

Overrepresentation of Indigenous and Black adults in provincial and federal custody

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In 2023/2024, Indigenous adults were incarcerated at a rate 10 times higher than non-Indigenous adults in the six provinces with available data (Prince Edward Island, Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia), according to a new measure called the overrepresentation index. Over the five-year period studied (2019/2020 to 2023/2024), overrepresentation of Indigenous adults in custody increased each year. In 2023/2024, the Black population was incarcerated at a rate three times that of the white population in the four provinces where disaggregated data on racialized groups are available (Nova Scotia, Ontario, Alberta and British Columbia).

The overrepresentation of Indigenous (First Nations, Inuit and Métis) and Black adults under correctional supervision in Canada is a significant and persistent concern. Designed to improve the measuring of overrepresentation and to monitor progress more effectively over time, this *Daily* release presents a detailed analysis of [previously released indicators](#). For the first time, these measures combine correctional data from the federal, provincial and territorial levels to provide data on the entire correctional system for reporting provinces and territories. These measures also allow for further disaggregation of the non-Indigenous population into white and racialized group populations, offering a more comprehensive view of correctional involvement among Indigenous and Black populations in Canada.

To reflect the distinct histories, structural factors and lived experiences of Indigenous and Black populations in Canada, the analysis is presented in two parts. The reasons overrepresentation exists in the Canadian justice system are complex and long-standing. They are discussed further in this release in the section on overrepresentation of Indigenous people and in the section on overrepresentation of Black persons.

Overrepresentation of Indigenous adults in custody

The overrepresentation of Indigenous people in Canada's correctional systems is a long-standing and deeply rooted issue. For over three decades, this issue has been highlighted by commissions, rulings from the Supreme Court of Canada and various other official inquiries.

The causes of overrepresentation are complex and interconnected, though indisputably linked to colonialism, displacement, socioeconomic marginalization, intergenerational trauma and systemic discrimination. A key legal milestone was the 1999 Supreme Court case *R v. Gladue*, which emphasized that lower courts should carefully consider an Indigenous offender's background during sentencing. This was reaffirmed and expanded in *R v. Ipeelee* (2012).

In 2015, the [Truth and Reconciliation Commission of Canada issued Call to Action 30](#), urging all levels of government to commit to eliminating the overrepresentation of Indigenous people in custody within a decade. The Call also emphasized the importance of ongoing monitoring through detailed annual reporting.

Indigenous people account for one-third of the custodial population

In 2023/2024, Indigenous adults made up 33.2% (8,734 Indigenous adults of the 26,297 custodial population) of the average daily count of the custodial population in federal and provincial facilities across the six reporting provinces, which are Prince Edward Island, Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia. Despite this, Indigenous adults represented 4.3% of the overall adult population in these provinces. This translates to 89 Indigenous adults incarcerated per 10,000 population, on an average day, compared with 8 per 10,000 among non-Indigenous adults.

The custodial population in Prince Edward Island, Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia account for approximately two-thirds of the total Canadian custodial population within the provincial, territorial and federal systems.



Overall, 2.6% (25,640 people) of the Indigenous adult population was incarcerated at some point during the 2023/2024 reference year, a measure referred to here as the custody involvement rate. This rate was more than double among Indigenous men aged 35 to 44 years (7.3%).

In Saskatchewan, Indigenous people are incarcerated at a rate 19.4 times higher than non-Indigenous people

In 2023/2024, Indigenous adults were incarcerated at a rate 10.2 times higher than non-Indigenous adults in the six reporting provinces. The degree of overrepresentation was highest in Saskatchewan, where Indigenous adults were incarcerated at a rate 19.4 times higher than non-Indigenous adults. This is based on the overrepresentation index, which calculates the relative difference between Indigenous and non-Indigenous incarceration rates by controlling for age and gender differences between populations (see Note to readers). Overrepresentation of Indigenous adults was also noted in Alberta (10.2 times higher than non-Indigenous adults), British Columbia (9.4), Ontario (8.3), Prince Edward Island (3.4) and Nova Scotia (3.2).

Overrepresentation is greater for Indigenous women than for Indigenous men

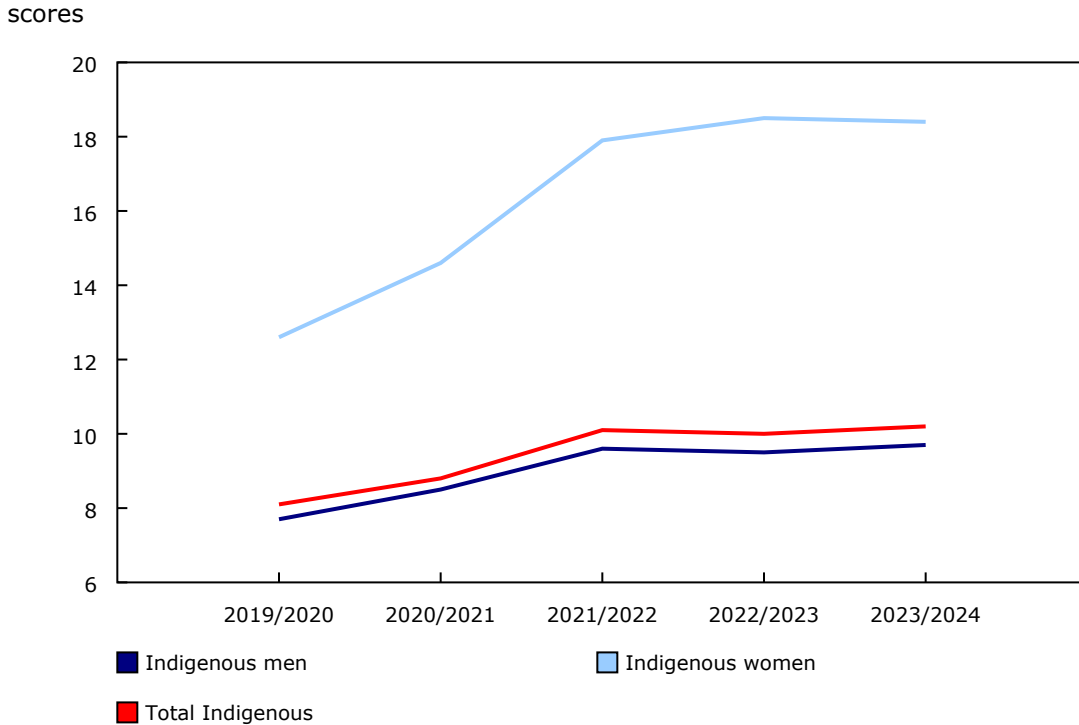
There was a significant gap in the overrepresentation index between Indigenous men and women. In 2023/2024, the overrepresentation index score was 18.2 among Indigenous women compared with non-Indigenous women and 9.6 among Indigenous men compared with non-Indigenous men.

Overrepresentation increases more among Indigenous women than Indigenous men from 2019/2020 to 2023/2024

Overall, the widening of the gap in overrepresentation of Indigenous adults compared with non-Indigenous adults increased over the five-year period from 2019/2020 to 2023/2024 among five reporting provinces (Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia). Data are unavailable for Prince Edward Island during this period. In 2019/2020, the incarceration rate of Indigenous adults was 8.1 times higher than the incarceration rate for non-Indigenous people. By 2023/2024, the overrepresentation index score had increased to 10.2.

The overrepresentation index score of Indigenous women increased notably, rising from 12.6 to 18.4 over the five-year period, peaking at 18.5 in 2022/2023. This shift is reflected in incarceration rates, which increased by 22% for Indigenous women from 2019/2020 to 2023/2024, while declining by 11% for non-Indigenous women.

Chart 1
Indigenous overrepresentation index scores, by gender, 2019/2020 to 2023/2024



Note(s): The overrepresentation index calculates the relative difference between Indigenous and non-Indigenous incarceration rates while controlling for age and gender differences between populations. Populations are based on July 1 estimates from the Centre for Demography at Statistics Canada. Daily counts for the correctional population are derived from federal facilities operated by Correctional Service Canada (CSC) and correctional centres operated by provincial governments. Provincial and territorial breakdowns of CSC counts are determined by the jurisdiction where the initial federal sentence for the person supervised was issued.

Source(s): Canadian Correctional Services Survey (5251).

By comparison, the overrepresentation index score for Indigenous men increased from 7.7 to 9.7 over the same period.

Comparisons between Indigenous and white adults vary by province

The non-Indigenous population is composed of people from a variety of racial and cultural backgrounds. Due to reporting improvements with regard to the racial identity of persons supervised within the correctional system, disaggregation among the non-Indigenous population is now possible, allowing for comparisons between Indigenous and white populations for certain jurisdictions. Removing Black and other racialized persons from the comparison group provides further clarity on the issue of Indigenous overrepresentation. These data are available for the following jurisdictions: Nova Scotia, Ontario, Alberta and British Columbia.

Of those provinces, Alberta (8.4) and Ontario (8.2) each had the highest overrepresentation index score for Indigenous adults compared with white adults in 2023/2024, followed by British Columbia (6.8) and Nova Scotia (3.1). Using the white population as a comparison group instead of the non-Indigenous population results in the overrepresentation index score of Indigenous adults being lower in all reporting provinces. Among reporting provinces, the overall overrepresentation index score increased 17%, rising from 6.4 in 2019/2020 to 7.5 in 2023/2024.

Overrepresentation of Black adults in custody

In Canada, the Black population faces social and economic challenges linked to the historic and ongoing harms caused by colonial laws, policies and practices, including racial segregation and discriminatory immigration policies. These challenges, compounded by anti-Black racism and systemic discrimination, have resulted in the overrepresentation of Black persons in Canada's correctional system. As a result of changes in reporting, Statistics Canada is now able to report on the overrepresentation of Black persons in the correctional system for the following jurisdictions: Nova Scotia, Ontario, Alberta and British Columbia.

Black persons incarcerated at a rate three times their proportion of the population

In 2023/2024, Black persons in custody from the four reporting provinces accounted for 12.8% of the custodial population on an average day, while they made up 3.3% of the general adult population.

The incarceration rate of Black persons in 2023/2024 was 32 adults per 10,000 population, compared with 8 adults per 10,000 population for the white population. The rate was highest among Black men (62 adults per 10,000 population) and lowest among Black women (2 adults per 10,000 population). By comparison, rates were lower among white men (15 adults per 10,000 population) and white women (1 adult per 10,000 population).

Overall, 0.8% of the adult Black population was incarcerated at some point during the 2023/2024 reference year, compared with 0.2% of the white population.

Black overrepresentation is consistent over five-year period

In 2023/2024, the overall Black overrepresentation index score was 3.0, indicating that Black adults were incarcerated at three times the rate of white adults. Nova Scotia (3.5) had the highest score among provinces, followed by Ontario (3.2), British Columbia (2.1) and Alberta (1.6). The overall rate among Black adults (both women and men) declined slightly from 3.6 in 2019/2020 to 3.0 in 2023/2024.

Black men are overrepresented in custody

Based on the overrepresentation index, Black men were incarcerated at a rate over three times higher than white men in 2023/2024. By comparison, Black women were incarcerated at a rate 1.2 times higher than white women. Nova Scotia was the only jurisdiction where the incarceration rate was substantially higher for Black women (3.5).

Note to readers

Statistics Canada is releasing data from six adult provincial correctional service programs (Prince Edward Island, Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia) as well as from Correctional Service Canada (CSC) at the federal level. Together, the provincial and territorial correctional systems supervise adults serving custodial sentences of less than two years, as well as those being held in pre-trial custody (remand) or serving community sentences such as probation. CSC supervises adults sentenced to custody for two years or more. Average counts exclude adults in immigration detention.

The **incarceration rate** measures the proportion of a population in custody on an average day of the year. It is calculated by taking the average daily count of the correctional population, dividing it by the general population estimate on July 1 of that same year, then multiplying by 10,000. Federal counts are based on a one-day year snapshot, rather than an average of the daily counts. For the Canadian Correctional Services Survey (CCSS), the rate is expressed as the number of incarcerated persons per 10,000 population. For CSC, federal counts use a one-day year-end count, rather than an average 365-day count.

The **overrepresentation index** calculates the relative difference between the rates of various populations, such as Indigenous and non-Indigenous adults, Indigenous and white adults, and Black and white adults, by controlling for age and gender differences between populations. It is also possible to index both populations to an age and gender profile identical to the national population distribution of the 2021 Census of Population. These adjusted rates address the impact of demographic differences the underlying population may have on measuring overrepresentation.

The **custodial involvement rate** is the measure of the proportion of a specific population experiencing custody over a reference period. The measure identifies the number of persons spending at least one day in custody during the reference period for a defined population (e.g., Indigenous, Black, white), then calculates the percentage of the population experiencing incarceration. Individuals are counted equally whether they spent one night in custody or the whole year.

For this release, a small percentage of persons supervised were excluded from these measures if information was missing on their gender, age, or Indigenous identity or racialized group.

Data in this release are from the CCSS, which is an administrative microdata survey that collects data from correctional services programs in Canada. The survey collects data on the characteristics of persons being supervised, their legal hold status while in correctional services, offences and conditions related to the various court orders, events related to the person that occur during the period of supervision, and results of any needs assessments done on persons while in correctional services. The Canadian Centre for Justice and Community Safety Statistics is working with other programs to improve national coverage of the survey in the next few years.

For the purposes of the correctional services surveys, the term "Indigenous identity" refers to persons under correctional supervision who identified with the Indigenous peoples of Canada. This includes those who are First Nations (North American Indian), Métis and Inuk (Inuit). This information is self-reported by persons supervised on intake to correctional services. Changes in reporting could impact overrepresentation over time.

Population counts are based on July 1, 2019, 2020, 2021, 2022 and 2023 estimates provided by the Centre for Demography at Statistics Canada.

Statistics Canada would like to acknowledge the collaboration with correctional services programs in the development of the CCSS. Representatives from participating programs have worked closely with Statistics Canada staff over the last few years and have greatly assisted Statistics Canada in developing data collection and production methods for the CCSS.

Table 1
Incarceration rates among the Indigenous and non-Indigenous adult populations, by gender, select provinces, 2023/2024

	Indigenous			Non-Indigenous		
	Men	Women	Total	Men	Women	Total
	rate per 10,000 adults					
Total	163	21	89	15	1	8
Prince Edward Island	88	4	44	20	2	11
Nova Scotia	68	7	36	20	1	11
Ontario	139	19	77	17	1	9
Saskatchewan	373	55	211	17	1	9
Alberta	172	22	95	16	1	8
British Columbia	83	6	43	8	0	4

Note(s): The incarceration rate measures the proportion of a population in custody on an average day of the year. It is calculated by taking the average daily count of the correctional population, dividing it by the general population estimate on July 1 of that same year, then multiplying by 10,000. Federal counts are based on a one-day year snapshot, rather than an average of the daily counts. For the Canadian Correctional Services Survey, the rate is expressed as the number of incarcerated persons per 10,000 population.

Source(s): Canadian Correctional Services Survey ([5251](#)).

Table 2
Custodial involvement rate of Indigenous adults, by gender and age group, 2023/2024

	Indigenous		Total
	Men	Women	
	custodial involvement rate		
Total	4.3	1.0	2.6
18 to 24	3.6	1.2	2.4
25 to 34	7.3	2.1	4.7
35 to 44	7.4	1.7	4.4
45 to 54	3.4	0.5	1.9
55 and older	0.9	0.1	0.5

Note(s): The custodial involvement rate is the measure of the proportion of a specific population experiencing custody over a reference period. The measure identifies the number of unique persons spending at least one day in custody during the reference period for a defined population (e.g., Indigenous, Black, white), then calculates the percentage of the population experiencing incarceration. Individuals are counted equally whether they spent one night in custody or the whole year.

Source(s): Canadian Correctional Services Survey ([5251](#)).

Table 3
Overrepresentation index of Indigenous adults when compared with non-Indigenous adults in custody, by gender, select provinces, 2023/2024

	Indigenous		Total
	Men	Women	
	overrepresentation index		
Total	9.6	18.2	10.2
Prince Edward Island	3.5	2.0	3.4
Nova Scotia	3.1	4.6	3.2
Ontario	7.8	15.8	8.3
Saskatchewan	17.9	50.6	19.4
Alberta	9.8	16.3	10.2
British Columbia	9.2	13.1	9.4

Note(s): The overrepresentation index calculates the relative difference between the rates of various populations, such as Indigenous and non-Indigenous adults, Indigenous and white adults, and Black and white adults, by controlling for age and gender differences between populations. This indexes both populations to an age and gender profile identical to the national population distribution of the 2021 Census of Population. These adjusted rates address the impact of demographic differences the underlying population may have on measuring overrepresentation.

Source(s): Canadian Correctional Services Survey ([5251](#)).

Table 4
Incarceration rates among the Black and white adult populations, by gender, select provinces, 2023/2024

	Black			White		
	Men	Women	Total	Men	Women	Total
	rate per 10,000 adults					
Total	62	2	32	15	1	8
Nova Scotia	80	6	44	20	1	10
Ontario	71	2	35	15	1	8
Alberta	36	1	19	17	2	10
British Columbia	31	1	17	11	1	6

Note(s): The incarceration rate measures the proportion of a population in custody on an average day of the year. It is calculated by taking the average daily count of the correctional population, dividing it by the general population estimate on July 1 of that same year, then multiplying by 10,000. Federal counts are based on a one-day year snapshot, rather than an average of the daily counts. For the Canadian Correctional Services Survey, the rate is expressed as the number of incarcerated persons per 10,000 population.

Source(s): Canadian Correctional Services Survey ([5251](#)).

Table 5
Custodial involvement rate of Black and white adults, by gender and age group, 2023/2024

	Black			White		
	Men	Women	Total	Men	Women	Total
	custodial involvement rate					
Total	1.5	0.1	0.8	0.4	0.1	0.2
18 to 24	1.6	0.1	0.8	0.3	0.1	0.2
25 to 34	2.7	0.2	1.4	0.8	0.2	0.5
35 to 44	1.7	0.1	0.9	0.9	0.1	0.5
45 to 54	0.9	0.1	0.5	0.5	0.0	0.3
55 and older	0.3	0.0	0.2	0.1	0.0	0.1

Note(s): The custodial involvement rate is the measure of the proportion of a specific population experiencing custody over a reference period. The measure identifies the number of unique persons spending at least one day in custody during the reference period for a defined population (e.g., Indigenous, Black, white), then calculates the percentage of the population experiencing incarceration. Individuals are counted equally whether they spent one night in custody or the whole year.

Source(s): Canadian Correctional Services Survey ([5251](#)).

Table 6
Overrepresentation index of Black adults when compared with white adults in custody, by gender, select provinces, 2023/2024

	Black		Total
	Men	Women	
	overrepresentation index		
Total	3.1	1.2	3.0
Nova Scotia	3.5	3.5	3.5
Ontario	3.4	1.2	3.2
Alberta	1.7	0.6	1.6
British Columbia	2.1	0.5	2.1

Note(s): The overrepresentation index calculates the relative difference between the rates of various populations, such as Indigenous and non-Indigenous adults, Indigenous and white adults, and Black and white adults, by controlling for age and gender differences between populations. It indexes both populations to an age and gender profile identical to the national population distribution of the 2021 Census of Population. These adjusted rates address the impact of demographic differences the underlying population may have on measuring overrepresentation.

Source(s): Canadian Correctional Services Survey ([5251](#)).

Definitions, data sources and methods: survey number [5251](#).

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).