



FIRST LIGHT

# OVERREPRESENTED AND UNDERCOUNTED

**A Snapshot of Indigenous Adult Incarceration  
in Newfoundland and Labrador, 2025**

March 2026



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## About This Document

This report describes the results of a 2025 demographic snapshot of all adult correctional facilities in Newfoundland and Labrador. Funded by the Government of Canada through Health Canada's Substance Use and Addictions Program (SUAP), the snapshot was conducted by First Light in collaboration with the Department of Justice and Public Safety to obtain accurate, up-to-date information on the number and circumstances of Indigenous people in custody. The results will also be used to support planning for culturally appropriate programming, services, and policy responses.

## Citation

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## Executive Summary

Indigenous people are significantly overrepresented in adult correctional facilities in Newfoundland and Labrador. This report presents the findings of First Light's November 2025 demographic snapshot of all five adult correctional institutions in the province. Using a combined measure of self-identification and Indigenous family lineage, the study found that approximately 43% of adult inmates are Indigenous. When paired with population data from the 2021 Census this represents an estimated rate of incarceration more than eight times higher than the rate of incarceration among the non-Indigenous population.

The study also found limited access to Indigenous cultural programming, low awareness and use of Gladue reports, and a high rate of housing insecurity among inmates approaching release. These findings raise important legal, policy, and operational concerns in light of current obligations under the *Correctional Services Act*, the *Criminal Code*, human rights law, and the *United Nations Declaration on the Rights of Indigenous Peoples*, all of which require correctional practices to respond to the needs and circumstances of Indigenous offenders.

The study was carried out by First Light in collaboration with the Department of Justice and Public Safety. It was designed to obtain accurate data on the number of Indigenous individuals in custody and to better understand factors relevant to the planning of culturally appropriate programming, sentencing supports, and reintegration services. Reliable information in this area has been limited, with the most recent publicly available provincial data dating to the 1990s.

A questionnaire-based study was conducted at all five adult correctional institutions in the province. Three hundred and five inmates participated, representing approximately three-quarters of the total incarcerated population at the time of data collection. The study collected information on self-identified Indigenous identity, family lineage, community connection, demographic characteristics, involvement in the justice system, housing stability, awareness of Gladue reports, and interest in cultural programming.



**8x**

Indigenous people are incarcerated at a rate 8x higher than non-Indigenous people

The proportion of Indigenous people in adult corrections is substantially higher than previously thought and indicates that existing administrative data is likely to underestimate Indigenous representation in custody. At least one quarter of all inmates in adult corrections were found to be Indigenous at each of the five correctional institutions, and approximately nine out of ten inmates were Indigenous at the Labrador Correctional Centre.



**> 50%**

More than half of incarcerated women province-wide are Indigenous

The findings highlight the need for a more nuanced understanding of Indigeneity in government policy, processes, and systems. Many participants who reported Indigenous parents, grandparents, and even siblings did not self-identify as Indigenous, often citing experiences of discrimination, loss of recognition, or disconnection from community. These results reflect the unique historical context of Newfoundland and Labrador, where Indigenous Peoples were excluded from federal recognition for decades following Confederation and where the legacy of this erasure continues to affect identity, data collection, and access to services. The study suggests that reliance on self-identification alone is likely to underestimate the number of Indigenous individuals in incarceration and in other government systems.

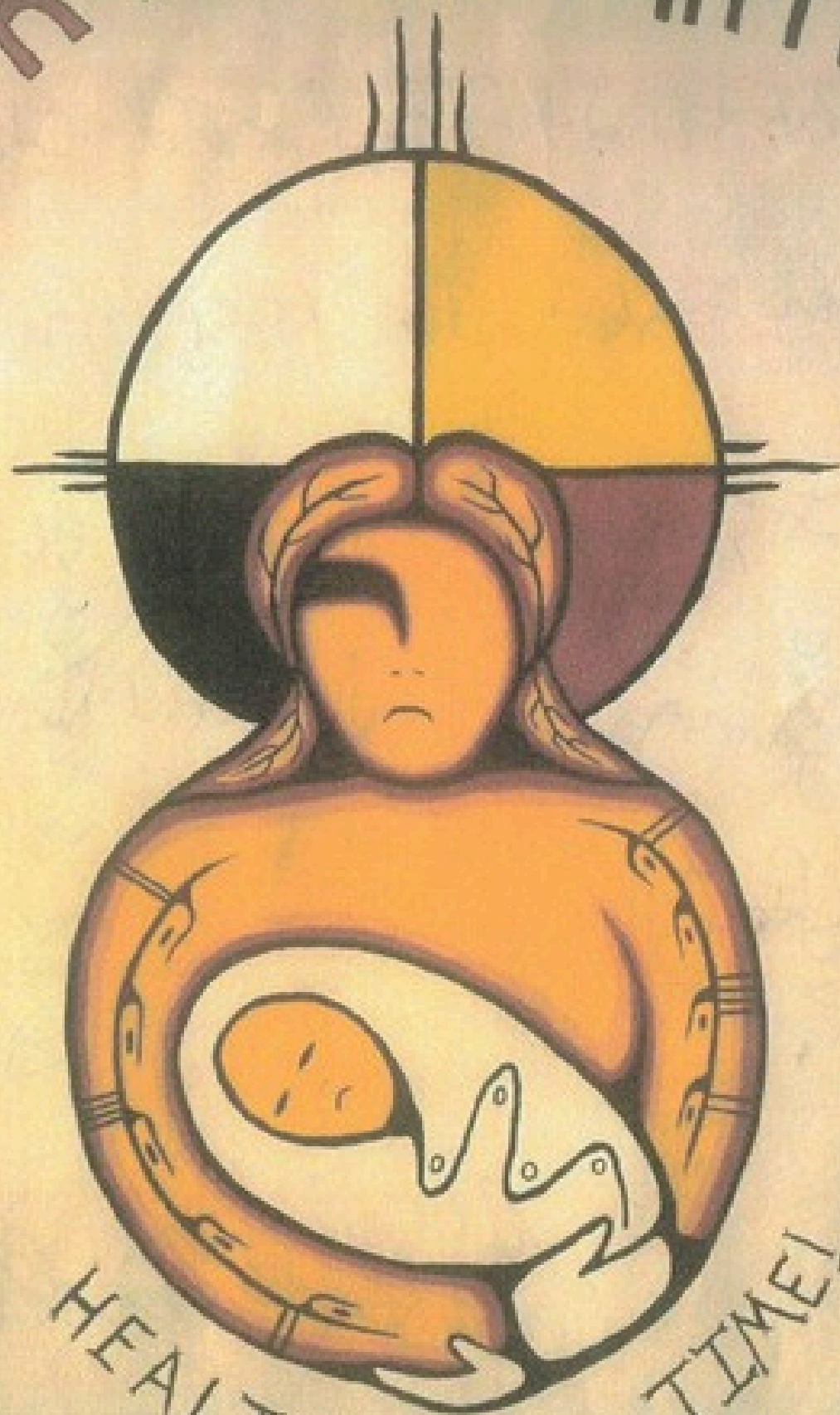
These findings must be considered in light of the current legal and policy framework governing correctional services in Newfoundland and Labrador. The *Correctional Services Act* requires that programs and practices be responsive to the needs and culture of Indigenous offenders, and Canadian law recognizes the importance of Gladue principles, alternative sanctions, and culturally appropriate programming in addressing Indigenous overrepresentation. The present data indicate that existing services are not available at sufficient scale to meet these requirements.

This report concludes that improved data collection, stable access to culturally grounded programming, expanded use of Gladue reports and alternative sentencing measures, strengthened justice navigation supports, and coordinated discharge planning are all necessary to address the overrepresentation of Indigenous people in the criminal justice system.

## Other Key Findings

- Only one provincial institution had regular Indigenous cultural programming at the time of the study, although 96% of Indigenous participants province-wide indicated they would participate in such programming if it were available.
- Fewer than half of self-identifying Indigenous inmates were aware of Gladue reports, and only a minority had ever had a report prepared.
- More than one third of participants reported that they would have no safe place to stay if discharged, with Indigenous inmates reporting higher rates of housing insecurity than non-Indigenous inmates.
- Indigenous people were also disproportionately represented among 2SLGBTQ+ inmates, with more than four out of five individuals identifying as 2SLGBTQ+ also identifying as Indigenous.
- Indigenous inmates were, on average, younger than non-Indigenous inmates and more likely to be disconnected from social supports.

OUR LIVES MATTER



HEALING TAKES TIME!

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## A Voice from Inside

On July 11, 2025, First Light received a handwritten letter from an Indigenous inmate at Her Majesty's Penitentiary (HMP) in St. John's. The author wrote on behalf of himself and other Indigenous inmates inside the institution in response to First Light's reluctant wind-down of its longstanding in-reach program at HMP and the Correctional Centre in Clarenville. For many years, that program supported a culturally grounded, trauma-informed approach to rehabilitation for Indigenous offenders.

The letter, reproduced in full transcript as Appendix A, describes the daily realities faced by Indigenous people in custody, including the absence of cultural supports, the legacy of intergenerational trauma, and the importance of opportunities for healing and reconnection with culture. It also speaks to the sense of isolation experienced by many Indigenous inmates and the role that cultural teachings, ceremony, and community support can play in helping people begin a path toward healing.

Selected excerpts from the letter appear throughout this report in the author's original handwriting. They are included not only because the author's words echo many of the findings of this study, but also to centre the voice and lived experience of someone directly affected by the realities of colonialism, systemic discrimination, and incarceration in the criminal justice system.

The letter begins:

Im writing this Letter on behalf of Myself  
and For My Fellow brothers and sisters that  
are Currently Incarcerated Now and our future to come.

— I.W., an Indigenous inmate incarcerated at HMP (July 2025)

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## BACKGROUND

In recent years, research has consistently found that Indigenous people are overrepresented in correctional facilities in Canada. In 2017–2018, Indigenous people made up 28% of federally incarcerated individuals despite being only 4.1% of the general population.<sup>1</sup> In the same year, 40% of federally incarcerated women were Indigenous, up from 32% in 2008–2009.<sup>2</sup> The Canadian Correctional Services Survey found that the 2023–2024 adult inmate population in federal and provincial institutions across six provinces was 33.2% Indigenous, with rates of overrepresentation being between 3.2 times (Nova Scotia) and 19.4 times (Saskatchewan) the non-Indigenous population.<sup>3</sup>

The most recent publicly available data on the demographics of incarcerated individuals in Newfoundland and Labrador was collected in 1996 (published in 1999). This study found that 12% of the inmate population in adult prisons and lockups in Newfoundland and Labrador at that time was Indigenous.<sup>4</sup> This is likely an undercount, however. The study used file review to complete the surveys, meaning that any Indigenous inmates who concealed their Indigeneity at admission would not have been counted as such. Additionally, the survey tool only allowed single ethnic categories, meaning any Indigenous inmate who had mixed heritage may have been

categorized by a non-Indigenous ethnicity.

Considering the disproportionately high rate of incarceration of Indigenous people in Canada, legal and correctional services must meaningfully address the needs of Indigenous offenders. Indigenous groups have been calling for these needs to be addressed through the Truth and Reconciliation Commission (see Calls to Action 28, 30–32, 34–37, 40–42);<sup>5</sup> the National Inquiry into Missing and Murdered Indigenous Women and Girls (see Calls for Justice 5.1, 5.11, 17.27, 5.15, 14.5, and 16.28);<sup>6</sup> and First Light's own community action plan, *Our Shared Vision* (See Calls for Change 35, 37 and 38).<sup>7</sup> These include calls for access to culturally-relevant programming in correctional facilities, Gladue reports, and alternative sanctions.



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<sup>1</sup> Scott Clark, *Overrepresentation of Indigenous People in the Canadian Criminal Justice System*, (Canada), 2019, <https://www.justice.gc.ca/eng/rp-pr/jr/oi-p-cjs/index.html>.

<sup>2</sup> Clark, *Overrepresentation of Indigenous People in the Canadian Criminal Justice System*.

<sup>3</sup> Statistics Canada, "The Daily: Overrepresentation of Indigenous and Black Adults in Provincial and Federal Custody," Government of Canada, January 14, 2026, <https://www150.statcan.gc.ca/n1/daily-quotidien/260114/dq260114b-eng.htm>.

<sup>4</sup> Statistics Canada, "A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities," Statistics Canada, March 1999, [https://www150.statcan.gc.ca/n1/en/pub/85-601-x/85-601-x1996001-eng.pdf?st=EU-y\\_JUs](https://www150.statcan.gc.ca/n1/en/pub/85-601-x/85-601-x1996001-eng.pdf?st=EU-y_JUs).

<sup>5</sup> Truth and Reconciliation Commission of Canada, *Calls to Action* (Winnipeg, MB, 2015), [www.trc.ca](http://www.trc.ca).

<sup>6</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls (Canada), ed., *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, Volume 1a*, vol. 1a (2019).

<sup>7</sup> First Voice Urban Indigenous Coalition, *Our Shared Vision: A Path toward Truth and Reconciliation in St. John's, Newfoundland and Labrador, 2023–33; an Urban Indigenous Community Action Plan* (First Voice Urban Indigenous Coalition, 2023), ISBN 978-1-7387971-1-0, <https://firstvoicenl.ca/publications/our-shared-vision-a-path-toward-truth-and-reconciliation-in-st-johns-newfoundland-and-labrador-2023-33/>

# Cultural Programming in Correctional Facilities

Federal correctional facilities are required under section 80 of the *Corrections and Conditional Release Act* (1992) to provide culturally relevant programs to address the needs of Indigenous offenders. These include access to Elders, traditional ceremonies, and healing lodges.<sup>8</sup> A meta-analysis published by Public Safety Canada<sup>9</sup> found that Indigenous cultural programming generally has a high level of uptake and participation. In many cases, cultural programming has been associated with a reduced rate of recidivism, but the design of these programs must be specific to the context.

The meta-analysis found that more research and collaboration with Indigenous groups is necessary to inform the design of cultural programming. At the same time, the authors were clear that cultural programming must still be made available, even in the absence of established best practices: “[the criminal justice system] is not exempt from the responsibility of providing effective and humane treatment in order to prepare individuals to transition to productive lives in their community.”<sup>10</sup>

In Newfoundland and Labrador, the *Correctional Services Act* mandates access to Indigenous cultural programming: “45. The director [of Corrections and Community Services] shall coordinate and encourage wherever possible (b) both in the correctional facility and in the community (ii) specific programming and services to (A) reflect the needs and culture of Indigenous offenders”.<sup>11</sup> Updated research is therefore necessary to understand the proportion of inmates who are Indigenous and other relevant demographic factors. This information is essential to plan the implementation of the cultural programming which the Corrections and Community Services has a duty to coordinate.



Our Institutes fully supports and allows a space for prison Ministry! Indigenous Culture should have the same rights! It's a part of our Human Rights to practice Religion and Culture.

— I.W.

<sup>8</sup> Leticia Gutierrez et al., *Culturally-Relevant Programming versus the Status Quo: A Meta-Analytic Review of the Effectiveness of Treatment for Indigenous Offenders*, Research report nos. 2017-R016 (Public Safety Canada, Research Division, 2018), 1–17.

<sup>9</sup> Gutierrez et al., *Culturally-Relevant Programming versus the Status Quo*.

<sup>10</sup> Gutierrez et al., *Culturally-Relevant Programming versus the Status Quo*, 20.

<sup>11</sup> Correctional Services Act, SNL 2011 CHAPTER C-37.00001, accessed January 26, 2026, <https://assembly.nl.ca/legislation/sr/statutes/c37-00001.htm>.

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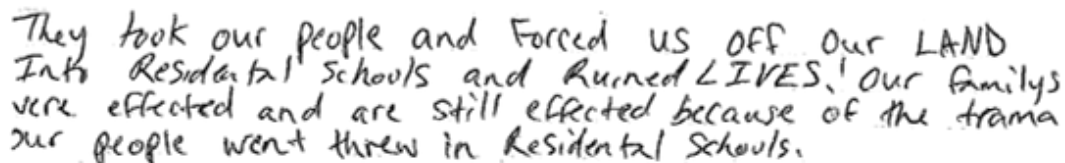
# Gladue Reports and Alternative Sanctions

Gladue reports are documents which contain information on an Indigenous offender's specific circumstances which are meant to inform court decisions, including sentencing, long term offender hearings, dangerous offender hearings, parole hearings, and appeals.<sup>12</sup> These reports are prepared by trained Gladue report writers, detailing the unique circumstances of Indigenous offenders, most notably their background and experiences with colonialism, intergenerational trauma, discrimination, and racism.<sup>13</sup>

Some examples of Gladue factors are childhood separation from family (e.g. through residential schools, foster care, the Sixties Scoop, etc.), loss of language, separation from land, and disconnection from culture.<sup>14</sup> These circumstances, called Gladue factors, must be considered in court decisions because they uniquely affect an individual's interaction with the criminal justice system. A Gladue report can provide this information to the court for use in decisions such as sentencing.

Section 718.2 of the *Criminal Code* indicates that courts have a duty to consider all reasonable alternative sanctions and use Gladue factors to inform the sentencing decision.<sup>15</sup> Alternative sanctions refers to the use of culturally relevant and restorative justice programming to help Indigenous offenders reconnect with their culture and community in ways that both support community safety and the successful reintegration of the offender into their community and society at large.

Such programs can involve traditional healing practices (e.g. sweat lodges), community service orders (e.g. chopping wood for Elders), and participation in healing circles wherein victims, family members, Elders, Knowledge Keepers, and community service providers can inform the plan for healing.<sup>16</sup> Established programs are typically led by Indigenous organizations, communities, or governments. Currently, only the communities of Sheshatshiu and Miawpukek (Conne River) have established restorative justice programs,<sup>17</sup> leaving Indigenous offenders from other communities and urban Indigenous offenders without clear pathways to alternative sanctions.



They took our people and Forced US OFF Our LAND  
Into Residential Schools and Ruined LIVES, Our family's  
were effected and are still effected because of the trauma  
our people went throu in Residential Schools.

— I.W.

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<sup>12</sup> Anna Ndegwa et al., "Applying R v Gladue: The Use of Gladue Reports and Principles," Department of Justice, Government of Canada, 2023, 978-0-660-69460-36t, J4-153/2024E-PDF, <https://www.justice.gc.ca/eng/rp-pr/jr/gladue2/index.html>.

<sup>13</sup> Benjamin A. Ralston and BC First Nations Justice Council, "The Gladue Principles, A Guide to Jurisprudence: User Guide For Gladue Writers," Indigenous Law Centre, 2021, [https://indigenoulaw.usask.ca/documents/publications/gladueprinciples-userguides\\_grwriters.pdf](https://indigenoulaw.usask.ca/documents/publications/gladueprinciples-userguides_grwriters.pdf).

<sup>14</sup> Newfoundland Aboriginal Women's Network, "Indigenous Justice Program: Gladue Writer Pilot Project," accessed January 26, 2026, <https://www.nawn-nf.com/gladue>.

<sup>15</sup> Canadian Bar Association, "Indian Act - A Brief History: 2. Gladue and the Indian Act," accessed January 26, 2026, <https://www.cba.org/our-impact/initiatives/truth-and-reconciliation/gladue-beyond/gladue-and-the-indian-act-a-brief-history/>.

<sup>16</sup> Ralston and BC First Nations Justice Council, "The Gladue Principles, A Guide to Jurisprudence: User Guide For Gladue Writers."

<sup>17</sup> Department of Justice and Government of Canada, "Directory of Restorative Justice," 01 2018, <https://www.justice.gc.ca/eng/cj-jp/rj-jr/sch-rch.aspx>.

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Indigenous offenders have the right to have their Gladue factors considered in court. Despite this right, Gladue reports have been difficult to obtain in this province. There is a limited number of trained Gladue writers in Miawpukek First Nation.<sup>18</sup> For those outside of Miawpukek, the only Gladue writer program known to First Light is a time-limited pilot project through the Newfoundland Aboriginal Women's Network (NAWN), which launched in 2024 through a federal pilot project grant.<sup>19</sup> This pilot project funding has come to an end and there is no sustained funding at this time to continue to pay Gladue writers for their work. In total, 31 Gladue reports have been written through this program.<sup>20</sup>

## Barriers to Practical Implementation of Services

The Government of Canada has clearly and explicitly acknowledged the importance of cultural programs in correctional facilities, sentencing informed by Gladue factors, and alternative sanctions.<sup>21</sup> These programs are necessary to address the intergenerational harms which continue to affect Indigenous Peoples in this country. The Government of Canada has also recognized that funding such programs makes practical sense: restorative justice programs support public safety by helping the Indigenous offender engage in their healing journey and safely

reintegrate after being incarcerated. Gladue reports can result in shorter sentences and cultural programs may reduce rates of recidivism, all of which can reduce overcrowding in correctional facilities.

While it is clear that these initiatives are crucial, there are significant barriers to implementing these programs in Newfoundland and Labrador, most notable of which is a lack of systematically collected data on the number of Indigenous offenders in the province.

The validity of self-reported demographic data, when collected by the institution, may be affected by offenders' fear of discrimination.<sup>22</sup> Many Indigenous people in Newfoundland and Labrador have had experiences of racism and stereotyping,<sup>23</sup> including by enforcement personnel.<sup>24</sup> Indigenous offenders who are white-passing may choose to conceal their Indigeneity for fear of repercussions. A lack of cultural support within correctional facilities may further suggest that there would be no benefit to disclose one's identity if it can be concealed. This makes it difficult for correctional facilities to collect accurate data on the numbers of Indigenous inmates. Obtaining precise numbers may be impossible without a neutral third party to create a culturally safe and anonymous setting.

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<sup>18</sup> Ndegwa et al., "Applying R v Gladue: The Use of Gladue Reports and Principles."

<sup>19</sup> Newfoundland Aboriginal Women's Network, "Indigenous Justice Program: Gladue Writer Pilot Project."

<sup>20</sup> NAWN, personal communication, February 3, 2026.

<sup>21</sup> Gutierrez et al., *Culturally-Relevant Programming versus the Status Quo*.

<sup>22</sup> Zoltán L. Apa et al., "Challenges and Strategies for Research in Prisons," *Public Health Nursing* 29, no. 5 (2012): 467–72, <https://doi.org/10.1111/j.1525-1446.2012.01027.x>.

<sup>23</sup> First Light, "Gathering of Voices: Message From the Gathering (Winter 2025)," St. John's, NL, November 19, 2025, <https://firstlightnl.ca/site/uploads/2025/11/Message-from-the-Gathering-Winter-2025-3.pdf>.

<sup>24</sup> Adam Cotter, "Perceptions of and Experiences with Police and the Justice System among the Black and Indigenous Populations in Canada," Government of Canada, 2022, <https://www150.statcan.gc.ca/nl/en/pub/85-002-x/2022001/article/00003-eng.pdf?st=eXCKWPpd>.

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## Indigenous Peoples Systemically Denied Recognition in Newfoundland and Labrador

In the specific context of Newfoundland and Labrador, there has been a longstanding systemic erasure of Indigenous Peoples. This began long before Confederation; however, the most consequential event in this history is likely the *Terms of Union*, signed in 1949 by Joey Smallwood. The *Terms of Union* purposefully excluded inhabitants of the newest Canadian province from eligibility to be recognized with status under the *Indian Act*.<sup>25</sup> In so doing, Joey Smallwood conveyed the notion, which became widespread, that there were “no Indians here.”<sup>26</sup> This act of erasure was intentional, since the Newfoundland government was well aware of Indigenous Peoples in its jurisdiction: the Newfoundland census had recorded people as “Indian” for at least 100 years prior to Confederation and had even conducted geological surveys in planning to establish a reserve in Conne River in 1872. (These plans were ultimately abandoned.<sup>27</sup>)

Following Confederation, it took decades of advocacy before Indigenous groups began to be recognized by the federal government. As examples of this timeline, Miawpukek First Nation was recognized as

a registered band by the federal government in 1984,<sup>28</sup> Innu Nation was first recognized under the *Indian Act* in 2002,<sup>29</sup> the *Labrador Inuit Land Claims Agreement* was signed in 2005,<sup>30</sup> Qalipu gained federal recognition as a First Nation Band 2011,<sup>31</sup> and the NunatuKavut Community Council’s advocacy for recognition remains ongoing.<sup>32</sup> This has meant that at least one generation of Indigenous people in Newfoundland and Labrador were denied legal recognition in a country where structures for such recognition (e.g. the *Indian Act*) were well established and widely in use.

## Indigenous Erasure Ongoing in Education System

Today, a lack of Indigenous recognition shows up most prominently in the education system, further affecting individuals’ willingness to identify themselves as Indigenous. The K-12 education system continues to lack accurate information on the histories and current realities of Indigenous Peoples in this province.<sup>33</sup> The narrative taught commonly revolves around the extinction of the Beothuk, effectively erasing the current and ongoing presence of Indigenous Peoples in Newfoundland and Labrador. When the Inuit and, to a lesser extent, the Innu, are included in the curriculum with no mention of the Mi’kmaq, the Indigenous nation whose traditional

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<sup>25</sup> Maura Hanrahan, “The Lasting Breach: The Omission of Aboriginal People From the Terms of Union Between Newfoundland and Canada and Its Ongoing Impacts,” March 2003, <https://www.gov.nl.ca/publicat/royalcomm/research/Hanrahan.pdf>.

<sup>26</sup> Trina Roche, “The Long Road to Recognition for the Qalipu Mi’kmaq – APTN News,” APTN News, February 1, 2017, <https://www.aptnnews.ca/national-news/the-long-road-to-recognition-for-the-qalipu-mikmaq/>.

<sup>27</sup> Hanrahan, “The Lasting Breach: The Omission of Aboriginal People From the Terms of Union Between Newfoundland and Canada and Its Ongoing Impacts.”

<sup>28</sup> Government of Canada, “Miawpukek Band Order,” Registration: Indian Act, November 2, 1989, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-89-533/FullText.html>.

<sup>29</sup> Government of Canada, “Mushuau Innu First Nation Band Order,” Registration: Indian Act, November 21, 2002, <https://laws-lois.justice.gc.ca/PDF/SOR-2002-415.pdf>; Government of Canada, “Sheshatshiu Innu First Nation Band Order,” Registration: Indian Act, November 21, 2002, <https://laws-lois.justice.gc.ca/PDF/SOR-2002-414.pdf>.

<sup>30</sup> Government of Canada, “Labrador Inuit Land Claims Agreement Act,” December 1, 2005, <https://laws-lois.justice.gc.ca/PDF/L-4.3.pdf>.

<sup>31</sup> Indian Act: Qalipu Mi’kmaq First Nation Band Order, Pub. L. No. P.C. 2011-928, SOR/2011-180 (2011), <https://laws-lois.justice.gc.ca/PDF/SOR-2011-180.pdf>.

<sup>32</sup> NunatuKavut, “NunatuKavut Rights and Recognition | Path to Indigenous Justice,” accessed January 26, 2026, <https://nunatukavut.ca/advocacy-rights-recognition/>.

<sup>33</sup> First Light, *Reconciliation Report 2024: Steps Taken, Miles to Go* (First Light, 2024), 104, <https://firstvoicent.ca/publications/steps-taken-miles-to-go-reconciliation-report-2024/>; First Light, “Gathering of Voices: Message From the Gathering (Winter 2025).”

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territories include the island portion of the province, this can give the impression that the only Indigenous Peoples in the province are from Labrador.

The Department of Education has an Indigenous Local Course Policy, which allows Indigenous communities to “infuse cultural content into course offerings at high school.”<sup>34</sup> Yet the mainstream curriculum has changed little since a 2017 review found the depictions of Indigenous Peoples in Newfoundland and Labrador to be “inconsistent and contradictory”.<sup>35</sup> Indigenous children who grow up without representation in the Indigenous-focused components of their education may be more likely to suppress their identities or disconnect from their culture in order to cope with being taught that their cultures do not exist.

## Systemic Erasure Affects Systems Data Integrity

Historic and ongoing erasure poses problems for obtaining accurate information on Indigenous individuals’ involvement in government systems. Provincial government systems were not necessarily built with the demographic nuances needed to fully represent Indiogeneity. Thus the systems to collect such data may be decades behind the rest of Canada. Furthermore, the lack of federal government recognition and lived experiences of erasure can affect individuals’ own sense of identity. This continues today, with many Indigenous people in this province concealing their identities as a means to cope with racism.<sup>36</sup>

Erasure of Indigenous cultures in the education system breeds misunderstandings that further affect systems data integrity. If the individuals designing the data infrastructure and data collection methodologies are not accurately informed about the histories and current realities of Indigenous Peoples, the systems will not be designed to accurately reflect these populations. Further, the individuals collecting and inputting the data may not be informed adequately to work appropriately with Indigenous identity data.



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<sup>34</sup> Government of Newfoundland and Labrador, “Education Action Plan Update,” June 2021, 7, [https://www.gov.nl.ca/education/files/Education\\_Action\\_Plan\\_Update.pdf](https://www.gov.nl.ca/education/files/Education_Action_Plan_Update.pdf).

<sup>35</sup> Anne Godlewska et al., “First Nations, Métis and Inuit Presence in the Newfoundland and Labrador Curriculum,” *Race Ethnicity and Education* 20, no. 4 (2017): 446–62, <https://doi.org/10.1080/13613324.2016.1248825>.

<sup>36</sup> First Light, “Gathering of Voices: Message From the Gathering (Winter 2025).”





## Research Aim

Collecting accurate demographic data in correctional facilities is a foundational step in planning implementation of cultural programming, funding Gladue report writing programs, and supporting alternative sanctions. At the same time, the context of historic and ongoing suppression of Indigeneity in Newfoundland and Labrador means that data collection about Indigeneity is a sensitive matter. To capture accurate data on the number of incarcerated Indigenous individuals in Newfoundland and Labrador, the data must be collected anonymously and by a neutral third party

who has no influence over their treatment in the correctional facility. The data must be multi-faceted to account for nuanced understandings of Indigeneity, even by Indigenous individuals themselves.

To address this need, First Light conducted a questionnaire-based study to capture a demographic snapshot<sup>37</sup> of the inmates in all adult correctional facilities in the province. The research aim was to build a picture of the demographics of incarcerated individuals in Newfoundland and Labrador with a specific focus on Indigeneity.

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<sup>37</sup> Such demographic pictures are sometimes referred to as a Point-in-Time Count and are conducted over the course of a single day. Due to logistical complexities, our questionnaires were completed over the course of five consecutive days in November 2025.

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# METHODOLOGY

## Participants and Recruitment

Eligible participants were all inmates at adult correctional facilities in Newfoundland and Labrador on the week of the snapshot, not including short-term detention facilities or lockups. These institutions were Her Majesty's Penitentiary (HMP), West Coast Correctional Institution (WCC), Bishop's Falls Correctional Centre (BFCC), Labrador Correctional Centre (LCC) and the correctional centre in Clarenville. This latter institution is called the Newfoundland and Labrador Correctional Centre for Women, but now holds male inmates, with the women and gender diverse inmates having been moved into a unit within HMP. This institution will be referred to as the correctional centre in Clarenville (CCC) in this report, to avoid confusion about the genders of inmates in that institution.

Each inmate was invited to participate by a Classifications Officer and/or Correctional Officers. Posters were printed and circulated throughout each institution in the weeks preceding the Snapshot. Signup sheets were distributed, allowing inmates to declare their interest in completing the questionnaire. Inmates who did not sign up in advance were still invited to participate during the day(s) of data collection. Inmates were offered a \$5 credit to the canteen of their institution as an incentive to participate, regardless of their responses or how many questions they answered.

## Research Design

The concept and aims of the Snapshot were devised by the First Light Advocacy Council, a group that includes Elders, staff members from each of First Light's core service areas (e.g. cultural supports, housing, health, justice), and Community Stewards (community members who bring their lived experiences to advise on advocacy priorities). An Action Circle<sup>38</sup> was convened to articulate the research question and carry out the project. Internal research on the historic context of Indigenous erasure in provincial government systems, with a focus on the justice system, was conducted by contributor Sabrina Lamanna, further supporting the need to conduct primary research on Indigenous representation in correctional facilities.

Design of the questionnaire tool was done collaboratively with the Action Circle and led by team member Teri Slade, a researcher with extensive experience in questionnaire-based research methodologies, tool development, and data integrity. Several items matched those in the federal point-in-time (PiT) count standard<sup>39</sup> to allow for data compatibility, with modifications made to reflect the current context.

For example, the question on immediate housing availability was rephrased to reflect housing availability upon discharge rather than housing the day of the questionnaire. To more fully capture the nuances of Indigenous identity, seven questionnaire items were

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<sup>38</sup> An Action Circle is a time-limited, collaborative working group created by the First Light Advocacy Council to advance a specific project, advocacy priority, or systems-change initiative. Action Circles bring together community members, staff, partners, and subject-matter experts.

<sup>39</sup> Housing, Infrastructure and Communities Canada, "Point-in-Time Counts of Homelessness," Government of Canada, accessed January 26, 2026, <https://housing-infrastructure.canada.ca/homelessness-sans-abri/resources-ressources/point-in-time-denombrement-ponctuel-eng.html>.

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developed to represent variables of Indigeneity (e.g. identity, family lineage, community affiliations, etc.). Questions to better understand Indigenous offenders were added, including their reason for admission (e.g. remand or serving a sentence), and their awareness and use of Gladue reports. The full questionnaire can be found in Appendix B.

## Research Team and Setting

Teams of two First Light staff facilitated the questionnaire-based interviews with inmates in a private setting. Each team included one person who had experience providing support to inmates in correctional facilities and one person with experience in research and/or systems advocacy. The former facilitated the interview, creating a safe space for conversation, and the latter recorded responses on a paper hard copy of the questionnaire, prompting for clarification when needed. Each team included at least one Indigenous staff member.

Team member and researcher Teri Slade, who led the questionnaire development, trained each team in questionnaire administration to build consistency across teams. One team of two staff members traveled to each of WCC, BFCC, LCC and CCC. Three teams of two staff members (for a total of six team members) conducted interview-based questionnaires at HMP, assisted by one additional team member for logistical and cultural support as needed.

Each questionnaire-based interview occurred in a private room with a closed door. The only persons present in the room were the inmate and the two staff members

from First Light. Given the sensitivity of certain questions asked (e.g. sexuality), research teams offered participants the opportunity to respond to questions silently by writing or pointing to a response option on the paper. This was intended to help mitigate any fear inmates may have had that their answers would be overheard by Correctional Officers or other corrections staff. Additionally, we offered a visit to debrief participants' experience with the questionnaire after the data collection was complete.

In institutions with an estimated population of less than 50 (BFCC, LCC, and CCC), questionnaires were completed within one day. WCC was completed over the course of two days. Due to the logistical complexities of HMP<sup>40</sup> questionnaires with inmates there were completed over the course of five days. All questionnaires were completed between November 24-28, 2025.

## Data Analysis

A research assistant entered all data from the paper questionnaires into a spreadsheet. Two other team members verified samples of the raw data for accuracy against the paper questionnaires, constituting 10% of the overall sample and showed no errors in data entry. We assessed normality of the data which guided the use of parametric vs. non-parametric statistical tests. We analyzed the data using IBM Statistical Package for the Social Sciences (SPSS). Team member Teri Slade led the data analysis.

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<sup>40</sup> HMP is the highest security prison in the province, which now includes women and gender diverse inmates, with a typical population of more than triple that of the next largest institution. These factors made it logistically improbable that questionnaires could be conducted in a single day.

# FINDINGS

## Participation

Three hundred and five (305) inmates participated in the questionnaire-based interview. This constitutes at least 72%<sup>41</sup> of the total inmate population who could have participated in the study. Of these participants, two were unable to complete the questionnaire due to wellness concerns.<sup>42</sup> Therefore, the subsequent analyses are based on a total of 303.

## Indigenous Identity and Family Lineage

Among 303 participants, 85 participants (28.1%) responded “yes” to the question “Do you identify as Indigenous?” and an additional 16 (5.3%) were unsure of their identity (Figure 1).

Among the 218 participants who did not self-identify as Indigenous, 20 had one or more Indigenous parents (6.6% of total 303 participants) and an additional 26 (8.6% of total 303 participants) had one or more Indigenous grandparents (Figure 2).

Among these 46 participants (15.2% of total 303 participants) with at least one Indigenous parent or grandparent, 39 (12.9% of total 303 participants) responded that they did not self-identify as Indigenous, and a further 7 participants (2.3% of total participants) were unsure about their identity (Figure 3).

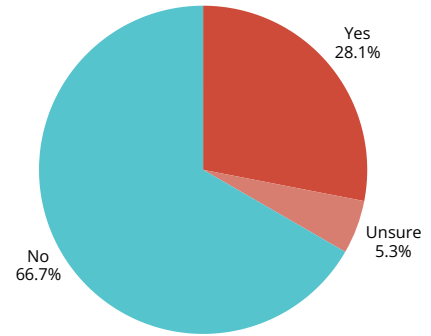


Figure 1: “Do you identify as Indigenous?”

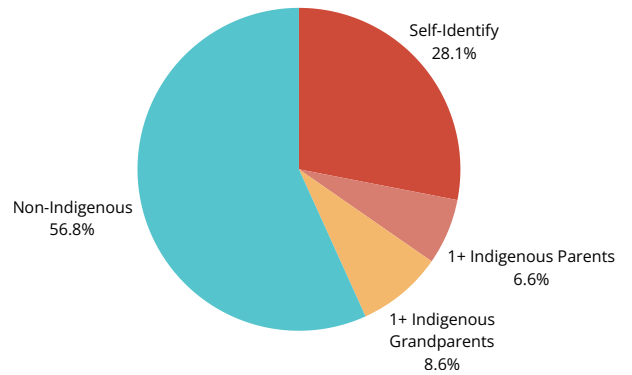


Figure 2: Participants with Indigenous Family Lineage who did not self-identify.

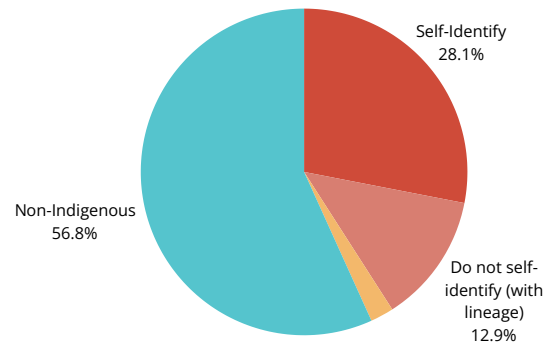


Figure 3: Participants with Indigenous Family Lineage

<sup>41</sup> 305 participants constitute 72–75% of the total inmate population during data collection. This is expressed as a range because data collection was completed over the course of 5 days, during which there was some turnover in the overall inmate population. See Appendix C for more details on how the estimated participation rate was calculated.

<sup>42</sup> These individuals were still issued a \$5 canteen credit, as per our research protocol.

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Research team members recorded some of the reasons these participants voluntarily gave for the incongruity between their self-identification and their known Indigenous family members:

- Participants whose parent(s) or grandparent(s) attended residential school and refused to speak of Indigenous cultures after that experience.
- Participants whose parent(s) or grandparent(s) were abused because of their Indigenous heritage or culture and concealed their identities as a result.
- Participants whose parent(s) or grandparent(s) “converted to Christianity” and were told they were “not Indigenous after that”.
- Participants who found out in adulthood that their parent(s) or grandparent(s) were Indigenous, and that their family had concealed this from them during their upbringing.
- Participants who felt their physical appearance was “too white” for their Indiogeneity to be accepted by others.
- Participants who did not grow up with enough of a connection to culture and felt, as a result, that they could not be Indigenous.
- Participants who did not identify because they did not have status under the Indian Act, had their status applications rejected, or who had lost their status.<sup>43</sup>

In the past we were torn away from our LAND, we were forced to do things the way the government chose for us to do. They Ruined our Cultures by taking us apart!

— I.W.

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<sup>43</sup> From 2011–2018, there was a re-evaluation of thousands of applications for status under the *Indian Act* through Qalipu First Nation. The initial estimates of the size of Qalipu First Nation were significantly smaller than the 104,000 applications that were submitted when Qalipu was first federally recognized. This re-evaluation revoked the status of over 10,000 original members of the band, given criteria such as where the applicants lived, frequency of visits to their home community, and proof of self-identification as Indigenous prior to 2008. In many cases, even siblings from the same household differed in whether their status was given or maintained. While news stories widely acknowledged the upsetting nature of this situation, the present data suggest that loss of federal recognition through status also caused some individuals to lose their sense of identity as Indigenous. See for example <https://qalipu.ca/announcement-qalipu-updated-membership/>, and <https://gazette.gc.ca/rp-pr/p2/2021/2021-05-12/html/sor-dors90-eng.html>

The contextual reasonings above suggest that individuals who do not identify as Indigenous, yet have Indigenous parents or grandparents, are also affected by social factors similar to those faced by self-identifying Indigenous individuals, such as intergenerational trauma and the effects of colonialism. We consider anyone who reported having at least one Indigenous parent or grandparent to be Indigenous.

We also consider all individuals who self-identified as Indigenous to be Indigenous, even when they reported having only extended family lineage. Among those who self-identified as Indigenous, only 3 (<1%) had an Indigenous family lineage at the level of great-grandparent, and 0 participants (0.0%) identified as Indigenous with no known Indigenous family members. Thus, we did not find an incongruity between the identity and family lineage of those who self-identified as Indigenous.

For the purposes of this report, we consider that all individuals who self-identify as Indigenous (85 participants, 28.1%) as well as those who reported having at least one Indigenous parent or grandparent (46 participants, 15.2%) are Indigenous. That leads to a total Indigenous population of 131 inmates (43.2%) in our data.

For all comparisons used in the remainder of the report, we use this combination of identity and family lineage data to render the independent variable delineating Indigenous (131, 43.2%) from non-Indigenous (172, 57.1%) participants. To assess the validity of this dichotomous variable for statistical comparisons in the present dataset, we have conducted all comparisons using identity data alone as the independent variable and again using family lineage data alone. In all cases, the implications of statistical tests are the same regardless of which variable is used to delineate the groups.

The proportion of Indigenous inmates varied by institution, with all institutions having at least one quarter of their inmate population being Indigenous. LCC had the highest proportion of Indigenous inmates, at 88.5% and Clarendville the lowest at 26.9% (see Table 1).

Table 1: Proportion of Indigenous Inmates by Correctional Facility

Institution	Indigenous	Non-Indigenous
Bishop's Falls (BFCC)	41.7%	58.3%
Clarendville (CCC)	26.9%	73.1%
St. John's (HMP)	44.4%	55.6%
Happy Valley-Goose Bay (LCC)	88.5%	11.5%
Stephenville (WCC)	27.6%	72.4%
<b>Total</b>	<b>43.2%</b>	<b>56.8%</b>



**43.2%**

are Indigenous

(131 participants)

## Community Connections

Ninety-three (93) participants (30.7%) reported a connection to an Indigenous group or community. Of these, 67 were First Nations communities and 21 were Inuit. Fewer than 5<sup>44</sup> participants had a connection with a Métis<sup>45</sup> community and fewer than 5 participants had a connection with multiple Indigenous groups. Six (6) participants described themselves as urban Indigenous only, with their main point of connection with culture being through Friendship Centres.

Among the 93 participants who described a connection to an Indigenous group or community, 6 of them neither identified as Indigenous nor did they have at least one Indigenous parent or grandparent. These six individuals included those who had extended Indigenous family members (e.g. great grandparents whom they had never met, distant relatives to whom they were not connected), those who married into an Indigenous family, and those who were raised with Indigenous family members to whom they were not biologically related (e.g. step parents, adoptive parents, half siblings).

Comparing our numbers of Indigenous groups represented to Census data, we can estimate the rates of incarceration by distinctions category, as shown in Table 2. A detailed version of this table can be found in Appendix C, including assumptions and population figures used. The overall incarceration rate among Indigenous adults is estimated to be 49.0–51.4 individuals

incarcerated per 10,000 population, compared to a rate 6.0–6.3 per 10,000 in the non-Indigenous population.<sup>46</sup> This rate of Indigenous incarceration is higher than the most recent estimates from Nova Scotia, British Columbia, and Prince Edward Island.<sup>47</sup> When considering the difference between Indigenous and non-Indigenous incarceration rates by 10,000 population in the present data, **the rate of incarceration is 8.2 times higher for the Indigenous population compared to the non-Indigenous population.**

Table 2: Proportion of Indigenous Inmates by Correctional Facility

Group	Incarcerated individuals per 10,000 population	
	Low estimate	High estimate
Total Indigenous	49.0	51.4
First Nations	40.7	42.8
Inuit	52.0	54.6
Metis	2.4	2.5
Non-Indigenous	6.0	6.3

Four additional questions intended to capture participants' recognition by governing systems. Seven (7) Inuit participants reported being beneficiaries of

<sup>44</sup> Exact numbers fewer than five are suppressed throughout this report to support confidentiality.

<sup>45</sup> The actual number of individuals who described themselves as Métis was higher, but our follow-up questions clarified that most of these were referring to the group now known as NunatuKavut (formerly Labrador Métis). This point of confusion also suggests the potential for measurement error in the Census data on Indigenous identity categories of Inuit and Métis.

<sup>46</sup> Our incarceration rates are expressed as a range because our data is of a large sample (72–75%) of the total incarcerated population in the province, whereas the provincial numbers published by StatCan use administrative files to include 100% of inmates on record on a particular day. Please see table notes for the assumptions underlying the incarceration rate estimates given.

<sup>47</sup> Statistics Canada, "The Daily: Overrepresentation of Indigenous and Black Adults in Provincial and Federal Custody."

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the Nunatsiavut Government and a number fewer than 5 reported being members of the NunatuKavut Community Council. Twenty-seven (27) participants reported that they had status under the *Indian Act*, and a number fewer than 5 reported that they had previously had status but lost it<sup>48</sup> and a number fewer than 5 who were unsure of their status, likely due to complex paperwork and processing times.

## Additional Demographic Characteristics

Current ages of participants were between 20 and 77 with a mean of 37.4 years old (SD=9.8). The mean age was lower among Indigenous (mean=35.9 years old, SD= 8.3,  $n=129$ ) compared to non-Indigenous inmates (mean=38.5, SD=10.7,  $n=172$ ). This difference was found to be statistically significant following an independent-samples  $t$ -test ( $t(298.59)=2.41, p=.017$ , two-tailed). This follows general population data from the 2021 Census, in which the average age of the Indigenous population in Newfoundland and Labrador was found to be 39.1 years old compared to 45.7 years old in the non-Indigenous population.<sup>49</sup>

Two hundred and sixty-three (263) participants (86.8%) indicated their gender as “man”, 34 participants indicated their gender as “woman” (11.2%), and a count of fewer than 5 participants indicated “transgender” and “prefer not to say”.

The proportion of Indigenous individuals was higher among women than men.<sup>50</sup> More than forty percent (41.1%) of men were Indigenous compared to 52.9% of women. A Chi-Squared Test of Independence (with Yates’ Continuity Correction) did not find this relationship to be statistically significant in the present dataset ( $\chi^2(1, n=297)=1.29, p=.26$ ). However, the lack of statistical significance may be Type II error due to low sample size. Research done elsewhere in Canada, in both federal and provincial institutions, have consistently found a higher rate of incarceration among Indigenous women compared to Indigenous men.<sup>51</sup> This suggests that there is a noteworthy interaction between gender and Indigeneity, despite the non-significant  $p$ -value in the present analysis.

Two hundred and eighty (280) participants (92.4%) indicated their sexuality as straight or heterosexual. There were 13 participants (4.3%) who indicated their sexuality as bisexual, and counts of fewer than 5 participants selected each of the following options: gay, demisexual, multiple sexualities, unsure, and prefer not to say. The total of individuals disclosing a sexuality other than straight and those disclosing a gender other than “man” and “woman” was 16 individuals (5.3%). This is slightly higher than the latest estimate of the proportion of the Canadian population who are 2SLGBTQ+ (4.4% in 2023).<sup>52</sup> A Chi-Squared Goodness of Fit test found that this difference was not statistically significant ( $\chi^2(1,299)= 0.64, p=.42$ ).

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<sup>48</sup> All of these were connected through Qalipu First Nation. See footnote 43 for more information.

<sup>49</sup> Statistics Canada, “Focus on Geography Series, 2021 Census - Newfoundland and Labrador,” 09 2025, <https://www12.statcan.gc.ca/census-recensement/2021/as-sa/fogs-spg/page.cfm?lang=E&topic=8&dguid=2021A000210>.

<sup>50</sup> Participants who identified as transgender are excluded from this particular analysis due to small sample sizes, but are included in a later analysis which binned these individuals with all of those who could be identified as 2SLGBTQ+. None of the transgender participants identified with a binary gender, and thus could not be reasonably binned with another gender category.

<sup>51</sup> Clark, Scott. “Overrepresentation of Indigenous People in the Canadian Criminal Justice System: Causes and Responses,” (Canada), 2019, <https://www.justice.gc.ca/eng/rp-pr/jr/oi-p-cjs/index.html>.

<sup>52</sup> Statistics Canada, “Canada at a Glance, 2023,” n.d., accessed January 26, 2026, <https://www150.statcan.gc.ca/n1/pub/12-581-x/12-581-x2023001-eng.htm>.

The majority (81.3%) of those who identified as 2SLGBTQ+ were also Indigenous. A Chi-Square Test for Independence (with Yates' Continuity Correction) found this association to be statistically significant ( $\chi^2(1, n=299)=8.61, p=.003$ ).

Out of 303 participants, 9 indicated a race other than white and/or Indigenous. These 9 responses included Black-Canadian, Black African, Black-Afro-Caribbean and Arab. Counts in each category are fewer than 5 and therefore are not reported individually to support confidentiality. Five (5) participants indicated that they had come to Canada as an immigrant, refugee, asylum claimant, or on a study permit.

## Cultural Programming

At the time of the Snapshot, only one institution held routine cultural programming for Indigenous inmates. We asked all participants who identified as Indigenous, had Indigenous family, and/or a connection to an Indigenous community whether they would participate in cultural programming if it were made available to them.

For those at LCC, where cultural programming was already held, we asked whether they would attend more cultural programming if it were available. The vast majority (96.2%) responded "yes" to this question. There were only 5 participants who said that they were unsure or would not

choose to attend Indigenous cultural programming, all of whom did not self-identify as Indigenous.

## Involvement in System

Over seventy-three percent (73.3%) of participants reported being on remand, meaning they are awaiting a court date and have not yet been convicted or sentenced. This rate is the same among Indigenous participants and non-Indigenous participants alike ( $\chi^2(1, n=303)=0, p=1$ ), pointing to no significant difference in the rate of remand between Indigenous and non-Indigenous inmates.

Age of first incarceration was on average 24.6 years of age (SD = 10.69, range 9-77). Age of first incarceration was lower among Indigenous inmates (mean = 24.04 years old, SD = 8.87,  $n=128$ ) compared to non-Indigenous inmates (mean = 25.09 years old, SD=11.87,  $n=171$ ), but this difference was not statistically significant according to an independent samples  $t$ -test ( $t(297)=.88, p=.38$ , two-tailed).

Women were, on average, first incarcerated later in life than inmates who identified as men. Table 3 in Appendix C summarizes these figures. A univariate analysis of variance (ANOVA) found a statistically significant main effect of gender ( $F(1,294)=11.3, p<.001$ ), and no statistically significant main effect of Indigeneity

Why are we being denied culture? I can't practice, pray or follow my culture correctly! I have no one I can call. I have no one where I can ask. I have no one to show me a path to pray and start a healing journey that our creator wants me to follow! We are being forced away and torn apart from each other.

— I.W.

( $F(1,294)=1.56, p=.21$ ). There was no statistically significant interaction effect between Indigeneity and gender ( $F(3,295)=0.42, p=.52$ ). This suggests that while women had a higher age of first incarceration, Indigeneity did not interact with gender to create intersectional effects on this specific variable.

## Housing

We asked all participants whether they would have a safe place to stay overnight if they were discharged that day. Thirty-four percent (34.0%) of participants said they had no safe place to stay, saying they would sleep in an unsheltered area, encampment, in a vehicle, or attempt to get a bed in a homeless shelter – though many participants were aware that the shelter system is overwhelmed with the current lack of housing and that shelter placements on short notice are rarely available.

Research team members recorded some of the following notes on the participants' limited options of housing if suddenly discharged:

- Participant would try a shelter, but knows there is no room.
- Participant would need to couchsurf.
- Participant would go to [non-profit organization] and ask for a tent.
- Participant lost supportive family member(s) and/or their home since being incarcerated and wouldn't know where to go.

- Participant could stay with family in a town far from correctional facility but unsure how to get there.
- Participant has supportive family in another province, but is unsure of how to get there.
- Participant had been incarcerated for many years and was unsure how to navigate society outside of an institution.
- Participant might have to resort to survival crimes.
- "Any means necessary to survive"

Indigenous participants, compared to non-Indigenous participants, had a higher rate of responding that they had nowhere safe to stay (38.8% compared to 30.8%,  $\chi^2(1, n=301) = 1.73, p=.19$ ).<sup>53</sup> Indigenous participants also had a lower rate of having their own home or apartment (15.5% compared to 20.9%) and a lower rate of having someone else's place where they could stay safely overnight (44.2% compared to 47.1%). Fewer than five participants said they would be able to stay at a transitional shelter, which was the same between Indigenous and non-Indigenous participants.

<sup>53</sup> This comparison binned all those who had a safe place to stay overnight, creating a dichotomous variable. We considered that those who planned to stay in a homeless shelter (which would be unlikely to have room for them), in a hospital, sleeping outdoors, sleeping in a vehicle, or in an encampment had nowhere safe to stay. Those who planned to go to a transitional shelter, which requires a placement and advanced discharge planning, were considered to have a safe place to stay, along with those with their own apartment or house or who were able to stay safely at someone else's place. Statistical comparisons were not run on each of these categories due to small bin count.



## Gladue Reports

In this subsection, we report only on the group of participants who self-identified as Indigenous, as offenders must self-identify as Indigenous in order to be eligible for a Gladue report.<sup>54</sup> Descriptive analyses confirmed that all participants who had talked to a lawyer about getting a Gladue report written for them were individuals who identified as Indigenous.

Among the 85 participants who identified as Indigenous, less than half (40, 47.1%) knew what a Gladue report was. An additional 7 (8.2%) had heard the term but did not know what it was. Of those who knew what a Gladue report was, 25 participants (29.4% of all those who identified as Indigenous) had spoken to a lawyer about getting a Gladue report written for them and 24 (28.2% of all those who identified as Indigenous) reported having either a report in progress or one already written.

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<sup>54</sup> Ndegwa et al., "Applying R v Gladue: The Use of Gladue Reports and Principles."

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## DISCUSSION

There are a number of findings of this study that warrant discussion and others that warrant changes within the justice system. Key findings are discussed first, situating them with previous research where relevant. Actions needed to provide Indigenous offenders in Newfoundland and Labrador with the same rights as those elsewhere in Canada are then addressed.

### Indigenous Self-Identification

The present evidence suggests that self-identification continues to be a valid way to collect data on Indigeneity in correctional facilities, such as for implementing Indigenous cultural programs. Among those who identified as Indigenous, there were 0 respondents who reported no Indigenous lineage, and only a small minority (<1%) identified as Indigenous but had Indigenous family at the level of great-grandparent. The survey preamble materials made explicit that participants' answers were anonymous and that their answers would have no effect on how they were treated. We emphasized that all participants would receive the \$5 canteen voucher regardless of their answers.

This suggests that participants were unlikely to claim to be Indigenous without an Indigenous background of some sort. Additionally, there was a substantial number of individuals (15.2% of the overall sample) who did not self-identify despite reporting Indigenous parents or grandparents. This suggests that false claims of Indigeneity were not a significant problem for data collection in this study.

The findings also align with patterns observed elsewhere in Canada, supporting that the data are an accurate representation of the number of Indigenous people in correctional facilities. The latest data published by Statistics Canada<sup>55</sup> show that across six provinces (Nova Scotia, Prince Edward Island, Ontario, Saskatchewan, Alberta, and British Columbia), the rate of incarceration by 10,000 Indigenous adult population was between 36 and 211. Excluding the obvious outlier of 211 (Saskatchewan), these numbers range from 36 to 95, and an average of 59. This is very much in line with the present findings of 49.0–51.4 persons incarcerated per 10,000 Indigenous adults.

When comparing these numbers to those among non-Indigenous, the overrepresentation is between 3.3 and 11.9 (again excluding Saskatchewan), with an average of 7.7. Our present findings of Indigenous incarceration being 8 times that of the non-Indigenous population is therefore consistent with national trends.

Given the similarity of our findings within the general trends reported elsewhere in Canada, we have good reason to believe that the numbers in the present data are representative of the incarcerated population. For correctional facility data collection practices, the implication is that self-identification continues to be one form of useful data collection about Indigeneity of individuals being admitted to correctional facilities. It cannot, however, capture the full picture of Indigenous identity in the greater context of colonialism, particularly in Newfoundland and Labrador. The use of self-identification alone is insufficient to understand the nuances of Indigeneity data where Indigenous erasure is such a

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<sup>55</sup> Statistics Canada, "The Daily: Overrepresentation of Indigenous and Black Adults in Provincial and Federal Custody."

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significant – and lasting – legacy of government relations with Indigenous Peoples.

## **Combining Self-Identification with Family Lineage Data**

The present findings suggest that multiple Indigenous data points are necessary to gain a full picture of how many Indigenous people are represented in government systems such as correctional facilities in Newfoundland and Labrador. Many Indigenous participants in our study did not feel they could identify as Indigenous, despite having Indigenous parents or grandparents. This is a logical outcome of the historical context of the province wherein, for multiple decades, Indigenous Peoples have not had federal recognition and wherein members of NunatuKavut Community Council continue to go unrecognized federally. The K-12 curriculum continues to exclude the histories and current realities of Indigenous Peoples in the province, further suppressing awareness of Indigenous people with the general public.

These and other societal influences have combined with family and community disconnections from Indigenous cultures to create circumstances in which many Indigenous individuals do not consider themselves to be Indigenous, even when they are affected by the same inequities self-identifying Indigenous individuals face (e.g., intergenerational trauma from residential schools, colonialism). This means that Indigenous identity and family lineage would be needed at minimum to obtain a fulsome count of the number of Indigenous people in any public system in this province.

## **Community Identification and Indigenous Liaison Officers**

One variable we were not able to collect was identification by one's community. When an institution has an Indigenous Liaison Officer (ILO), the ILO can connect with Indigenous inmates, their communities, and their cultures. This community knowledge leads to the ability to understand the full picture of a person's Indigeneity, which can provide needed context for facilitating access to needed cultural programming, Gladue reports, and alternative sanctions.

Our team members observed this community identification in LCC, the only provincial institution in Newfoundland and Labrador where there are ILO positions. There was, for instance, an inmate who was unable to attend the questionnaire-based interview yet the ILO knew enough about this inmate to identify whether or not they were Indigenous, where they were from and what their family lineage was. While these data were not collected formally for inclusion in the study, the ability of the ILO to respond to all of the Indigeneity questions on behalf of the inmate demonstrates the utility of ILOs in administering Indigenous-specific justice programs and services.

## **Higher Proportion of Indigenous Inmates among Women**

The present data showed a higher rate of Indigenous representation among inmates who identified as women. While this finding was not statistically significant in the present

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data, it aligns very closely with findings in federal and provincial correctional facilities across the country. This suggests that the lack of statistical significance may be due to low sample size in the present data and that the higher rate of incarceration among Indigenous women is one example of a persistent trend across Canada.

This points to the need for specific considerations for Indigenous women when planning cultural programming, Gladue report-writing, and alternative sanctions. Previous research has found that Indigenous women who are incarcerated are more likely to have experienced abuse, to be single mothers, and to be at risk of having their children taken into foster care.<sup>56</sup> These are crucial considerations for programming to ensure successful rehabilitation and reintegration for Indigenous women upon discharge, including culturally relevant support for their wellness and their families.

## Low Awareness and Use of Gladue Reports

The present study reveals a significant gap in awareness of, and access to, Gladue reports among Indigenous inmates in Newfoundland and Labrador. Less than half of self-identifying Indigenous participants (47%) knew what a Gladue report was, and only 28% had a report completed or in progress. The actual number of Gladue reports written may be even lower, as it is possible that some participants had had a pre-sentencing report with Gladue factors and not an official Gladue report.

This low level of awareness reflects both

practical barriers, such as limited funding for and access to trained Gladue writers, and broader systemic issues that fail to recognize and respond to the lived experiences of Indigenous people in the province. Without adequate knowledge or access, many Indigenous offenders are unable to benefit from culturally informed sentencing processes designed to address the ongoing impacts of colonialism, trauma, and systemic disadvantage.

Evidence on the use of Gladue reports across Canada shows the need for improved understanding among legal professionals on the use of Gladue reports and application of Gladue principles. In *R v Ipeelee*, The Supreme Court highlighted the “irregular and uncertain application of Gladue principles to serious and violent offences in particular”<sup>57</sup> which has contributed to the persistence of overincarceration of Indigenous offenders following the introduction of section 718.2(e) of the *Criminal Code*. This points to a need to raise awareness and understanding of Gladue principles, not only among Indigenous offenders, but among legal professionals as well.

The low level of awareness of Gladue reports in Newfoundland and Labrador has serious implications for justice and reintegration. Without access to Gladue reports, Indigenous offenders may not be able to avail of alternatives to incarceration, culturally grounded supports, and rehabilitative pathways that could better address the systemic factors contributing to their criminality. Improving access through stable funding, clearer information within correctional facilities, and stronger connections to Indigenous programs is

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<sup>56</sup> Pamela Palmater, “Confronting Racism and Over-Incarceration of Indigenous Peoples in Canada,” *Journal of Community Corrections* 27, no. 2 (2018), 5–20.

<sup>57</sup> Rhea Murti, “The Sentencing of Indigenous People in Canada: Where We Are Two Decades After Gladue,” *Indigenous Law Journal* 19, no. 1 (2023): 22.

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essential to ensuring that Gladue principles are meaningfully implemented.

Strengthening these supports would help Newfoundland and Labrador move closer to the intent of section 718.2(e) and the *Gladue* and *Ipeelee* decisions, supporting more equitable sentencing practices and contributing to the broader goal of reducing Indigenous over-incarceration.

## 2SLGBTQ+ inmates and the Relevance of Data Collection Context

Participants who disclosed a 2SLGBTQ+ identity were 81.3% Indigenous. There may be two explanations for this. It is likely that Indigenous participants were more comfortable with our team members because they recognized First Light as an Indigenous organization and felt more secure speaking with our Indigenous team members. This likely helped Indigenous participants feel that they could trust that the data collected would be held and used with care, increasing the likelihood that participants would disclose a sexuality that is marginalized in correctional facilities. This highlights the importance of a safe disclosure setting for collecting data on a marginalized, but concealable, aspect of identity.

Another possibility is that 2SLGBTQ+ identity and Indigeneity interact in distinctive ways that affect a person's risk for interactions with the criminal justice system. Indigenous

2SLGBTQ+ individuals face intersecting sources of marginalization, creating circumstances which may increase the likelihood of a criminal charge. Previous research has found that certain factors are common among individuals at this intersection, including childhood traumatic experiences<sup>58</sup> and unique health challenges.<sup>59</sup> More research would be needed to understand the nature of any trends in criminal justice system involvement at the intersection of Indigeneity and 2SLGBTQ+ identity in Newfoundland and Labrador.

The proportion of inmates who identified as 2SLGBTQ+ highlights that correctional facilities must meaningfully consider this population in planning. This means ensuring the safety of 2SLGBTQ+ inmates, while taking seriously the importance of an affirmative approach.<sup>60</sup> The *Correctional Services Act* highlights the principle of responsiveness to gender diversity: "policies, programs and practices will be responsive to the particular needs of women, gender diverse individuals and Indigenous peoples" as well as "provide for the particular needs of female offenders and gender diverse offenders."<sup>61</sup> The present data suggests that not only are there gender diverse individuals in correctional facilities, but that the intersection of Indigeneity with diverse gender identities must be meaningfully accounted for in planning.



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<sup>58</sup> Ilan H. Meyer et al., "Incarceration Rates and Traits of Sexual Minorities in the United States: National Inmate Survey, 2011–2012," *American Journal of Public Health* 107, no. 2 (2017): 267–73, <https://doi.org/10.2105/AJPH.2016.303576>.

<sup>59</sup> Kai Jacobsen et al., "Prevalence and Correlates of Incarceration Among Trans Men, Nonbinary People, and Two-Spirit People in Canada," *Journal of Correctional Health Care* 29, no. 1 (2023): 47–59, <https://doi.org/10.1089/jchc.21.10.017>.

<sup>60</sup> Lauren Bochicchio et al., "Psychotherapeutic Interventions for LGBTQ + Youth: A Systematic Review," *Journal of LGBT Youth* 19, no. 2 (2022): 152–79, <https://doi.org/10.1080/19361653.2020.1766393>.

<sup>61</sup> Correctional Services Act.



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## POLICY IMPERATIVES

Every Inmate serving time at H.M.P here in St. Johns Suffer every day! Our human Rights are being violated inside these walls Due to the fact Its old, ran down, Moldy Rodent infested over populated and not up to Code.

— I.W.

The findings of the present study point to the need for deliberate policy action within Newfoundland and Labrador’s correctional system. Indigenous people are substantially overrepresented in custody, yet access to culturally relevant programming, justice navigation, alternative sanctions, and safe reintegration supports remains inconsistent or, in many cases, unavailable. These gaps limit the ability of the correctional system to operate in a manner that reflects both current law and established policy commitments.

With the coming into force of the *Correctional Services Act*, together with existing obligations under the *Criminal Code*, human rights law, and the *United Nations Declaration on the Rights of Indigenous Peoples*, the Province now has a clear responsibility to ensure that correctional practices are responsive to the needs and circumstances of Indigenous inmates. Meeting these obligations requires a more stable, coordinated, and adequately resourced approach than currently exists.

Based on these findings and the current legislative and policy context, First Light calls on the Government of Newfoundland and Labrador to implement the following policy changes without delay.



# 1. Indigenous Cultural Programming & In-Reach

## CALL FOR CHANGE 35

Ensure the availability of Indigenous cultural programming within the corrections system.

Justice and Human Rights



- Establish stable, multi-year funding arrangements with Indigenous organizations to provide culturally grounded programming and in-reach supports for Indigenous inmates at all provincial correctional institutions.**

Findings from this study show that Indigenous people make up a substantial proportion of the inmate population at every correctional facility in the province, yet access to Indigenous cultural programming is currently limited. Nearly all Indigenous participants indicated that they would take part in cultural programming if it were available, suggesting that the current level of service does not reflect the scale of need.

The *Correctional Services Act* requires that policies, programs, and practices be responsive to the needs and culture of Indigenous offenders. In the absence of stable and adequately funded programming, correctional institutions may be unable to meet this requirement in a consistent and meaningful way. Short-term or ad hoc arrangements are not sufficient to ensure that Indigenous inmates can access the cultural, spiritual, and community-based supports that are necessary for rehabilitation and reintegration.

The Province must therefore establish multi-year funding agreements with Indigenous organizations to deliver cultural programming, in-reach services, and related supports within correctional facilities. Indigenous-led delivery is essential to ensure that programming is culturally appropriate, trusted by inmates, and connected to community-based services that support successful reintegration after release.

Providing stable access to culturally grounded programming will help correctional institutions meet their legislative and policy obligations, support safer reintegration, and reduce long-term system pressures associated with repeated incarceration and unmet needs. More importantly, it is part of the criminal justice system's "responsibility of providing effective and humane treatment in order to prepare individuals to transition to productive lives in their community."<sup>62</sup>

The present findings also suggest that there is a high proportion of Indigenous people among those who identify as women and as 2SLGBTQ+. This means that the implementation of cultural programming can and should consider the specific needs of these groups. The *Correctional Services Act* clearly states that "policies, programs and practices will be responsive to the particular needs of women, gender diverse individuals and Indigenous peoples."<sup>63</sup> The present data suggests that these categories have considerable overlap and thus an intersectional approach to programming is necessary.

<sup>62</sup> Gutierrez et al., *Culturally-Relevant Programming versus the Status Quo*, 20.

<sup>63</sup> *Correctional Services Act*.

## 2. Targeted Anti-Racism Training

### CALL FOR CHANGE 6

Build strategic partnerships to support the development and delivery of sector-specific anti-racism training in essential areas such as health, law, education, engineering, and government services.

Education, Training  
and Employment



- Provide Indigenous-specific anti-racism training to all Correctional Services staff, with particular attention to those involved in intake, classification, and data collection.**

The findings of this report suggest that many Indigenous individuals in Newfoundland and Labrador may be reluctant to identify themselves as Indigenous within government systems, including correctional facilities. Participants described experiences of racism, loss of recognition, and distrust of institutions, all of which can affect whether individuals feel safe disclosing their identity. When Indigenous identity is not accurately recorded, correctional facilities may be unable to provide appropriate cultural programming, Gladue reports, or alternative sanctions, and the resulting data may not reflect the true level of Indigenous overrepresentation in the system.

Providing Indigenous-specific anti-racism training to all correctional staff would help create an environment in which inmates feel safe identifying themselves and participating in culturally relevant programming. Training should include the history of Indigenous Peoples in Newfoundland and Labrador, the legacy of government policies that denied recognition

to many Indigenous communities, and the ongoing effects of colonialism, intergenerational trauma, and systemic discrimination.

As other authors have noted, cultural programming cannot be successfully implemented without staff cooperation and support.<sup>64</sup> Such training is necessary not only to improve staff awareness, but to support the effective implementation of existing legal and policy requirements, including the provision of Indigenous cultural programming, the use of Gladue principles, and the development of alternative sanctions. Without staff understanding and cooperation, these measures cannot be applied consistently or fairly.

## 3. Gladue Reports

### CALL FOR CHANGE 38

Promote and support the implementation of Gladue reports in sentencing.

Justice and Human Rights



- Ensure stable funding, training, and institutional support for Gladue report writing in Newfoundland and Labrador.**

Access to Gladue reports for Indigenous offenders in this province remains extremely limited. As noted earlier in this report, fewer than half of Indigenous participants were aware of Gladue reports, and only a small number had ever had a report prepared. At present, there is no sustained provincial funding to support Gladue writers, and the limited availability of reports has relied on short-term pilot funding rather than a permanent program.

<sup>64</sup> Justin E. C. Tetrault, "Indigenizing Prisons: A Canadian Case Study," *Crime and Justice* 51 (January 2022): 187–236, <https://doi.org/10.1086/720943>.

The Government of Newfoundland and Labrador should establish a stable, funded Gladue report program to ensure that Indigenous offenders are able to exercise the rights recognized in section 718.2(e) of the Criminal Code and in the Gladue and Ipeelee decisions. This should include funding for Gladue writer positions (including full-time positions), training and mentorship for new writers, and resources to support the significant emotional labour involved in preparing these reports.

Legal professionals, correctional staff, and court officials must also be made aware of the availability and importance of Gladue reports so that they are requested and used consistently in appropriate cases. Without reliable access to Gladue reports, Indigenous offenders in Newfoundland and Labrador cannot benefit fully from sentencing principles that are already recognized in Canadian law.

## 4. Alternative Sanctions

### CALL FOR CHANGE 37

Promote and support the availability and use of restorative justice programs.

Justice and Human Rights



- Support the development and implementation of culturally grounded alternative sanctions programs for Indigenous offenders, including those in urban areas.**

At present, formal restorative justice and alternative sanctions programs are available only in a small number of Indigenous communities, most notably Miawpukek and Sheshatshiu. As a result, many Indigenous

offenders – particularly those living outside these communities – have little or no practical access to culturally relevant alternatives to incarceration. This limits the ability of courts to apply sentencing principles that require consideration of the unique circumstances of Indigenous offenders and the use of reasonable alternatives where appropriate.

The Province must work in partnership with Indigenous organizations and communities to establish and fund alternative sanctions programs that are accessible throughout the province. These programs should be culturally grounded and may include healing circles, community-based supervision, land-based or cultural programming, and restorative justice processes involving Elders, Knowledge Keepers, families, and community service providers.

Expanding the availability of alternative sanctions would support safer reintegration, reduce reliance on incarceration, and help address the systemic factors that contribute to the overrepresentation of Indigenous people in the correctional system. In addition to improving outcomes for offenders and communities, such programs can help reduce pressure on correctional facilities and align provincial practice with existing legal and policy expectations regarding the use of restorative and culturally relevant approaches.

<sup>65</sup> Canadian Bar Association, "Gladue & Indigenous Self-Governing Courts across the Country," Appendix to Gladue & Beyond Resource Guide, 2022, <https://cba.org/our-impact/initiatives/truth-and-reconciliation/gladue-beyond/breakdown-of-gladue-and-indigenous-self-governing-courts-across-the-country/>.

## 5. Justice Navigation & Related Support

### CALL FOR CHANGE 36

Promote and support the implementation of an Indigenous navigator position within the criminal justice and child welfare systems.

Justice and Human Rights



#### Establish Indigenous Liaison Officer positions at all five correctional institutions.

At present, Labrador Correctional Centre is the only provincial facility with Indigenous Liaison Officer (ILO) positions. The absence of similar positions at other institutions limits the ability of the correctional system to identify Indigenous inmates, support their connection to culture, and coordinate access to services such as cultural programming, Gladue reports, and alternative sanctions.

As the present findings demonstrate, many Indigenous individuals in Newfoundland and Labrador may be reluctant to self-identify within government systems due to past experiences of discrimination, loss of recognition, or disconnection from community. Without trusted, culturally-informed staff who can work directly with inmates and their communities, correctional institutions may not have the information needed to provide appropriate supports or to implement Indigenous-specific programming effectively.

The Province must establish funded Indigenous Liaison Officer positions at all five adult correctional institutions, ideally in partnership with Indigenous organizations.

These positions would be responsible for supporting cultural connection, assisting with discharge planning, facilitating access to Gladue reports and restorative justice programs, and maintaining relationships with Indigenous communities and organizations.

Indigenous Liaison Officers play a critical role in bridging the gap between correctional systems and Indigenous communities. Expanding these positions would further support more accurate data collection, improve access to culturally relevant services, and strengthen reintegration planning. At the same time, they would also help the correctional system operate in a manner consistent with its legislative obligations and reconciliation commitments.

## 6. Safe Housing

### CALL FOR CHANGE 15

Promote the implementation of a no-discharge-into-homelessness policy by the provincial government.

Housing and Homelessness



#### Actively implement a no-discharge-into-homelessness policy, with particular attention to the needs of Indigenous offenders.

Findings from this study indicate that a significant proportion of inmates – including a higher proportion of Indigenous inmates – would have no safe place to stay if released from custody. Many participants reported that they would be forced to rely on emergency shelters, couchsurfing, encampments, or other unstable situations, while others stated that they would have no

clear plan at all upon discharge. These circumstances increase the likelihood of re-offending, breach of conditions, or return to custody, and place additional strain on both the correctional system and community services.<sup>65</sup> A lack of discharge planning has been previously noted in St. John's,<sup>66</sup> highlighting the need to ensure that inmates are not discharged without advanced planning.

The Province must therefore consistently implement a clear policy that individuals are not discharged from correctional facilities into homelessness whenever it can reasonably be prevented. This requires coordinated discharge planning, access to transitional and supportive housing, and collaboration with Indigenous organizations and community service providers to ensure that culturally appropriate options are available.

Indigenous offenders may face additional barriers related to disconnection from community, lack of housing in urban centres, and the long-term effects of colonial policies that have disrupted family and community supports. Addressing housing needs at the point of release is therefore an essential part of reducing overrepresentation, supporting successful reintegration, and improving public safety.

Ensuring that individuals leave custody with a safe and stable place to stay is not only a matter of wellbeing, but a practical and cost-effective step toward reducing recidivism and allowing the correctional system to operate more effectively.

## 7. Further Research

### CALL FOR CHANGE 30

Ensure that municipal and provincial policymaking is shaped and informed by appropriate demographic data.

Infrastructure and  
Service Delivery



- **Carry out ongoing research into Indigenous incarceration, in full partnership with Indigenous Peoples, including regular demographic snapshots.**

Given the specific circumstances of Newfoundland and Labrador, with longstanding denial of recognition from governments and society at large, Indigenous individuals may be uncertain of whether they can or should identify as Indigenous and whether it is sufficiently safe to disclose an Indigenous identity. With such a high proportion of Indigenous inmates, more must be done to understand the needs of this specific group, especially considering the legal imperative to provide certain services, such as the cultural programming that is meant to be guaranteed by the *Correctional Services Act*. Given this context, administrative systems cannot capture complete data on Indigeneity in correctional facilities without significant changes to data collection and storage practices. It may take years of better recognition before all Indigenous offenders in this province feel comfortable identifying as such on record with the criminal justice system.

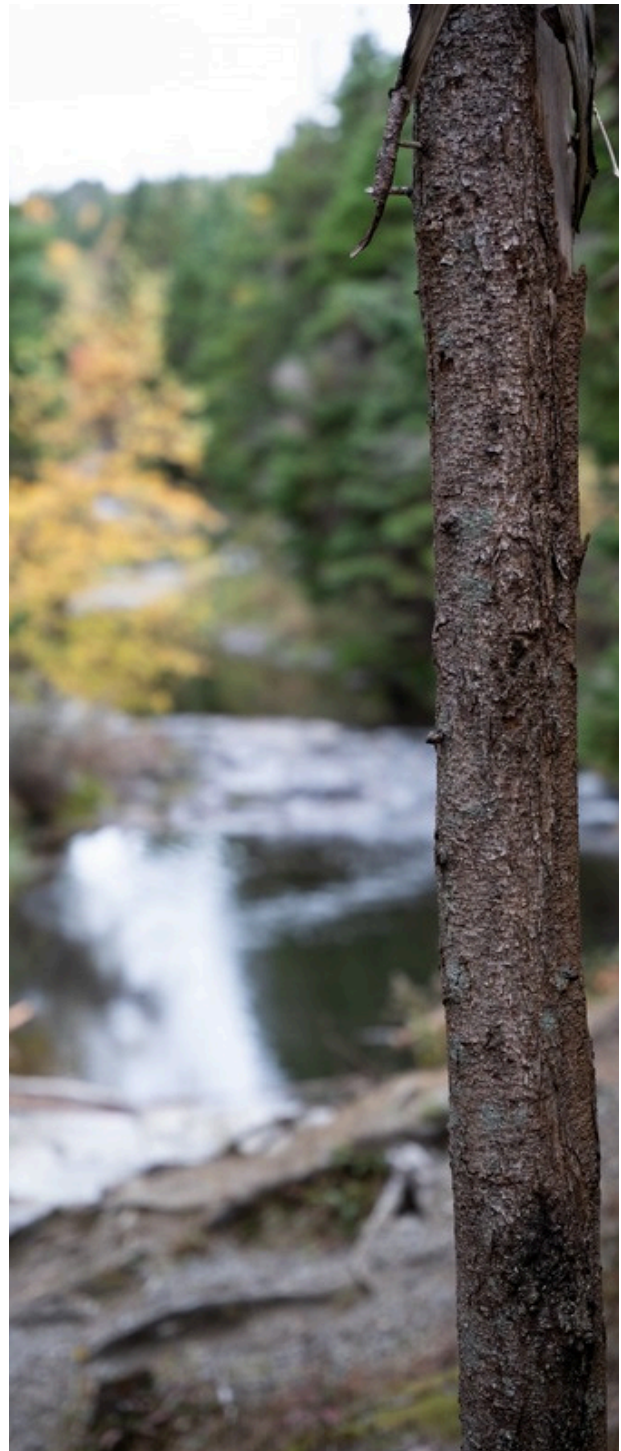
<sup>65</sup> Stephen Gaetz and Bill O'Grady, *The Missing Link: Discharge Planning, Incarceration and Homelessness* (The John Howard Society of Ontario, 2006).

<sup>66</sup> First Light, *Reconciliation Report 2024*.

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Conducting research akin to the present study, on a routine basis, can support evidence-based effective programs for Indigenous offenders. In the future, research programs could be developed collaboratively between Indigenous organizations, the Department of Justice and Public Safety, and specific correctional facilities to explore other variables which may be relevant to supporting Indigenous offenders in their rehabilitation and reintegration post-incarceration. For example, integrating variables such as risk profile, type of offense, health status, and experiences with Child Protection Services could allow analyses that support the creation and ongoing support of evidence-based programming in correctional facilities as well as avenues for effective alternative sanction programs.

The present evidence suggests that Indigenous offenders are unlikely to trust non-Indigenous organizations – much less the criminal justice system itself – with sensitive demographic data. Systems data is therefore unlikely to represent the full extent of the Indigenous population because of reasonable fears of reprisal upon admission. Indigenous offenders are unlikely to self-identify unless such data is collected in a context of trust. Ultimately, research to understand the needs of Indigenous offenders and evaluate the effectiveness of Indigenous-specific interventions requires Indigenous-led research teams.





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## CONCLUSION

The November 2025 snapshot provides the most complete picture to date of Indigenous incarceration in Newfoundland and Labrador. The findings confirm that Indigenous people are significantly overrepresented in adult correctional facilities across the province, with approximately 43% of inmates in the present sample identified as Indigenous using a combined measure of self-identification and family lineage. Based on available population data, this represents a rate of incarceration more than 8 times higher than that of the non-Indigenous population. The overrepresentation is especially pronounced among certain groups, including women and 2SLGBTQ+ inmates, and is accompanied by high levels of housing insecurity, limited access to culturally grounded programming, and low awareness and use of Gladue reports.

These results are consistent with research from other parts of Canada, but they also reflect the particular historical context of Newfoundland and Labrador, where the long period of exclusion from federal recognition has affected both the way Indigenous people identify and the challenges associated with collecting reliable data. The present study demonstrates that Indigenous overrepresentation in corrections is much greater than previously understood, and that Indigenous-led research is essential to obtaining information that is trusted by both inmates and institutions.

The findings also point to significant gaps in the availability of services intended to address Indigenous overrepresentation. At the time of the Snapshot, regular Indigenous cultural programming was available at only one provincial institution, many inmates were unaware of Gladue reports, and a substantial number reported that they would have no safe place to stay if released from custody at the time of the study. These gaps affect not only individual outcomes, but also the ability of the correctional system to support rehabilitation, reintegration, and public safety.

These issues must be considered in light of recent developments in the legislative and policy framework governing correctional services in Newfoundland and Labrador. The provincial *Correctional Services Act* came into force in 2025 and there is now a growing tendency of courts to interpret constitutional and statutory obligations within the context of the *United Nations Declaration on the Rights of Indigenous Peoples*. These developments indicate a more urgent need for programs and practices to take into account the complex identities and circumstances of Indigenous offenders. The findings of this report suggest that existing services – most notably culturally grounded, trauma-informed programming and supports – are not yet available at a scale sufficient to meet obligations that have been specified in law and policy.

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Taken together, the results of the snapshot indicate the need for a more coordinated and adequately resourced approach to addressing Indigenous overrepresentation in the provincial correctional system. At a minimum, they point to the importance of conducting similar snapshots at regular intervals, so that policy decisions can be grounded in reliable and up-to-date information. Such data will also be necessary to inform the development of more consistent access to culturally grounded programming, greater awareness and use of Gladue reports, strengthened justice navigation supports, and more effective discharge planning.

I want answers for our people I want changes  
our voices heard to fix this BIG problem we all  
face here in prison!  
ALL MY RELATIONS

— I.W.



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## ACKNOWLEDGEMENTS

This report reflects the work of many people who contributed their time, knowledge, emotional labour, and lived experience to the project. First Light thanks all those who made this research possible.

We are especially grateful to the inmates who chose to participate in the questionnaire-based interviews conducted at correctional facilities across Newfoundland and Labrador. Participation was voluntary, and many individuals shared personal experiences and reflections that required trust, openness, and vulnerability. Your willingness to speak with us made this project possible, and it is our hope that your hundreds of individual voices will be kept in mind by those who read and make use of the findings presented in this report.

We also thank the Newfoundland and Labrador Department of Justice and Public Safety for collaborating with us on this project, and, in particular, the officials and staff at all five adult correctional institutions – in St. John’s, Clarenville, Bishop’s Falls, Stephenville, and Happy Valley–Goose Bay – for their cooperation and support in coordinating access, scheduling interviews, and ensuring that the work could proceed safely and respectfully within each facility. The contributions of JPS staff, Superintendents, Classifications Officers, Correctional Officers, administrative personnel, and more made it possible for this report to bring together the complex realities of those who face incarceration.

Funding for this project was provided by the Government of Canada through Health Canada’s Substance Use and Addictions Program (SUAP). This support made it possible for First Light to carry out research intended to improve outcomes for Indigenous people involved in the criminal justice system.

We also acknowledge the legal expertise provided by JFK Law, whose guidance supported the legal analysis included in this report. Data entry was provided in-kind by Sascha Adler, whose technical skills allowed this study’s findings to be shared promptly. Additional research support on the historical and ongoing erasure of Indigenous Peoples in Newfoundland and Labrador was generously provided by Sabrina Lamanna.

Finally, this project – long imagined by First Light’s Justice Team – was carried out on the ground by the following First Light staff members:

- Chad Bedard
- Gord Hawkins
- Hanushika Thurairajah
- Josh Austin
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- Kevin Coffey
- Leah Noseworthy
- Leah Randell
- Marc Humber
- Megan Pottle
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- Michelle Corbett
- Rory Lambert
- Selina Morris
- Shawn Broomfield
- Teri Slade

First Light thanks all those who contributed to this work in the shared spirit of improving justice outcomes, strengthening cultural supports, and advancing a future where one day Indigenous people in Newfoundland and Labrador are no longer overrepresented and undercounted in the criminal justice system.

## Appendix A: Full Copy of I.W.'s Letter

Page 1-6

Im writing this Letter on behalf of Myself  
and For My fellow brothers and sisters that  
are Currently Incarcerated Now and our future to come.  
I strongly disagree as we all suffer, As we are Sad to  
See First Light pull away temporarily from H.M.P and  
Clareville Correctional Facility due to a poor budget that  
been in place 10 or more plus years. As the price of living  
Increases; How Do we expect a un-profitable Group, First  
Light able to Supply and Support, accomidate 2 provincial  
Facilitys with a \$40,000 yearly budget. Each Facility  
Should have an increased budget affordable to Supply and  
accomidate a fully functional plan to Support a Indigious  
Support worker or Team inside the walls of our Institutions  
We as Indigious people Should have access and full Support,  
where to reach out inside the walls of our Facilitys a  
Space given where we can Group and practice our Cultures.  
For example! Our Instituts fully Supports and allows a  
Space for Prison Ministry! Indigious Culture should have  
the same Rights! Its a part of our Human Rights  
to practice Religion and Culture. Indigious people Should have  
a Fulltime/part time Indigious Lason Worker that He or She  
Can Request to see for Support on a Day to Day Basis.  
Our Culturs are slowly Dying our people suffer because  
of these Reasons. They not only take away our Freedom  
when incarcerated but they are Forcing us away From our  
Cultures.  
First time inmates New to the Criminal Justice System  
are Asked if the person is, Aboriginal or has Aborigine!  
background, Our people say "YES," I am, and Most of  
us are proud to be Recognized as a Indigious person. depends  
on which group you are Recognized as, we each have its  
own government that fight for our human Rights, Express  
our Concerns throu the Federal government of CANADA.  
But after were incarcerated they forget the ones who suffer  
the most. Its Not Fair As we are Still here! Suffering!  
Our people suffered enough we need this to END! In  
the past we were torn away from our LAND, we were forced  
to do things the way the government chose for us to Do.  
They Ruined our Cultures by tearing us apart!

They took our people and Forced us OFF our LAND  
 Into Residential Schools and Ruined LIVES! Our families  
 were effected and are still effected because of the trauma  
 our people went threw in Residential Schools.

I grew up in a Small Community in LABRADOR, called  
 Mostly Inuit people but im Requinized as a  
 Full Member Metis NUKUTIVUT. My Grandmother was  
 Full Inuit Status, She was ALSO a Residential School  
 Survivor. She Lived a Full Life of Abuse and Suffer  
 because of what she faced threw Residential School. She  
 experienced alot of Trauma from what she faced during  
 them times! Its something that cant Be ERACED!

Our people Never had a choice they didnt have any other  
 options. They were forced! No ONE LISTENED, The abuse  
 our people went threw, our people never realized how much  
 this was going to Effect our people. Our people are still  
 Sick, our families still suffer as this sickness is past threw  
 generations! They threw all the problems under a RUG...  
 UNTILL SOMEONE REALIZED! It was to late!

PLEASE LISTEN! ITS 2025-Not 1925! Our Ancestors  
 Suffered enough! ALL Im asking is for Support inside  
 our Justice System in Newfoundland and Labrador to be  
 Reconized and our voices and concerns to be heard!  
 We want HELD! we Need SUPPORT! we are trapped  
 inside a fence and walls we faces day to day struggles,  
 Limited Resources to access helpfull materials. Every child differ  
 we all Made Mistakes, But Looking to fix the Justice  
 System for Indigenous people in our province. Our voices  
 Do Matter, Our LIVES MATTER Too! We have families!

Every Inmate serving time at H.M.P here in St. Johns  
 Suffer every day! Our human Rights are being violated  
 inside these walls Due to the fact Its old, ran down, Moldy  
 Rodant infested over populated and not up to Code. Recreation  
 our visits, programs cancelled due to understaffed these past  
 few years! Everyone inside faces day today struggles as  
 we experiences Lack of Support! The only Support NO MATTER  
 what the Circumstances may be is Religion. They Never  
 Denic or Shut down the Prison Ministry. Inmates are always  
 intitled to See or SPEAK with P-strol CARE! EVEN during an:

Breach of Security, Pastoral care will work around and/or event so your voice and prayers are brought to light! Our Culture should be the same, we have NONE! Why are we being denied Culture? I didn't choose to suffer this way! But I'm suffering! I can't practice, pray or follow my Culture correctly! I have no one I can call, I have no one where I can ask, I have no one to show me a path to pray and start a healing journey that our creator wants me to follow! We are being forced away and torn apart from each other. People need to understand, we are Indigenous people.. It's our right to follow our culture properly.

First Light is a Community Support group and is a temporary group that has filled the missing GAP in our justice system. First Light group was scheduled at 9-11am Tuesday and came faithfully here at H.M.P for the past decade. First Light in my eyes isn't supported and planned or designed fully to support a proper program here at H.M.P. They are an awesome group, friendly people, good teaching, but not organized or budgeted properly for the help and care to recognize our people as a full time support group! They are pushed away from time to time as First Light is a community based group! They have no say or pull as they are not recognized as they should. They need more authority for our people they need to be full time and we need to be recognized! We need to end this! First Light wants to help! First Light has helped me in many ways! I'm thankful we have them, we need them. I think our government needs a better plan for First Light more programs to offer, addiction, mental health, violence prevention programs, arts and crafts, help inmates get temporary absence into the community, help us with work courts and provide safety courses. They need a bigger budget to help plan and hold events! They need office space to work from! Indigenous people are different than the rest! These things are ideas to help our justice system for

Our people! Indigenous Inmates here are forgotten, untell they wait for a Release date back into the Community. We Inmates Cant just wake up open cell doors and visit a First Light office for support! Our freedom is taken away we are being forced away from our Cultural teachings. Our Government is to BLAME! ITS time for our province of Newfoundland and LABRADOR to seek Federal help if Needed! To Address and Recognize our Issues to Make a fix so they can offer Criminals and especially Inmates in our province of N.L.

Im Asking For HELP! I Lived a life of Struggle I Struggle with Drug Addiction, Mental health Issues, child hood trauma, from Neglect and Abuse I learned how to Lie to defend my father and myself from Child protection (CNFS) from being taken and put into another care. I had very little guidance I grew up in a broken home without my MUM. No one taught me Guidance as it caused me a lot of Issues, Learning disabilities and Trust Issues. I Started Using Drugs/Alcohol at 12yrs old. After Me and my Dad Moved away from Home Castries My life was never the same after I moved away from home! I began to get Sick from loneliness Missing my friends and family from moving from my Culture! I Spent my time growing up always busy Learning the land! In the Summer we fished, picked berries Spent my time in Boat with my grandfather, In the fall winter, Spring, I spent my time outside setting Rabbit Sips and hunting partridges. And Ice fishing collecting food so we could survive! Moving away took away my Soul took away a part of me of life I wish I could get back in 2012, I was introduced to our justice system. I committed a crime and was sentenced to a 4 year Federal sentence before getting in trouble and in high school is when I first began to act out I used drugs to self medicate. 2012 thats when I first began and started my healing Journey! I was housed and served 2/3 of my time in Springhill Institution in Nova Scotia. I started practicing and learning Cultural teachings, SMUDGING, praying to our Creator! Drumming, Attending Cerimo

Attended Sweats, and we prayed at the Lodge on the Native grounds at Springhill institution. We learned many Aboriginal crafts, we done Bead work, Dream catchers, built Drums, built a Sweat Lodge, we Completed Work and Safety Courses and Completed programs and Received Certificates in Addiction, mental health programs designed for Indigenous people in CANADA. ALL these teaching was a Option and was provided to anyone who was Indigenous.

I served Multiple provincial sentences in our province and spent and served time at the Labrador Correctional Center in Happy Valley Goose Bay. They provided me with full support as well more options for Aboriginal people. At the L.C.C. in H.V-6B they provided more support and more options, full time Indigenous workers, office space, Sweat grounds/Lodge, Carving Shop and work shop! provided me and inmates with work skills and programs and helped for RELEASE! Inmates are Met and are Asked what support if he wants support during his incarceration. Why is it different here At H.M.P.? we are all equal and all under H.M.P. Rules! Indigenous Culture is our Human Rights No Matter Where an Inmate does his/her time.

They just started and has broken ground on the New Prison/Institution here in St. John's designed to hold 300 plus inmates But, Is there talk of a future for the indigenous culture to hold and house and space to have such cultural events. Is there a plan designed to fully support indigenous people. A place where we can feel safe to learn, practice to pray to our Creator. A place where we can fit in a group and attend ceremony, programs, smudge talk pray and feel safe together.

Here at H.M.P. we don't have anything! or anyone we don't have a option we don't have a choice. We don't have a voice to support Indigenous inmates. No where to SIT or to turn to and ASK FOR HELP! No where to SMUDGE! or pray to the Creator No MEDISONS, No ELDER'S, No Indigenous Laborn worker, THIS NEEDS TO END! we need to be recognized and our voices to be heard! we NEED help from the government and our people. We need to protect our cultural and the people who are sick and

Who is Incarcerated, Im not going to Stop till I get these Issues in the Right hands, Our Voices heard in the Right offices! Im not asking for you to help just ME! Im Asking as a group, From the Aboriginal people Inside the walls here At H.M.P and our Institutions here in N.L. We are All suffering as we face A big Problem Inside the Justice System, We are all equal If were Living here, Goose Bay, Stephenville, Indigenous peoples Right travel with you No MATTER where you Live, No matter where you die or where you serve your Sentence we are Intitled its our Right as Indigenous people to practice, Learn, teach and get help from what the person has Faced! I want a full investigation Completed for what Ive expressed. I want answers for our people, I want changes. our voices heard to Fix this BIG Problem we All face here in Prison!

ALL MY RELATIONS

Thank You!

Signed:  
Date: July 11<sup>th</sup> 2025

FPS#  
Do.B

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## Appendix B: Questionnaire Tool

Please note that the tool below includes questions concerning substance use which were asked only to Indigenous participants. These questions were included to aid in planning First Light's programming and are not included in analyses in this report. As this tool may require updates with differing contexts, we encourage any researchers wishing to use this tool to contact the study team.

### Preamble

Hi, I'm [name] and this is [name]. We're from First Light and we're doing a brief questionnaire. The questions are about you, your background, and your circumstances. We're doing this to get a picture of inmates' demographics, like age and racial background, which will help support in-reach programming. It should take less than 10 minutes and you'll get \$5 at the canteen to thank you for your time. We will send a report for inmates to read when the project is done.

There are a couple of important things I need to mention before we start the questionnaire:

1. Your answers are confidential. Your name does not go on this paper. No one outside of this room will know how you responded.
2. The one exception to confidentiality is if you tell us that you want to harm yourself or someone else or if you tell us about a child or vulnerable adult who is at risk. In those cases, we would have to report it.
3. You don't have to participate. You can choose to leave this room at any time.
4. You don't have to answer any questions you don't want to.

The paper copies of each questionnaire will be kept in a locked cabinet at First Light and once the project is complete, the paper copies will be shredded.

If you need or want to talk about anything after the questionnaire is finished [describe plan for post-questionnaire support]

Do you have any questions for me?

Are you ready to start the questionnaire?

Administration only: Check correctional facility

HMP

WCC

LCC

BFCC

Clarenville

**1. Do you identify as Indigenous?**

- 1  Yes
- 2  No → ask questions below regardless
- 3  Unsure
- 4  Prefer not to say

**2. Do you know if any of your parents or grandparents identify as Indigenous?**

- 1  Mother
- 2  Father
- 3  Maternal grandmother
- 4  Maternal grandfather
- 5  Paternal grandmother
- 6  Paternal grandfather
- 7  Great grandparent (indicate if offered, but do not prompt)
  - 8  A great grandmother
  - 9  A great grandfather
- 10  More distant relative identified
- 11  Prefer to describe: \_\_\_\_\_
- 12  Unsure
- 13  No known Indigenous family members
- 14  Prefer not to say

**3. Are you connected with any Indigenous groups or communities? What are they?**

- 1  Inuit - Nunatsiavut → 4. Are you a beneficiary of NG? 1  Yes 2  No 3  Unsure 4  Prefer not say
- 2  Inuit - NunatuKavut → 5. Are you a member of NCC? 1  Yes 2  No 3  Unsure 4  Prefer not say

3  Inuit - specify: \_\_\_\_\_

4  Innu - Sheshatsiu

5  Innu - Mushuau

6  Innu (Montaignais, Naskapi) - specify: \_\_\_\_\_

7  Mi'kmaq - Miawpukek

8  Mi'kmaq - Qalipu, specify community: \_\_\_\_\_

9  Mi'kmaq - specify: \_\_\_\_\_

10  Métis → 7. When you say Métis, which community are you referring to?

1  Labrador

2  Newfoundland (Island portion)

3  Elsewhere in Canada

4  Specify: \_\_\_\_\_

5  Prefer not to say

11  Another Indigenous group - specify: \_\_\_\_\_

12  Urban Indigenous

13  Prefer not to say

14  None

If responded unsure, ask:

15 Where are you from? \_\_\_\_\_

16 Are you a part of any First Nations or Inuit group in that area? (prompt with specific groups, if known. Also check above) \_\_\_\_\_

**6. Do you have status under the Indian Act?**

1  Yes

2  No

3  Previously had status, but lost it

4  Unsure

5  Prefer not to say

[For Indigenous respondents only]

8. **If there was programming available to you to support your access to your Indigenous culture, would you participate?**

- 1  Yes
- 2  No
- 3  Unsure
- 4  Prefer to specify: \_\_\_\_\_
- 5  Prefer not to say

[all respondents]

9. **Do you identify with any (other) racial categories? Like white, Black, Arab, Asian, Latin American?**

- 1  No - Indigenous identity only
- 2  Arab (e.g. Syrian, Egyptian, Yemeni)
- 3  East Asian (e.g. Chinese, Korean, Japanese)
- 4  Southeast Asian (e.g. Filipino, Vietnamese, Cambodian, Malaysian, Laotian)
- 5  South Asian or Indo-Caribbean (e.g. Indian, Pakistani, Sri Lankan, Indo-Guyanese, Indo-Trinidadian)
- 6  West Asian (e.g. Iranian, Afghan)
- 7  Black-Canadian/American
- 8  Black African (e.g. Ghanaian, Ethiopian, Nigerian)
- 9  Black-Afro-Caribbean or Afro-Latinx (e.g. Jamaican, Haitian, Afro-Brazilian)
- 10  Latin American (e.g. Brazilian, Mexican, Chilean, Cuban)
- 11  White (e.g. European, French, Ukrainian, Euro-Latinx)
- 12  Another identity, please specify: \_\_\_\_\_
- 13  Unsure
- 14  Prefer not to say

If responded no or unsure, prompt with "do you think of yourself as being white?" (check appropriate box above)

10. **Did you come to Canada as an immigrant, refugee, asylum claimant, or through another process?**

- 1  Yes, immigrant
- 2  Yes, refugee
- 3  Yes, asylum claimant in Canada (including those who applied for asylum after arriving in Canada)
- 4  Yes, temporary foreign worker
- 5  Yes, other work permit
- 6  Yes, study permit
- 7  Yes, temporary resident
- 8  Yes, other (including undocumented)
- 9  No
- 10  Don't know
- 11  Prefer not to say

53

11. **How old are you?** \_\_\_\_\_

- 1  Prefer not to say

12. **How old were you when you were first incarcerated?** \_\_\_\_\_

- 1  Prefer not to say

If inmate not sure, prompt with "Do you think you were older or younger than 18 at that time?"

- 2  Under 18 years old

- 3  Over 18 years old

13. **Are you currently serving a sentence or are you on remand?**

- 1  Serving sentence

- 2  Remand

- 3  Another status (e.g. parole violations or suspensions, immigration holds, temporary detentions)

- 4  Unsure

- 5  Prefer not to say

[Read if Indigenous. Otherwise, skip to next page]

14. **Do you know what a Gladue report is?**

- 1  Yes

- 2  Heard of it, but doesn't know what it is → Offer Gladue pamphlet and continue to Q15.

- 3  No

- 4  Unsure

- 5  Prefer not to say

Skip to the next page. Offer Gladue pamphlet.

Do not prompt for more info

15. **Where did you first hear about Gladue reports?**

- 1  From First Light staff

- 2  From any other source

- 3  Prefer not to say

16. **Have you talked to a lawyer about getting a Gladue Report written for you?**

- 1  Yes

- 2  Yes, but unsure if it's being processed

- 3  No → record reason, if one is given, but do not prompt: \_\_\_\_\_

- 4  Can't remember

- 5  Prefer not to say

17. **If yes, has a Gladue report been written for you?**

- 1  Yes

- 2  No

- 3  One is in progress

- 4  Unsure

- 5  Prefer not to say

18. **If you were discharged right now, would you have a place where you could safely stay overnight?**

- 1  Yes
- 2  No
- 3  I know of a place to stay, but it is not safe
- 4  Unsure
- 5  Prefer not to say

19. **Where would you stay?**

- 1  Own apartment/house
- 2  Someone else's place
- 3  Motel/hotel self-funded
- 4  Hospital
- 5  Treatment centre
- 6  Homeless shelter
- 7  Motel/hotel funded by city or homeless program
- 8  Transitional shelter/housing
- 9  Unsheltered public space (e.g. street, park, forest)
- 10  Encampment (e.g. group of tents, makeshift shelters or other outdoor settlement)
- 11  Vehicle (e.g. car, van, truck, boat)
- 12  Unsure

[For Indigenous respondents only]

20. **Do you smoke or use a nicotine vape?**

- 1  Yes → cigarettes
- 2  Yes → vaping or e-cigarettes
- 3  Yes → other tobacco products (e.g. cigars)
- 4  Not since incarcerated
- 5  Previously quit
- 6  None of the above
- 7  Prefer not to say

**If previously quit,**

21. **Did you quit while you were incarcerated?**

- 1  Yes
- 2  No
- 3  Prefer not to say

22. **When you were outside of [this institution], how much did you typically smoke or vape?**

- 1  # cigarettes per day (1 pack = 20 cigarettes) \_\_\_\_\_
  - 2  # times smoking or vaping per day \_\_\_\_\_
- (If unsure, prompt "once per day, 10 times per day, 100 times per day?" Give estimate above)

[Read:] The next two questions are about drug and alcohol use. I want to be clear that we don't judge anyone for using drugs or alcohol. No one outside this room will know your responses.

23. **Has drinking alcohol ever caused any problems in your life? For example, missed appointments, doing something you later regretted, getting into an accident, having to go to a hospital, negative impacts on relationships or your education**

- 1  Yes
- 2  No
- 3  Unsure
- 4  Prefer not to say

24. **Has using drugs ever caused any problems in your life?**

- 1  Yes
- 2  No
- 3  Unsure
- 4  Prefer not to say

[Read:] I only have two questions left and they are about gender and sexuality. I know these things are deeply personal and disclosing your identity can feel unsafe. For this question, [my colleague] will show you the paper and you can point to your response instead of speaking it out loud. No one outside this room will know your response and your name does not go on this paper. [restate follow-up care plan]. You can also decline to respond.

25. **How do you describe your gender identity? (e.g. man, woman, nonbinary, transgender)**

- 1  Man
- 2  Woman
- 3  Two-spirit
- 4  Nonbinary, Genderqueer, Agender
- 5  Transgender
- 6  Trans woman
- 7  Trans man
- 8  Another gender: \_\_\_\_\_
- 9  Unsure
- 10  Prefer not to say

26. **How do you describe your sexuality? (e.g. straight, gay, bisexual)**

- 1  Straight/heterosexual
- 2  Gay
- 3  Lesbian
- 4  Bisexual, Pansexual
- 5  Two-spirit
- 6  Asexual
- 7  Queer
- 8  Another sexuality: \_\_\_\_\_
- 9  Unsure
- 10  Prefer not to say

Thank you so much for participating in this questionnaire [Restate care plan] [instructions on \$5 canteen credit]

# Appendix C: Calculation Details

## Estimated Participation Rate

Participation occurred at BFCC, LCC and CCC during one day only, making it possible to determine an exact participation rate. Estimates were required for WCC and HMP because data collection occurred over two and five days respectively, during which time there was turnover in the overall inmate population. See the table below for the estimations, the accompanying assumptions, and the grand total of estimated participation rate.

Supplementary Table 1: Estimated Participation Rate by Institution

Institution	Participants	Inmates		Participation rate	
		Low estimate	High estimate	Low estimate	High estimate
BFCC	24	31		77.40%	
LCC	26	36		72.20%	
Clarenville	26	29		89.70%	
		Low estimate	High estimate	Low estimate	High estimate
WCC*	58	71	72	80.60%	81.70%
HMP**	171	238	257	66.50%	71.80%
<b>Grand Total</b>	<b>305</b>	<b>405</b>	<b>425</b>	<b>71.80%</b>	<b>75.30%</b>

\* WCC had 72 inmates on record on the first of two data collection days and 71 inmates on record on the second day.

\*\* At HMP, the low estimate of possible participants assumes that inmates who moved in or out of the institution during the days of data collection were not likely to participate. The high estimate assumes that those who moved in or out of the institution during the days of the study could have participated. To calculate these numbers, we took the number of inmates in each unit on the days that data collection happened in that unit, counting only those who were not moved in or out of the institution in the low estimate and, for the high estimate, counting all inmates who were in the unit at any point during the time of data collection. This means that the high estimate includes those who were discharged during the first day of data collection as well as those who were newly admitted during the last day of data collection. Inmates who moved within the institution from one unit to another were counted only once in the institution total in both the low and high estimates. For context, the number of inmates on record at HMP on any individual day during the study was between 243 and 249.

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## Rate of Indigenous Incarceration per 10,000 population

Supplementary Table 2, below, shows the estimates and underlying assumptions for calculations of the estimated rate of incarceration per 10,000 population.<sup>68</sup> With an estimated rate of Indigenous incarceration at 49.0–51.4 per 10,000 population (age 18 and over) and an estimated rate of non-Indigenous incarceration at 6.0–6.3 per 10,000 population (age 18 and over), Indigenous individuals are estimated to be incarcerated at a rate 8.2 times higher than non-Indigenous individuals in Newfoundland and Labrador.

The rate of overrepresentation could also be expressed as a percentage of Indigenous individuals in the inmate population (43.2%) compared to the general adult population (8.5%). Such a comparison would yield a multiplier of 5.1: there are 5.1 times the number of Indigenous people in correctional facilities compared to in the general population. In this report, we are using a statistic which resembles the overrepresentation index used in the latest StatCan report, which compares the incarceration rate among Indigenous people to the incarceration rate among non-Indigenous people. This yields a multiplier of 8.2: the proportion of the population that is incarcerated is 8.2 times higher among Indigenous compared to non-Indigenous individuals.

We acknowledge that the census figures are collected with different methods compared to ours. This is the case in all Statistics Canada reports which use Census reference figures, including the latest estimations of the rate of overincarceration of Indigenous individuals across Canada. For example, the Census data is drawn from 2021 and is used in calculations for both in the present data from 2025 and in the cited Statistics Canada report with data from 2023 and 2024. This technical level of measurement error is necessary in order to be able to make estimations of the incarceration rate as compared to the larger population. As such, published figures that use Census reference data in combination with other primary data sources must be considered as estimations of the rate of incarceration. This applies to the present data and in cited Statistics Canada research reports on the same topic.

Finally, as acknowledged by Statistics Canada, figures concerning the incarceration of Indigenous compared to non-Indigenous populations includes a certain level of error in that non-white non-Indigenous populations are not taken into consideration in these calculations. It is widely acknowledged that non-Indigenous racial minority populations are also over-incarcerated, but the present estimations, as well as the latest Statistics Canada estimations, do not include this as a factor in calculating the rate of overincarceration of Indigenous compared to non-Indigenous people. As such, the rate of overincarceration presented here and elsewhere are likely to be underestimations of the true overincarceration rate. See the 2026 Statistics Canada report<sup>69</sup> for more information.

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<sup>68</sup> Newfoundland & Labrador Statistics Agency, "Indigenous Identity by Age Group and Gender: Newfoundland and Labrador, Census 2021," September 2022, [https://www.stats.gov.nl.ca/Statistics/Topics/census2021/PDF/Indigenous\\_Identity\\_AgeGender\\_NL\\_2021.pdf](https://www.stats.gov.nl.ca/Statistics/Topics/census2021/PDF/Indigenous_Identity_AgeGender_NL_2021.pdf).

<sup>69</sup> Statistics Canada, "The Daily: Overrepresentation of Indigenous and Black Adults in Provincial and Federal Custody."

Supplementary Table 2: Incarceration Rates by Indigenous, Non-Indigenous and Distinctions Categories, Including Population Estimates

Group	Census population age 18+*	Persons in present data	Estimated number in overall prison population**		Incarcerated individuals per 10,000 population	
			Low estimate***	High estimate	Low estimate	High estimate
Total Indigenous	35,729	131	175.1	183.7	49	51.4
First Nations	21,978	67	89.6	94	40.7	42.8
Inuit	5,394	21	28.1	29.5	52	54.6
Métis	5,679	1	1.3	1.4	2.4	2.5
Non-Indigenous	382,736	172	229.9	241.3	6	6.3

\* Census population by age and Indigenous identity is published by age groups, which include ages 10-14 and 15-19. No reference numbers were available for the total Indigenous adult population, ages 18 and over. For this reason, we estimated the population of individuals in each group who were ages 18 and 19 by taking the population figure for ages 15-19 and multiplying by 0.4 (two fifths). This assumes an even distribution of population among the ages of 15 to 19. This number was then added to the population numbers for age categories of 20 and over to give an estimation of the total number of adults in each Indigenous identity category.

\*\* This is the estimated total number of individuals in each identity category in correctional facilities in Newfoundland and Labrador, given our sample of 303 completed questionnaires, assuming that our sample is representative of the overall incarcerated population in the province.

\*\*\* Low estimates assume our analyzed sample of 303 individuals (the total which completed the entire questionnaire) is random and representative of a total prison population of 425. The high estimate assumes our analyzed sample of 303 is random and representative of a total prison population of 405.

## Maximally Conservative Figures

Throughout this report, assumptions have been necessary to generate estimations of the rate of incarceration among the Indigenous population of Newfoundland and Labrador. Some readers may be inclined to wonder what the representation of Indigenous inmates would be if we made the maximally conservative assumption that every Indigenous inmate participated in our study and all inmates who did not participate were non-Indigenous. We are confident that this was not the case, since correctional services staff indicated to our team members that some of those who declined to participate or were unable to participate (e.g. due to health concerns, medical visits or being in court at the time of data collection) were Indigenous. At the same time, we wish to provide readers with a fulsome picture of the possible estimations of Indigenous representation in correctional facilities in this province.

As the table below shows, this most conservative assumption results in 30.8% of the total inmate population being Indigenous, constituting 36.7 incarcerated Indigenous persons per 10,000 population, compared to 7.7 non-Indigenous persons per 10,000 population. Even this most conservative estimate finds that Indigenous people in Newfoundland and Labrador are incarcerated at 4.8 times the rate of non-Indigenous people.

Supplementary Table 3: Incarceration Rates Using Maximally Conservative Figures

Group	Census population age 18+	Estimated Inmate Population*	Proportion Indigenous	Indigenous inmates per 10,000 population
Total Indigenous	35,729	131	30.80%	36.7
First Nations	21,978	67	15.80%	30.5
Inuit	5,394	21	4.90%	38.9
Métis	5,679	1	0.20%	1.8
Non-Indigenous	382,736	294	69.20%	7.7

\* Making the maximally conservative assumption that all Indigenous inmates were included in the present sample also requires assuming that all non-participants in the study were non-Indigenous. These calculations make the most conservative assumption that all 425 individuals who were on register at any point during data collection could have participated.

<sup>68</sup> Newfoundland & Labrador Statistics Agency, "Indigenous Identity by Age Group and Gender: Newfoundland and Labrador, Census 2021," September 2022, [https://www.stats.gov.nl.ca/Statistics/Topics/census2021/PDF/Indigenous\\_Identity\\_AgeGender\\_NL\\_2021.pdf](https://www.stats.gov.nl.ca/Statistics/Topics/census2021/PDF/Indigenous_Identity_AgeGender_NL_2021.pdf).

<sup>69</sup> Statistics Canada, "The Daily: Overrepresentation of Indigenous and Black Adults in Provincial and Federal Custody."

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