



Aboriginal Risk Assessment: A Systemic Failure

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THESIS Current approaches to risk assessment are inappropriate for use with Aboriginal offenders

ABSTRACT

Aboriginal offenders are disproportionately overrepresented in the criminal justice system. To remedy this marginalization, Canadian correctional policies require Aboriginal social history be taken into account. However, due to insufficient training, lack of research and inconsistent findings regarding the validity of assessment measures; Aboriginal offenders are frequently classified as higher risk than non-Aboriginal offenders.

METHODS

This paper utilized a combination of meta-analyses, literature reviews and government reports, providing comprehensive snapshot of the research topic

LAND ACKNOWLEDGEMENT

York University acknowledges its presence on the traditional territory of many Indigenous Nations. The area known as Tkaronto has been care taken by the Anishinabek Nation, the Haudenosaunee Confederacy, the Wendat, and the Métis. It is now home to many Indigenous peoples. We acknowledge the current treaty holders and the Mississaugas of the New Credit First Nation. This territory is subject of the Dish With One Spoon Wampum Belt Covenant, an agreement to peaceably share and care for the Great Lakes region.

RESULTS

- Assessment tools indicated higher risk for Aboriginal offenders
- Insufficient training for staff administering assessments
- Consideration of Aboriginal social history was either incomplete or ignored
- Risk rating impacted accessibility to programing and parole
- Lack of research on culturally specific risk factors and assessment instruments

Figure 1

Factor	Research Summary	References
1. History of antisocial behaviour (criminal history)	<ul style="list-style-type: none"> ▪ Consistent findings ▪ Criminal history variables predict equally well for Aboriginal offenders 	<ul style="list-style-type: none"> ▪ Bonta, 1989 ▪ Bonta, LaPrairie, & Wallace-Capretta, 1997 ▪ Bonta, Lipinski, & Martin, 1997 ▪ B.C. Public Safety & Solicitor General, 2004
2. Antisocial personality pattern	<ul style="list-style-type: none"> ▪ Little research specifically on male Aboriginal offenders ▪ Research on psychopathic traits and ethnicity is inconsistent, but the majority indicates no racial differences 	<ul style="list-style-type: none"> ▪ Lynn, 2002 ▪ Zuckerman, 2003
3. Antisocial attitudes	<ul style="list-style-type: none"> ▪ Predict equally well for Aboriginal offenders ▪ Research should be conducted using attitudinal scales (e.g., PID and CSS) 	<ul style="list-style-type: none"> ▪ Bonta, LaPrairie, & Wallace-Capretta, 1997 ▪ B.C. Public Safety & Solicitor General, 2004
4. Antisocial peers	<ul style="list-style-type: none"> ▪ Fairly consistent findings ▪ Predicts equally well for Aboriginal offenders (the original LSI validation study found that it predicted slightly better for non-Aboriginal offenders) 	<ul style="list-style-type: none"> ▪ Bonta, 1989 ▪ Bonta, LaPrairie, & Wallace-Capretta, 1997 ▪ B.C. Public Safety & Solicitor General, 2004
5. Family and/or marital	<ul style="list-style-type: none"> ▪ May not predict recidivism for Aboriginal males 	<ul style="list-style-type: none"> ▪ Bonta, 1989 ▪ Bonta, LaPrairie, & Wallace-Capretta, 1997 ▪ B.C. Public Safety & Solicitor General, 2004
6. School and/or work	<ul style="list-style-type: none"> ▪ Research is inconclusive ▪ Some studies: does not predict recidivism, others suggesting that employment factors are comparable across Aboriginal and non-Aboriginal groups 	<ul style="list-style-type: none"> ▪ Bonta, 1989 ▪ Bonta, LaPrairie, & Wallace-Capretta, 1997 ▪ Dawson, 1999 ▪ B.C. Public Safety & Solicitor General, 2004
7. Leisure and/or recreation	<ul style="list-style-type: none"> ▪ No research 	
8. Substance abuse	<ul style="list-style-type: none"> ▪ Consistent findings ▪ Predict equally well, if not better 	<ul style="list-style-type: none"> ▪ Bonta, 1989 ▪ Bonta, LaPrairie, & Wallace-Capretta, 1997 ▪ B.C. Public Safety & Solicitor General, 2004

DISCUSSION

To remedy historical injustices faced by Aboriginal peoples, the criminal justice system has tried to implement a restorative justice approach. However, insufficient training has resulted in the inappropriate application of risk assessment tools with Aboriginal offenders. Risk assessments can result in inaccurate classification, restricting access to restorative justice interventions. These findings warrant further exploration; particularly in the Aboriginal context due to limited research on culturally specific risk factors.

Figure 2

