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News Release

Statistics Canada Reveals Urgent Need to End Mass Incarceration of Indigenous and Black People: Four Senate Bills Can Help

FOR IMMEDIATE RELEASE

OTTAWA, JANUARY 15, 2026—[Statistics Canada's latest report](#) reveals the urgent need to grapple with the consequences of the mass incarceration of Indigenous and Black People starting with the recognition that:

The causes of overrepresentation are complex and interconnected, though indisputably linked to colonialism, displacement, socioeconomic marginalization, intergenerational trauma and systemic discrimination.

...
In 2023/2024, Indigenous adults were incarcerated at a rate 10.2 times higher than non-Indigenous adults in the six reporting provinces. The degree of overrepresentation was highest in Saskatchewan, where Indigenous adults were incarcerated at a rate 19.4 times higher than non-Indigenous adults.

...
There was a significant gap in the overrepresentation index between Indigenous men and women. In 2023/2024, the overrepresentation index score was 18.2 among Indigenous women compared with non-Indigenous women and 9.6 among Indigenous men compared with non-Indigenous.

Four bills, currently before the Senate, would work together to reduce marginalization, victimization, criminalization and institutionalization, especially of [those who are racialized, women and those with disabling histories of trauma, abuse and resulting mental health and addiction issues](#):

- [Tona's Law, Bill S-205](#), would breathe life into existing but rarely used measures to transfer people in need of supports out of prisons and fund their placement in Indigenous communities, hospitals and other community settings.

- [Bill S-206](#) would require the federal government to develop, with Indigenous, provincial, territorial governments, a plan for implementing a guaranteed livable basic income sufficient to [lift people out of poverty, preventing victimization and criminalization](#) [N.B. [PEI](#) is keen to start the process].
- [Bill S-207](#) would allow criminal records to expire, without a fee or application process, thereby [reducing barriers](#) to housing, jobs, and other essentials for community integration.
- [Bill S-208](#) would allow judges to not impose mandatory minimum penalties where doing so would result in an injustice. This would include allowing judges to fully consider s. 718.2(e) [Gladue] factors, where mandatory minimums currently restrict their discretion.

These bills are informed and inspired by the Truth and Reconciliation Calls to Action, the Calls for Justice of the Missing and Murdered Indigenous Women and Girls, as well as Senate 2019 [amendments](#) to Bill C-83 regarding solitary confinement, and the 2021 [Human Rights Committee's report](#) on federally sentenced persons.

The government promised to eliminate the over-representation of Indigenous People in prison by last year. Senate sponsor of these initiatives, Senator Kim Pate urges, “Senators and MPs must work together. We cannot abandon the countless Canadians condemned to poverty, oppression, criminalization and incarceration. Canada must take a stand for human rights.”

- 30 -

For more information

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