

When the National Parole Board grants parole, correctional programming continues. The early stages of parole are often spent in a residential correctional facility: a halfway house. Although it is not a prison, a halfway house requires the offender to reside there and not be absent except under specific exceptions (for example, supervised absences or employment). It is intended as a transitional phase in an offender's parole, neither full incarceration nor full freedom in the community, with the goal of gradual reintegration into the community. Unfortunately, there are too few halfway houses that provide programming specifically for Aboriginal offenders.

## Call to Action

- 37) We call upon the federal government to provide more supports for Aboriginal programming in halfway houses and parole services.

## Overrepresentation of youth

The youth justice system, perhaps even more than the adult criminal justice system, is failing Aboriginal families. Aboriginal girls make up 49% of the youth admitted to custody, and Aboriginal boys are 36% of those admitted to custody.<sup>155</sup> The current law regarding young people accused of crimes is the *Youth Criminal Justice Act*, which was introduced in 2002. One of the key objectives of the Act is to reserve jail for the most violent or habitual offenders. Even in such cases, one of the express goals of the youth criminal justice system is to address the circumstances underlying a young person's offending behaviour in order to rehabilitate and reintegrate them.<sup>156</sup> The Act has the flexibility to allow Aboriginal communities to have some measure of control over the youth process and to ensure Aboriginal perspectives are considered in individual cases.

By many objective measures, the *Youth Criminal Justice Act* has been a success. Since it came into effect, there has been a steady decline in youth crime, youth court caseloads, and youth supervised on community sentences and in custody.<sup>157</sup> But one thing the Act has not succeeded in doing is reducing the overrepresentation of Aboriginal youth in the criminal justice system.<sup>158</sup> The great vulnerability and disadvantage experienced by so many Aboriginal youth undoubtedly contribute to their overrepresentation, a factor that is intimately tied to the legacy of the residential schools. Many of today's Aboriginal children and youth live with the legacy of residential schools every day, as they struggle to deal with high rates of addictions, fetal alcohol disorder, mental health issues, family violence, incarceration of parents, and the intrusion of child-welfare authorities. All these factors place them at greater risk of involvement with crime.

The growing overrepresentation of Aboriginal youth in custody mirrors and is likely related to the even more dramatic overrepresentation of Aboriginal children in the care