

JUST SIX  
QUESTIONS

RESEARCH  
SUMMARY



# Policy Issues Regarding the Overrepresentation of Incarcerated Aboriginal Young Offenders in a Canadian Context

## Key Details

### KEY WORDS

Aboriginal youth offenders, juvenile justice system, racial minority group, Youth Criminal Justice Act

### POPULATION GROUP

Youth Involved with the Law

### STEPPING UP THEMES

Health and Wellness

### RESEARCH ORIGIN

Canada

### SOURCE

Academic

**“Explicit policies are likely needed that integrate Aboriginal cultural and historical distinctiveness and complex, inter-generational risk and need profiles beyond just youth criminal justice agencies.”**

## 1. What is the research about?

This research is about the overrepresentation of Aboriginal youth within the incarcerated population, despite the acknowledgement within the Youth Criminal Justice Act (YCJA) of 2003, that the unique needs of Aboriginal youth be taken into consideration during sentencing. Although Aboriginal youth make up just 6% of the Canadian youth population, they make up 30% of incarcerated youth.

Since its implementation, the YCJA has led to a decrease in the total number of youth in custody, however the decrease has been slower for Aboriginal youth. This research compared the risk factors present in the lives of Aboriginal young offenders and Caucasian young offenders and whether these risk profiles differ, which could explain why the two groups are disproportionately incarcerated.

The study also examined whether incarcerated Aboriginal youth have different “risk profiles”, which could account for their higher rates of incarceration.

## 2. Where did the research take place?

The research took place at the Willingdon Youth Custody Centre, located in Vancouver, British Columbia.

## 3. Who is this research about?

This research is about Aboriginal and non-Aboriginal youth involved with the criminal justice system.

## 4. How was the research done?

The research is part of the Study of Incarcerated Youth in British Columbia. Semi-structured interviews were conducted with 404 youth in custody between 2005 and 2009. The majority of participants were male (78.5%). The sample included 154 Aboriginal offenders (38.1%) and 250 Caucasian offenders (61.9%).

Data on family history, including alcohol and drug use by family members, mental health issues and criminal histories of family members were collected. Information about education issues, such as skipping classes, cheating on assignments, bullying fellow students were also measured. Youth were asked to self-report on delinquency and drug use behaviour.

## 5. What are the key findings?

When comparing Aboriginal and non-Aboriginal youth based on nine risk factors, Aboriginal youth do face risk factors that place them at a higher likelihood of incarceration.

For both Caucasian and Aboriginal young offenders, unhealthy family situations were common. 77% of Aboriginal offenders compared to 66% of Caucasian offenders came from families where at least one member had a criminal history. Aboriginal youth were significantly more likely to have a parent with a criminal record and to have experienced physical violence. Physical and sexual violence was common for both groups. Aboriginal youth were far more likely to have substance use, mental health issues and criminal histories in their families. They are also more likely to have been in foster care.

Aboriginal and non-Aboriginal youth had similar criminal histories, disproving the suggestion that Aboriginal youth are incarcerated at higher rates due to more complex and serious criminal backgrounds.

## 6. Why does this research matter for youth work?

This research points to the well-established link between historical trauma and the negative impact this trauma has left on Aboriginal families. Aboriginal youth have an established higher risk profile precipitated by past and ongoing colonialist policies. To address the issue of overrepresentation of Aboriginal youth in the justice system solutions, we must focus on the root causes.

The challenges in Aboriginal families, including poverty, high rates of violence, and drug use should be addressed holistically and by providing early intervention supports that are culturally empowering.

Foster families need appropriate training and resources to meet the unique needs of Aboriginal youth in their care. Youth programs can support gang-involved Aboriginal youth by providing pathways to education and training programs as well as opportunities to take part in “alternative but equally materially, emotionally, and culturally rewarding and reinforcing life-styles”. Finally, this research joins the ever-growing body of literature recommending that strategies should be multi-faceted and include Aboriginal communities and leadership in decision-making, and developing and implementing solutions.



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