

Court outcomes in homicides of Indigenous women and girls, 2009 to 2021

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At both the policing stage and when charges were completed in court, homicides of Indigenous women and girls resulted in charges of manslaughter instead of murder more often than when the victims were non-Indigenous women or girls. A new study released today, "[Court outcomes in homicides of Indigenous women and girls, 2009 to 2021](#)," examines how homicides of Indigenous (First Nations, Métis and Inuit) women and girls moved through the court system, how they were treated at crucial decision points along the way, and how their outcomes compared with the homicides of non-Indigenous women and girls.

Most homicides of Indigenous women and girls from 2009 to 2021 have been solved

From 2009 to 2021, 490 Indigenous women and girls were victims of homicide. This translated into a rate of 4.27 Indigenous women and girls killed per 100,000 Indigenous women and girls in the population—a rate six times higher than that of their non-Indigenous counterparts (0.73).

Most homicides of Indigenous women and girls reported by police over the study period (87%) were solved, similar to the proportion of homicides of non-Indigenous women and girls (90%). As is the case for women and girls more generally, most Indigenous women and girls were killed by someone they knew (81%). In most of these cases, the person accused of their homicide was also Indigenous (86%).

Homicides of Indigenous women and girls more likely to be deemed second-degree murder or manslaughter

According to police-reported data from 2009 to 2021, the offence of first-degree murder—the most serious type of homicide—was half as common (27%) when the victim was an Indigenous woman or girl than when she was not Indigenous (54%). Instead, the offences of second-degree murder (60%) and manslaughter (13%) were more common in homicides involving an Indigenous woman or girl.

Among charges completed in court, manslaughter more common when the victim is an Indigenous woman or girl

After a homicide charge is laid or recommended by police, it moves to the court stage. Here, pre-trial negotiations, pleas and other processes may result in a different charge proceeding to court than was first laid or recommended by police.

At both the police and court stages, homicides involving Indigenous women and girls more often resulted in less serious homicide charges such as manslaughter. Among homicides charges completed in court from 2009 to 2021, manslaughter charges were twice as common in homicide cases linked to Indigenous women and girls (41% of homicide charges) as in those linked to non-Indigenous women and girls (20%).

More than half of court cases linked to homicides of Indigenous women and girls return a guilty finding on at least one charge

From 2009 to 2021, 55% of court cases linked to homicides of Indigenous women and girls returned a guilty finding, for a homicide charge or another charge in the case. This was the same as in cases linked to non-Indigenous women and girls (55%). Acquittals were rare, seen in 1.6% of cases linked to homicides of Indigenous women and girls and 0.4% of those linked to non-Indigenous women and girls.

Manslaughter charges were the most likely of any charge to result in a guilty finding in cases linked to Indigenous (66%) and non-Indigenous (72%) women and girls. Because guilty findings include guilty pleas, the high rate of guilty findings for manslaughter charges may reflect plea arrangements.



Most persons found guilty in cases linked to homicides of Indigenous (91%) or non-Indigenous (94%) women and girls were sentenced to custody. The average length of sentenced custody was three years shorter for those found guilty in a case involving the homicide of an Indigenous woman or girl (11.4 years), compared with cases involving the homicide of a non-Indigenous woman or girl (14.4 years).

Note to readers

The Homicide Survey collects police-reported data on the characteristics of all homicide incidents, victims and accused persons in Canada. For the purposes of the Homicide Survey, Indigenous identity includes those identified as First Nations persons (either status or non-status), Métis, Inuit or persons with an Indigenous identity where the Indigenous group is not known to police.

*The Integrated Criminal Court Survey (ICCS) collects statistical information on adult and youth court cases involving Criminal Code and other federal statute offences. The primary units of analysis in this study focus on **charges** and **cases** linked to homicides. Cases and charges can link to multiple incidents or victims if they are processed by the courts within a single case.*

To understand how charges related to the homicides of Indigenous women and girls are processed within the Canadian criminal court system, police-reported data from the Homicide Survey were linked with data from the Uniform Crime Reporting Survey and the ICCS to allow for the analysis of how incidents moved through the court system. Homicides reported by police from 2009 to 2021 where at least one accused person was identified and charges were laid or recommended by police were considered in scope and were linked to the ICCS data files for the fiscal years 2009/2010 to 2020/2021. Homicides that were uncleared (unsolved) and homicides where an accused individual was identified but no charges were laid (cleared otherwise) were excluded from the study, because these incidents did not move to court.

According to the Homicide Survey, 389 Indigenous women and girls were the victims of a homicide from 2009 to 2021 where police laid or recommended charges against at least one accused person in the incident. Of these, 48% were successfully linked to at least one charge in court. This linkage rate was comparable to the homicides of non-Indigenous women and girls (44%) and homicides of men and boys (49%) over the same period.

There are limitations that should be considered when interpreting the findings, namely data coverage, which has a particularly notable impact on homicide data, and elapsed time between an incident and the completion of a court case. It is also possible that incidents are not successfully linked because of missing or incomplete information in one or more of the files. Despite these limitations, the linked file affords the opportunity to examine quantitative and contextual factors, such as Indigenous identity, relationship, motive and other characteristics, that may be associated with court case characteristics and outcomes, in greater detail than would be possible if using the ICCS data on their own.

For more information on the victimization of Indigenous women, see "[Homicide in Canada, 2021](#)" and "[Violent victimization and perceptions of safety: Experiences of First Nations, Métis and Inuit women in Canada](#)".

Definitions, data sources and methods: survey numbers 3312 and 3315.

The article "[Court outcomes in homicides of Indigenous women and girls, 2009 to 2021](#)" is now available as part of the publication *Juristat* (85-002-X).

For more information, or to enquire about the concepts, methods or data quality of this release, contact us (toll-free 1-800-263-1136; 514-283-8300; infostats@statcan.gc.ca) or Media Relations (statcan.mediahotline-ligneinfomedias.statcan@statcan.gc.ca).