

CORRECTIONAL SERVICE CANADA

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Gender Diverse Offenders: Examining Institutional Incidents

This research replicates earlier findings that transgender men were more likely than transgender women or offenders in the “other” gender identity group to have committed institutional incidents; however the majority of these incidents were non-violent.

Why we did this study

A previous study conducted by the Correctional Service of Canada (CSC) provided a profile of gender diverse offenders in federal corrections in Canada and indicated that a high proportion of gender diverse offenders had in-custody institutional security and behavioural incidents.¹ Gender diverse offenders were also more likely to have institutional incidents than the general offender populations in men’s and women’s federal institutions.² Therefore, this study was conducted to examine the contextual and situational factors of institutional incidents involving gender diverse offenders.

What we did

A total of 155 gender diverse offenders (48% Indigenous) were included in this study; 63% were transgender women, 21% were transgender men, and 16% identified as “other” gender diverse offenders.³ Incident reports for all incidents⁴ occurring between December 2017 and September 2021 were coded from CSC’s Offender Management System (OMS). Overall, 1,372 incidents were coded.⁵

What we found

Overall, 72% of gender diverse offenders had an institutional incident during the study period, with a higher proportion of transgender men having an incident compared to transgender women or the “other” group (91% versus 64% and 76%, respectively). A greater proportion of transgender men had committed five or more incidents compared to the other two groups (56% versus 44% “other” and 33% transgender women). A similar proportion of incidents were committed in men’s or women’s facilities. Only 3% of offenders in the study committed incidents in both men’s and women’s facilities.

Of the eight incident types^{6,7} examined, behavioural, contraband, and assault related incidents were most common across all three gender diversity subgroups. In particular, non-violent incidents related to disruptive behaviours or disciplinary problems were the most common incidents identified for all study groups.

Detailed coding of incident reports explored the situational context of the incident (i.e., if there was any indication of repetitive behaviour, existing intimate relationships between offenders involved in the incidents, bullying, sexual coercion and violence, etc.). File coding demonstrated that concerns related to bullying as well as general and sexual violence were not raised as issues in the incident reports.

What it means

Although transgender men were more likely to have institutional incidents than the other two study groups, almost three-quarters of all incidents for all study groups examined were for non-violent incidents (behavioural, contraband, miscellaneous, and property). Future qualitative research may be needed to understand the full institutional experience of gender diverse offenders in federal custody.

For more information

Please e-mail the [Research Branch](#). You can also visit the [Research Publications](#) section for a full list of reports and one-page summaries.

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¹ Farrell MacDonald, S., Smeth, A., Cram, S., Garrel, S., & Derkzen, D. (2022). *Examination of gender diverse offenders* (R-442). Ottawa, ON: Correctional Service Canada.

² Smeth, A., Farrell MacDonald, S., & Cram, S. *Profile comparison of gender diverse offenders and the general offender population* (R-483). Ottawa, ON: Correctional Service Canada.

³ “Other” gender diverse offender category includes: non-binary, gender non-conforming, gender fluid, two-spirited, intersex, or unspecified.

⁴ Incidents involving gender diverse offenders as either an instigator or a victim were included.

⁵ Extraction of institutional incident information was completed at a later date than the institutional incidents data for the Smeth et al. report, therefore the proportions and overall number of incidents differ slightly.

⁶ Incident types included assault related, behavioural related, contraband, death, escape, miscellaneous, property related, and self-injurious behaviour.

⁷ In total, of the 1,372 incidents coded, 52% were behavioural related, with 13% being assault related and 11% contraband related. In addition, although sexual coercion and violence is often voiced as a concern for this population, nine incidents (0.7%) were sexual assault related.