



CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



Custody Rating Scale Variance for Indigenous Offenders

FISCAL YEAR REVIEW (2023-24)

June 2024

Results & Analysis

Correctional Service of Canada (CSC) Regions have been manually tracking the concordance between Custody Rating Scale (CRS) scores and initial security decisions for Indigenous offenders and asked to provide explanations for any variances.

In fiscal year (FY) 2023-2024, there was a total of 318 (278 men and 40 women) Indigenous offenders where there was a variance between the CRS result and the initial security classification decision. This was out of a total of 1467 initial security level decisions for Indigenous offenders, indicating a variance rate of 22%.

Quarter	Variance to Lower Level		Variance to Higher Level		Totals (cases of variance for Indigenous offenders)	Total Number of Initial Security Decisions (Indigenous offenders)
	Maximum CRS, Medium decision	Medium CRS Minimum decision	Medium CRS, Maximum decision	Minimum CRS, Medium decision		
Q1	41	30	3	16	90	358
Q2	26	22	2	35	85	379
Q3	40	21	2	17	80	360
Q4	27	17	1	18	63	370
Totals	134	90	8	86	318	1,467

Variations to Lower Level

- In **70%** (n = 224 / 318) of the cases, the security classification decision was lower than the level suggested by the CRS result.
- The main reasons for these variances were the consideration of the offender's Indigenous Social History (ISH), the availability and impact of cultural interventions, the inmate's criminal history which is limited and/or contextualized by their Indigenous Social History, their non-problematic institutional behaviour, as well as willingness to participate in their Correctional and Healing Plans.

Variations to Higher Level

- In **30%** (n = 94 / 318) of the cases, the security classification decision was higher than the level suggested by the CRS result.
- There were 86 Indigenous offenders who were classified as medium security despite a CRS result suggesting minimum. The main reasons for the variances from minimum to medium security were that offenders presented with one or more of the following:
 - Public safety concerns that could not be assessed as low due to violent criminal history and/or the seriousness of the current offence, with the inmate not yet having an opportunity to address their risk for violence.
 - A risk of escape that could not be assessed as low based on prior convictions for breaches of trust/failures to comply or a poor history of community supervision.
 - Institutional adjustment concerns that could not be assessed as low due to demonstrated problematic behaviour during the intake assessment process or while on remand/in provincial custody prior to sentencing.

- There were 8 Indigenous offenders who were classified as maximum security despite a CRS result of medium. The main reason for the variances from medium to maximum security was that the offenders demonstrated the requirement for a high degree of supervision and control in the penitentiary due their violent or problematic behaviour during the intake assessment process or while on remand/in provincial custody prior to sentencing.
- The quarterly reviews found that the Indigenous Social History was considered in all the Assessment for Decisions (recommendations) for these cases.

Opportunities and Actions for Improvement

Overall, the consideration of Indigenous Social History in the security classification decision process appears to be well understood and applied by CSC's Parole Officers in Assessment for Decision recommendations. This is supported by the fact that, in most cases with a CRS variance, the variance was to a lower security level. In FY 2023-2024, there were fewer CRS/OSL variances for Indigenous offenders each quarter.

As CSC has been conducting its quarterly reviews, we have identified certain opportunities for improvement and have already or will be implementing actions to ensure that Indigenous Social History is properly considered in classification decisions:

- A Case Management Bulletin (CMB) to remind staff about the incorporation of clear objectives in the Correctional Plan for offenders to know how to work concretely towards a security reclassification was published in February 2024.
- CSC is considering enhancements to the policy for security classification decisions to increase the national consistency in the formulation of these decisions as well as to ensure all required areas are addressed in the decision.

CSC will continue conducting quarterly reviews of the reasons the initial Offender Security Classification decision differs from the Custody Rating Scale for Indigenous offenders to ensure proper consideration of Indigenous Social History for initial security classification decisions and placements.