will let you know that s/he has deleted/destroyed your information.

This study has received clearance by the Carleton University Research Ethics Board-B (Protocol #106168 16-105).

Consent to participate:

I have read the above form and understand the conditions of my participation. My participation in this study is voluntary, and if at any time I wish to leave the study, I may do so without giving an explanation and with no penalty whatsoever. I am also aware that the data gathered in this study are confidential and will not be used by anyone other than the researcher. My signature, verbal consent, and/or handshake indicates that I agree to participate in this study.

If you prefer to given consent to your PO verbally or with a handshake, please check this box ☐

OR:

Signature of Participant

Name of Participant (please print)

Date

Thank you for your participation!

Appendix M

Emotional Distress & Crisis Support Services in Manitoba

Crisis Response Centre

Phone: (204-940-1781)

817 Bannatyne Avenue, at the corner of Tecumseh

Open 24 hours a day, seven days a week.

Description: The Crisis Response Centre offers walk-in assessment and treatment for those in mental crisis, along with referrals to other mental health services. The Crisis Response Centre is designed for adults who are experiencing: Personal distress and who are at risk of harm associated with the immediate crisis, including suicide; circumstances which require de-escalation to prevent relapses; emotional trauma, where assessment, crisis intervention and links to longer-term services can be made. The centre is also home to the Mobile Crisis Service for adults.

Indian Residential Schools Resolution Health Support Program

Phone (crisis support line): **1-866-925-4419**

3rd Floor, 391 York Avenue, Winnipeg

Support line open 24 hours a day, seven days a week

www.healthcanada.gc.ca/irs or www.irs-rqpi.gc.ca

Description: The Indian Residential Schools Resolution Health Support Program provides emotional health and wellness support to former Indian Residential School students and their families, regardless of status and place of residence, who are eligible for the Common Experience Payment and /or resolving an IRS claim through the Alternative Dispute Resolution process, Independent Assessment process or litigation.

Hospital Direct Aboriginal Health Services

Phone: **940-8880 or 1-877-940-8880**

Description: Assist health care staff to provide quality care for Aboriginal clients by offering the following services. These services are available to patients in hospitals and their families. All Aboriginal Health Services are free of charge and provided upon request. All information will remain private and confidential. Programs include: Aboriginal Patient Advocate and Spiritual and Cultural Programming.

Abinotci Min-Ayawin

Phone: **925-3700**

Room 215 – 181 Higgins Avenue

Winnipeg, MB R3B 1H2

www.abcentre.org/health.html

Description: Offers family and individuals support that encourages healthy living. Sharing circles, access to Elders, parenting programs, traditional healing, advocacy, child wellness assessment, and referrals to other community services are available.

Aboriginal Health and Wellness Centre of Winnipeg, Inc. (AHWC)

Phone: **925-3700**

215 - 181 Higgins Avenue
Winnipeg, MB R3B 1H2

www.abcentre.org/health.html

Description: A community and culturally based Centre offering services and resources using traditional and Western models (traditional healers and elders are available). Programs include: Abinotci Mino-Ayawin (Children's Healing); Head Start Program; Wellness Centre; Wellness Centre Traditional Services & Programs; Women's Healing Program; Men's Healing Program; Stop FAS; and, Indian Residential School Program.

EAGLE Urban Transition Centre

Phone: **954-3050**

501 - 286 Smith Street
Winnipeg, MB, R3B 1H2

Description: A First Nation agency that assists and advocates for First Nation people who have relocated to Winnipeg.

Eyaa-keen Centre Inc.

Phone: **783-2976**

Toll Free: 1-877-423-4648

547 Notre Dame Avenue, Winnipeg, MB

www.eyaa-keen.org

Description: Eyaa-keen Centre services focus on providing an integrated physical, emotional, mental and spiritual treatment, healing and development at the person's pace. Provides Aboriginal traditional, intensive, multidisciplinary treatment for adult Aboriginal individuals, couples and groups, by offering treatment for trauma and major loss, group work, therapeutic training and individual support, all with a view to personal and community healing, change and development.

Indian Family Centre

Phone: **586-8393**

470 Selkirk Avenue, Winnipeg

Description: The Indian Family Centre is a drop-in resource center that provides social and emotional support. The Centre operates in a spiritual context that combines both the Aboriginal traditional ways with a Christian perspective.

Ka Ni Kanichihk, Inc.

Phone: **953-5820**

455 McDermot Avenue
Winnipeg, MB

www.kanikanichihk.ca

Description: Provides Aboriginal identified programs and services that focus on wholeness and wellness and that build on the strengths and resilience of Aboriginal Peoples.

Kivalliq Inuit Services

Phone: **989-1020**

310 Burnell Street, Winnipeg

Description: Offers patient care coordination, appointment booking, discharge planning, travel arrangements and interpreter services to people registered with Nunavut Health.

Ma Mawi Wi Chi Itata Centre, Inc.

Phone: **925-0300**

Toll Free: 1-888-962-6294

94 McGregor Street, Winnipeg

www.mamawi.com

Description: Provides a variety of supports and programs including: weekly Sweat Lodge ceremonies; emergency Services (referrals, counselling); and, home Based Crisis Intervention Services.

Rainbow Resource Centre

Phone: **474-0212**

Info-Line: **284-5208**

2nd Floor, 1-222 Osborne Street, Winnipeg

Email: info@rainbowresourcecentre.org

www.rainbowresourcecentre.org

Description: The Rainbow Resource Centre is a community service organization for Manitoba's gay, lesbian, bisexual, transgendered and two-spirited communities. Provides peer counselling, referral, information and educational services.

Wahbung Abinoonjiiag

Phone: **925-4610**

225 Dufferin Avenue, Winnipeg

www.manitobacapc.org/wahbung_english.htm

Description: Provides services to children and their families who have been exposed to family violence.

Aboriginal Traditional Wellness Clinic

Phone: **204-940-8880**

Description: The Aboriginal Traditional Wellness Clinic at the Health Sciences Centre provides people an opportunity to seek healing using a traditional healing approach. The clinic is open 2 days per month.

Manitoba Suicide Crisis Line

Phone: **1-(888)-322-3019**

Open 24 hours, 7 days a week

Manitoba Suicide Hotline

Phone: **1-(877)-977-0007**

Open 24 hours, 7 days a week

Information on Local Resources in your Client's Community:

Appendix N

Debriefing Form – Clients

What are we trying to learn in this research?

The purpose of this study is to gain a better understanding of the types of factors that may uniquely play a role in explaining or understanding risk for involvement in criminal behaviour among Aboriginal people in the criminal justice system. There is currently limited knowledge of how these factors play a role in how and why Aboriginal people come into contact with the justice system. A better understanding of the role these factors play will help people who work in the justice system better support their Aboriginal clients.

Why is this important to scientists or the general public?

Research to-date has shown that the factors and measures we currently use for assessing risk with Aboriginal offenders could potentially benefit from the inclusion of more culturally-informed indicators of risk. What is learned from the present study will greatly inform us of the role culturally-specific factors play our assessments of risk. A greater knowledge of culturally-informed risk factors and the role they play will help improve services offered to Aboriginal offenders, and better support practitioners in the criminal justice system.

What are our hypotheses and predictions?

We predict that factors that are culturally and historically-informed will improve our understanding of risk for re-involvement in the criminal justice system among Aboriginal male offenders.

Where can I learn more?

If you are interested in learning more about the factors related to reoffending among Aboriginal peoples in the criminal justice system, please refer to the following sources:

- **Predicting Reoffending with Aboriginal Offenders** (Leticia Gutierrez, Public Safety Canada, Research summary, Vol. 18 No. 1, January 2013)
See online: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/prdctng-brgnls/index-en.aspx>
- **Risk Assessment of Male Aboriginal Offenders** (Tanya Rugge, Public Safety Canada, Research report, September 2006)
See online: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/rsk-sssmnt-ml/rsk-sssmnt-ml-eng.pdf>

What if I found this experiment to be emotionally upsetting?

If you find that during or after participating in this study you feel any sort of emotional, mental or physical stress or anxiety, please ask your probation officer and they will provide you with resources of who you can contact. A list of resources (*Emotional Distress & Crisis Support Services in Manitoba*) has been provided to you if you want or need some support.

Also, your PO can provide information on resources available in your area/community below:

Information on Local Resources in your Client's Community:

Can I back out of the study? Yes, your participation in this study is voluntary. At any point, you have the right to leave questions blank, or stop participating without consequences, by letting your PO know that you don't want to participate or you want your information deleted/destroyed. If you end your participation, you have the right to ask that your information be deleted or destroyed within one month of completing the questionnaire. Your PO will let you know that s/he has deleted/destroyed your information.

What if I have questions later?

If you have any questions or concerns, or require any additional information, please contact the principal researcher Leticia Gutierrez (Doctoral student, Carleton University Department of Psychology) by phone at [REDACTED] or email: Leticia.Gutierrez@carleton.ca.

If you have any ethical concerns with this study, please contact Dr. Shelley Brown, Chair, Carleton University Research Ethics Board-B (by phone (613) 520-2600 ext. 1505 or via email at Shelley.Brown@carleton.ca). You may also contact the Carleton University Research Compliance Office directly at ethics@carleton.ca. If you have any other concerns about this study, please contact: Dr. Robert Hoge (Research Supervisor, Carleton University Department of Psychology, robert_hoge@carleton.ca).

This study has received clearance by the Carleton University Research Ethics Board-B (Protocol #106168 16-105).

Is there anything else you feel you would like to share?

Thank you for participating in this research!

Appendix O

CRIM – Culturally Relevant Interventions Meta-analysis

Coding form

Title of	
Article/Report:	

Authors:	_____
(Full names)	_____
Source:	_____
(Journal/Report/Volume/pages)	_____
Year:	_____
ID Number:	_____
Coded by:	Date:
_____	_____

Coding Guidelines:

- If the variable is not reported, or information is missing, please choose the Not Reported option, rather than “No”
- Assumptions may be made (e.g., gender being mostly male, race being mostly Caucasian, adult sample based on age etc.)
- For coding of ‘Abridged CODC’, we will code missing information as ‘weak’ rather than ‘reject’
- For Program age, determined based on evaluation start date (not publish date of report/article)
- *Admissions vs. Graduates*: some programs only evaluate the effectiveness of their programs by examining completers/graduates (recidivism clock starts after they leave

program). Other evaluations look at recidivism from admission (recidivism clock starts upon initial disposition from regular court and admission). Evaluations based on admissions introduce less bias, as they include in-program recidivism and intent-to-treat populations.

STUDY DESCRIPTIVES:

Publish	Material is published in a peer-reviewed journal	0.00 No 1.00 Yes	page:
Sample	Type of sample (Majority of program participants are; can assume based on mean age)	1.00 Juvenile 2.00 Adult 3.00 Both ☐ Not reported	page:
Location	Where is the program delivered?	1.00 Community setting 2.00 Custody/Institutional ☐ Not reported	
Offence	Type of offence (Majority of program participants – 2/3) Was the rule 2/3 rd rule applied to score this item?	1.00 General/Any 2.00 Violent (including sexual) 3.00 Sexual 4.00 Violent (excluding sexual) ☐ Not reported 0.00 No 1.00 Yes	page:
OffBreak	Do they have the index offence broken down?	0.00 No 1.00 Yes	Page:
Country	Country	1.00 Canada 2.00 New Zealand 3.00 Australia 4.00 United States ☐ Not reported	page:
Design	Type of research design	1.00 Random assignment 2.00 Matched (either a priori or post-hoc checks) 3.00 Convenience/non-equivalence 4.00 Pre-post (no between group comparison) 5.00 Base rate expectancy (i.e., norm comparison) ☐ Not reported	page:
CompType	Comparison group	1.00 Program Refusers	page:

		2.00 Ineligible 3.00 Eligible historic 4.00 Eligible random/other jurisdiction 5.00 Other: _____ <hr/> 6.00 Program Dropouts ☐ Not reported	
EvalRol	Role of evaluators	1.00 Delivered service 2.00 Planned, controlled or supervised service 3.00 Designed program 4.00 Agency-based researchers 5.00 Independent, non-agency based researchers ☐ Not reported	page: _____

PROGRAM DESCRIPTIVES:

Prognose	Name of program being evaluated	_____	page: _____
Progloc	Location of program (city and country)	_____	page: _____
ProgType	Type of program being evaluated Is the program designed for a specific population/offence type?	1.00 Substance use 2.00 Violence / Violence Prevention 3.00 General Criminality 4.00 Sex offender 5.00 Other: _____	page: _____
ProgComp	Specific Components of Programming	List: _____	page: _____
		☐ Not reported	
ProgCult	Culturally-relevant components of Programming	List: _____	page: _____
ProgIndig	Is the program design for a specific Indigenous group, or pan-Indigenous	☐ Not reported ☐ Program specific to Indigenous target group (e.g., Tupiq Inuit program for Inuit offenders) ☐ General Aboriginal/Indigenous program (e.g., Aboriginal substance abuse prog) ☐ Not reported	page: _____

ProgAge	Age of program (Count back from date the evaluation started to prg inception date—if it varies across participants, count from time in which 2/3 of sample had taken the prg.)	1.00 New (less than 2 yrs old) 2.00 Established (more than 2 yrs old) 3.00 Defunct ☐ Not reported	page:
	Was the rule 2/3 rd rule applied to score this item?	0.00 No 1.00 Yes	
Agency	Multiple agency involvement (non-justice) Score "yes" if indication that social service, mental health and other public agencies are involved in support for offenders.	0.00 No 1.00 Yes ☐ Not reported	page:
Comprec	Comparison group receives	1.00 Generic offender treatment 2.00 Minimal treatment services 3.00 Offence/behaviour-specific program (e.g., sex offender program, substance abuse prog) ☐ Not reported	page:
TREATMENT			
TRstruct	Treatment program structure	0.00 No, minimal structure 1.00 Yes, structured (manuals, formal routines, etc.) ☐ Not reported	page:
TRrisk	Does treatment adhere to the risk principle?	.00 No 1.00 Yes (e.g., intensive treatment for high-risk offenders, etc.) ☐ Not reported	page:
TRneed	Does treatment adhere to the need principle?	.00 No 1.00 Yes (e.g., targeting criminogenic needs) ☐ Not reported	page:
CogBeh	Is the treatment cognitive-behavioural?	.00 No 1.00 Yes ☐ Not reported	page:
TRadher	Treatment adherence to RNR?	1.00 <i>No or Minimal:</i> Routine without consideration to RNR principles 2.00 <i>Some:</i> Some adherence (if 1 or 2 of risk, need or responsivity is checked) 3.00 <i>High:</i> Clear statements of adherence (if all 3 of risk, need and responsivity are checked) ☐ Not reported	page:
TRdose	# of hours of treatment : # of days/weeks or years of treatment : _____ ☐ Not reported		page:

Program GROUP CHARACTERISTICS:

TreatGender	Gender (for Tx sample)	1.00 Mostly female 2.00 Mostly male	page:
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		3.00	Equal proportion	
		☐	Not reported	
CgGender	Gender (for Comp group)	1.00	Mostly female	
		2.00	Mostly male	
		3.00	Equal proportion	
		☐	Not reported	
TreatRace	Race (for Tx sample) Mostly = 2/3 of sample	1.00	Aboriginal/Indigenous	page:
		2.00	First Nations	
		3.00	Métis	
		4.00	Inuit	
		5.00	Maori	
		6.00	Torres Strait Islander	
		7.00	Other: _____	
		☐	Not reported	
	Was the 2/3 rd rule applied to this item?	0.00	No	
		1.00	Yes	
CgRace	Race (for Cg sample) Mostly = 2/3 of sample	1.00	Aboriginal/Indigenous	page:
		2.00	First Nations	
		3.00	Métis	
		4.00	Inuit	
		5.00	Maori	
		6.00	Torres Strait Islander	
		7.00	Other: _____	
		☐	Not reported	
	Was the 2/3 rd rule applied to this item?	0.00	No	
		1.00	Yes	
Treatn	Treatment sample size		Sample Size:	page:
Compn	Comp group sample size		Sample Size:	page:
Totaln	Total Sample Size with control		Sample Size:	page:
Treatage	Mean age of treatment group (use mid-point if categorized)	Age:		page:
		☐	Not reported	
Cgage	Mean age of Comp group (use mid-point if categorized)	Age:		
		☐	Not reported	
Treatrisk	Average risk level of treatment participants	0.00	Low (predominantly 1 st -time offenders, misdemeanor)	page:
		1.00	Medium/High	
		☐	Not reported	
Cgrisk	Average risk level of Comp group	0.00	Low (predominantly 1 st -time offenders, misdemeanor)	page:

		1.00 Medium/High ☐ Not reported	
ValidTool	Validated, evidence-based risk tool used?	0.00 No 1.00 Yes ☐ Not reported	page:
Treatprior	% of Tx participants with a prior record	Percent: ☐ Not reported	page:
Cgprior	% of Cg participants with a prior record	Percent: ☐ Not reported	page:
TreatSamp	Recidivism for Treatment sample based on?	1.00 Graduates (i.e., only those who completed) 2.00 Admissions (i.e., all who entered) ☐ Not reported	page:
CompSamp	Recidivism for Comparison sample based on?	1.00 Graduates (i.e., only those who completed) 2.00 Admissions (i.e., all who entered) ☐ Not reported	page:

RECIDIVISM:

Treatfu	Length of follow-up for treatment group ☐ mean ☐ median ☐ total	Time (weeks): ☐ Not reported	page:
CGfu	Length of follow-up CG group ☐ mean ☐ median ☐ total	Time (weeks): _____ ☐ Not reported	page:
FUstart	Starting point of follow-up	1.00 Admission (upon entering program) 2.00 Completion (upon completing/graduating from program) 3.00 At Release ☐ Not reported	
FUmin	Minimum follow-up length:	_____ ☐ Not reported	page:
FUmax	Maximum follow-up length:	_____ ☐ Not reported	page:
InfoLoss	Loss of follow-up data more than 10% (e.g., demographics on full sample, but lost more than 10% of sample for follow-up data)	.00 No 1.00 Yes ☐ Not reported	page:
RecTime	Recidivism timeframe?	1.00 During program only 2.00 Post-program only 3.00 Mixed (both during and post) ☐ Not reported	page:

Rectype Type of recidivism measure ☐ Reconviction page:

Note: If both reconviction and rearrest are reported, chose reconviction

Code violations in addition to primary recidivism type, when available

- ☐ Reoffence/New charges
- ☐ Rearrest
- ☐ Reincarceration
- ☐ P&P violation
- ☐ Self-report
- ☐ Reports by others (family, friends)
- ☐ Not reported

RecInfo Source of recidivism info 1.00 Official (e.g., CPIC, OMS) page:
2.00 Non-Official (e.g., self-report)
☐ Not reported

GENERAL Recidivism:

Recidivate?

Group?

(Experimental group)

(Comparison group)

Yes

No

$n =$	$n =$
$n =$	$n =$

$\Sigma =$ _____

VIOLENT Recidivism:

Violently Recidivate?

Group?

(Experimental group)

(Comparison group)

Yes

No

$n =$	$n =$
$n =$	$n =$

$\Sigma =$ _____

SEXUAL Recidivism:

Sexually Recidivate?

Yes

No

<u>Group?</u>	(Experimental group)	$n =$	$n =$	
	(Comparison group)	$n =$	$n =$	
				$\Sigma =$ _____
OTHER Type Recidivism:				
<u>Other Recidivate?</u>				
		Yes	No	
<u>Group?</u>	(Experimental group)	$n =$	$n =$	
	(Comparison group)	$n =$	$n =$	
				$\Sigma =$ _____

Abridged CODC GUIDELINES**Study Quality Rating Guide Summary Sheet**

	<i>Confidence</i>	<i>Little confidence</i>	<i>Some confidence</i>	<i>High confidence</i>	
		0	1	2	
	<i>Bias</i>	<i>Considerable bias</i>	<i>Some bias</i>	<i>Negligible bias</i>	
	<i>Direction of Bias</i>	+	-	?	
		<i>Increases Treatment</i>	<i>Decreases Treatment</i>	<i>Unknown Direction</i>	

Administrative Control of Independent Variables

1. Defining Treatment	<i>Confidence</i>		
2. Defining Comparison	<i>Confidence</i>		

Experimenter Expectancies

4. Experimenter Involvement		<i>Bias</i>	<i>Direction</i>
5. Blinding in Data Management		<i>Bias</i>	<i>Direction</i>

Sample Size

6. Sample Size of Treatment*	<i>Confidence</i>		
7. Sample Size of Comparison*	<i>Confidence</i>		

Attrition

9. Subject Selection		<i>Bias</i>	<i>Direction</i>
10. Program Attrition*		<i>Bias</i>	<i>Direction</i>
11. Intent-to-treat*		<i>Bias</i>	<i>Direction</i>

12. Attrition in Follow-up		<i>Bias</i>	<i>Direction</i>
Equivalency of Groups			
13. A Priori Equivalency of Groups*		<i>Bias</i>	<i>Direction</i>
14. Adequacy of Search for Differences*	<i>Confidence</i>		
15. Findings on Group Equivalency*		<i>Bias</i>	<i>Direction</i>
Outcome Variables			
16. Length of Follow-up*	<i>Confidence</i>		
17. Validity/Reliability of Recidivism	<i>Confidence</i>		
18. Equivalency of Follow-up		<i>Bias</i>	<i>Direction</i>
Correct Comparisons Conducted			
19. Data Dredging	<i>Confidence</i>		
20. Effectiveness of Statistical Controls*	<i>Confidence</i>		
21. Compute Least Bias Comparison		<i>Bias</i>	<i>Direction</i>
CODC GLOBAL RATING			
Global Confidence (0 = Little/No, 1 = Some, 2 = High)			
Global Quantity of Bias (0 = Considerable, 1 = Some, 2 = Negligible)			
Global Direction of Bias (? = Unknown, + = Increases Rx - = Decreases Rx)			
Global Rating (0 = Rejected, 1 = Weak, 2 = Good, 3 = Strong)			