

CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.

Gender Diverse Offenders with a History of Sexual Offending

Gender diverse offenders with a history of sexual offending are a unique subpopulation of gender diverse offenders.

Why we did this study

The current study was undertaken to provide a profile of federal gender diverse offenders in Canada. A subcomponent of this study was to examine the specific characteristics and offence history of gender diverse offenders who had a history of sexual offending.

What we did

Thirty-three gender diverse offenders had a history of sexual offending.¹ Sex offence history was indicated if the offender had committed a current sexual offence or had a history of offending that was sex related. Demographic, sentence, and offence information were examined. File coding from the Offender Management System (OMS) was also completed to explore additional information regarding their sexual offending.

What we found

Eighty-two percent of gender diverse offenders with sexual offence histories were trans-women and the remaining 17% were in the “other” group.² On average, these offenders were 42 years at the time of the study. Two-thirds were serving their first federal sentence and about half (46%) were serving indeterminate sentences.

The risk and needs characteristics of these offenders indicates that they had high static risk (91%) and dynamic need (94%) but almost half (42%) were low criminal risk³ based on the Criminal Risk Index (CRI). Although three-quarters (78%) have a moderate to high motivation and two-thirds (64%) have a moderate to high accountability, a little over half (58%) are considered engaged in their correctional plan. Two-thirds (66%) had a low reintegration potential. Finally, responsivity issues were identified for a third (36%) of these offenders.

Almost two-thirds (64%) of these offenders committed a current sexual offence while 88% were convicted for prior sex offences. Almost all (94%) had committed their offences while living as their biological sex. The majority

(85%) committed offences that caused death or serious harm to their victim(s) while 70% inflicted psychological harm on their victim(s). Examination of the victimology shows that over half were children (58%) or female (55%). One-third (33%) of the offences committed had multiple victims.

File review indicated that 70% of the offenders with sex offence histories had experienced childhood abuse and 27% were abused in adulthood. Childhood sexual (64%) and physical (52%) abuse were most commonly experienced by these offenders. Two-thirds (64%) had experienced trauma. For offenders with DFIA-R information, 60% had a history of childhood abuse.

What it means

Over 80% of gender diverse offenders with sexual offence histories were trans-women. Sexual offending indicators showed that the majority of these offences were committed while living as their biological sex, and that the highest proportion of victims were children or female. In addition, a majority of this sub-group caused death or serious harm to their victim(s). Most of these offenders also had a history of abuse and trauma. Due to these factors, gender diverse offenders with sex offence histories present unique operational considerations for institutional placement and correctional programming.

For more information

Farrell MacDonald, S., Smeth, A., Cram, S., Garrel, S. & Derkzen, D. *Examination of gender diverse offenders* (Research Report R-442). Ottawa, Ontario: CSC.

To obtain a PDF version of the full report, or for other inquiries, please e-mail the [Research Branch](#).

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

¹ Ninety-nine gender diverse offenders while in-custody between December 17, 2017 and March 13, 2020.

² Gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified.

³ Criminal Risk Index (CRI) cut-offs aligned with CSC's program referral criteria as identified in Commissioners Directive correctional programming guidelines 726-2.