

Civil Participation in Probation in a Japanese Perspective  
- How Japanese VPO System Functions for the High-Risk Offenders

**Rehabilitation and Criminogenic Needs  
of the Socially Excluded Recidivists  
- Evidence-based Japanese Perspective -**

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# 1 Purpose of this Presentation

- In Japan crime rate as well as recidivism rate is very low. But recidivism rate by repeated offenders is increasing.
- In such impetus 30% of all offenders commit 60 % of all offences. There exists some group of offenders whose rehabilitation is extremely difficult.
- I conducted quantitative and quantity researches for offenders, whose crime tendency is advanced or who committed serious offence in order to search for risk factors as well as rehabilitation factors. Then I consider about how to facilitate offenders' rehabilitation and re-integration into the community through the Japanese collaboration system of a Probation Officer and a Volunteer Probation Officer.

## 2 Qualitative Research – Survey

### ( 1 ) Purpose

To search for level of awareness and insights for his life and himself, responsibility for the offence, task and needs of the offender, who is under parole and probation supervision.

## ( 2 ) Method

- To conduct a questionnaire survey for 130 adult parolees/probationers and their assigned VPOs, whose relationship had been continued for more than 6 months. Offenders had not committed any further offence after the sentence.
- Information about offenders were also picked up from the sentencing documents and their case files.
- Cognitive gap between the offender and VPO, in terms of an offender's crime causes, problems of life, offender's rehabilitation needs , is also used as data.
- All information was analyzed by “Hayashi's Quantification Methods Type III” (almost same as Correspondence Analysis).

## ( 3 ) Questionnaire

### 1) For Parolees and Probationers

Cause of Offence, Problem in Life at the Time of Offence, Recognition of Damage and Impact for Victim, Feeling for the Sentence, Methods of how to take Responsibility for the Offence, Recognition of his Risky Situation for Recidivism, Deterrence Factors of Recidivism at present, Difficulty and Worries in their daily lives, Rehabilitation Needs, etc.

## 2) Information from Sentencing Documents and Offender's Case File

Age, Occupation, Housing, Guarantor or Guardian, Criminal History, Details of Offence, Contents of Sentence, Life History, Mental and Physical Health, Family Relationship, Living Environment, Relationship with Others, Life Plan, Compensation for Victims, etc.

### 3) Questionnaire for VPOs

Treatment Plan and Policy for this offender,  
Evaluation for Offender's Attitude for VPO,  
Problems of Offender's Life, Problems of  
Offender's Personality and Behavior, Rehabilitation  
Support from Family, Deterrence Factors of  
Recidivism, Needs for Support and Guidance, etc.

## \* Who are VPOs ?

VPOs are recruited among candidates who are recommended by local people. Generally speaking VPOs are the people who are trusted in the community and occupied key position in local social networks.

They have decent socio-economic status and good will to help neighbours.

VPOs are the people who embody typical Japanese common sense and value sense as ordinary citizen.

Consequently if an offender is evaluated badly or there exists some cognitive discrepancy between an offender and a VPO, it can be said that the offender might experience some difficulty to adjust himself into the local community. I made it just as rough frame of reference in analysis.





## ( 4 ) Result

Through this analysis two Axes of Category (Table 1 & 2 ), Centres of Gravity are extracted, and thus offenders are divided into four clusters.

	<b>Table 1 : Category Score</b>	<b>Axis I</b>					
<b>(+) Direction</b>	1	<b>Positive Experience in School Days</b>	<b>1.77554</b>	<b>(-) Direction</b>	1	<b>Guarantor is Younger Family than Offender</b>	<b>-4.65957</b>
	2	<b>No Experience of Severe Social Exclusion</b>	<b>1.35791</b>		2	<b>Social Isolation</b>	<b>-3.93233</b>
	3	<b>Main Offence Factor is Profit</b>	<b>1.32907</b>		3	<b>Limited Intelligence</b>	<b>-3.23853</b>
	4	<b>Parole Case</b>	<b>1.10419</b>		4	<b>No Negative Attitude for VPO's Treatment (VPO evaluate so)</b>	<b>-2.79176</b>
	5	<b>Negative Attitude for VPO's Treatment (VPO evaluates so)</b>	<b>1.05715</b>		5	<b>Mental Disorder and/or Developmental Disorder</b>	<b>-2.74407</b>
	6	<b>Positive Experience in Occupation</b>	<b>1.05606</b>		6	<b>Unstable Employment or Frequent Job Changing</b>	<b>-2.68136</b>
	7	<b>No Severe Deprivation in Childhood</b>	<b>1.05274</b>		7	<b>Some Problem in Present Living (VPO evaluate so)</b>	<b>-2.45416</b>
	8	<b>No Special Problem in Present Living (VPO evaluate so)</b>	<b>0.89749</b>		8	<b>Unemployment at the Time of Offence</b>	<b>-2.19162</b>
	9	<b>High Academic Career</b>	<b>0.89060</b>		9	<b>Not Enough Family Support (VPO evaluate so)</b>	<b>-1.69583</b>
	10	<b>Have a Job at the time of Offence</b>	<b>0.86707</b>		10	<b>Some Worry on Life at the time of Survey</b>	<b>-1.67494</b>

	<b>Table 2 : Category Score;</b>	<b>Axis II</b>				
1	<b>Recognition of Risky Situation for Recidivism</b>	<b>2.15627</b>	<b>(-) Direction</b>	1	<b>Guarantor is not Family</b>	<b>-3.96502</b>
2	<b>Suspended Prison Sentence</b>	<b>1.67126</b>		2	<b>Guarantor is Wife</b>	<b>-3.74895</b>
3	<b>Guarantor is Father</b>	<b>1.63754</b>		3	<b>Recognition of Cause of his Offence</b>	<b>-3.72783</b>
4	<b>No Recognition of Risky Situation for Recidivism</b>	<b>1.49526</b>		4	<b>Recognition of Problems in his Life</b>	<b>-2.66969</b>
5	<b>Excess Self Control</b>	<b>1.39579</b>		5	<b>Recognition that his Responsibility is to Serve his Sentence</b>	<b>-2.06594</b>
6	<b>Sex Addiction at the Time of Offence</b>	<b>1.23198</b>		6	<b>Poverty at the time of Offence</b>	<b>-1.99844</b>
7	<b>Shortage of Fathering in Childhood</b>	<b>1.22465</b>		7	<b>Poor Attachment with Mother in Childhood</b>	<b>-1.86254</b>
8	<b>Recognition of Cause of his Offence</b>	<b>1.20779</b>		8	<b>Recognition that the Deterrence Factor is Family Support</b>	<b>-1.82715</b>
9	<b>Frequent Job Changing at Time of Offence</b>	<b>1.18753</b>		9	<b>Inadequate Recognition of Harm for the Victim</b>	<b>-1.41038</b>
10	<b>Difficulty in Relationship with Others</b>	<b>1.18108</b>		10	<b>Complaint for the Sentence</b>	<b>-1.16535</b>



### 3 **Discussion;**

#### Feature of Each Cluster of the Offenders

##### 1 ) Offenders of Cluster I (24 / 130)

- High evaluation by VPO for offender's endeavour of rehabilitation
- Offender's thinking and recognition for the society and himself are positive, reasonable and realistic.
- Offenders recognize that there is correlation between offence and his problems in living.
- Congruence between the offender's recognition on his problem and those written in his case files.

- But recognition of his risky situation for recidivism is not enough. Also 25% of the offenders have complaint for their sentence.

→ Two Possibilities

- 1) Learning how to play expected social role,
- 2) Making effort to rehabilitate themselves with appropriate recognition for their problems, but still under developing and cannot afford to recognize their risky situation for recidivism, and have not embodied self-control ways yet.

## 2 ) Offenders of Cluster II (68 / 130)

- VPO's modest evaluation for offender's endeavour of rehabilitation in spite of their hardship in childhood and/or poor achievement in occupation
- Offender's recognition on correlation between offence and their problems in living, which is almost same as the offenders of Cluster I
- Positive self image and appropriate recognition for nature of his offence and its background
- However, VPO's worry about unstability of offender's life and evaluation that offender should broaden their perspective as human beings

### 3 ) Offenders of Cluster III ( 25 / 130)

- Majority is suspended prison sentence with probation supervision cases
- Majority is dropout from high school education
- Not small offenders have intellectual limitation
- VPO's worry about offender's future life and evaluation that strong and comprehensive support and supervision are necessary for the offender
- Lack of offender's recognition for nature of the offence and responsibility for the offence



#### 4 ) Offenders of Cluster IV ( 13 / 130 )

- Lack of recognition on cause of offence, problems of his life, impact/damage for victims and risk for recidivism

#### 5 ) **Common Features of Offenders of All Clusters**

- Lack of recognition for his own risky situation for recidivism (49.2% of all the Offenders)
  - Correlation among lack of offender' s recognition of offence cause, problems in his life and impact/damage for victims
- Problems in insights for the offence and himself are correlated.

# 4 Qualitative Research

## 1) Purpose

In order to search for facilitating factors of rehabilitation and their problem solving ways in details, I interviewed 10 Offenders, who have no recidivism more than 10 years.

## 2) Methods

- To Conduct semi-structured 2 hours interviews for 10 ex-inmates of one halfway house
- To hear their life history, financing and housing, relationship, living situation, difficulty and task, hope and pleasure, life plan, thoughts for Criminal Justice System, etc.
- The ex-inmates have multiple criminal histories or committed serious offence
- To conduct follow-up interview for 5 offenders among them after 2 years' interval
- To analyze the result with the Grounded Theory

### 3) Result

Common Rehabilitation Factors of the 10 ex-offenders are as follows;

- Accepting sentence/responsibility for the crime,
- Positive reframing of prison life as good opportunity to “reset” his chaotic life,
- Insight to causes of the offence, which surely (!) exists in his daily life,
- Positive experience in prison work or vocational training to get high evaluation from prison officers and self confidence,
- Realistic understandings of his life circumstance and his present capacity for living,
- Positive self evaluation for their own endeavour to rebuild his life and thus have hope to their future.
- “Desistence is to live pleasant and self-reliant life!”

# 5 Conclusion

- None of offenders in the survey commit another offence after the sentence and have motivation for rehabilitation. But their rehabilitation process is not smooth. They need practical and emotional support for rehabilitation. To get realistic sense for life and problem solving skill are crucial for their rehabilitation.
- They also need hope, dream and positive self-image. These needs are all social construction, which are developed through social interaction!

# \* Features of VPO

- Fellow Resident of the Local Community
- Taking Key Position in the Social Capital in the Local Community
  - Thus they can support offenders responding to their rehabilitation needs.
- To facilitate/help offenders to access local resources
- To help community and offenders to have relationship with mutual understanding

# 5 Safe Guard

## to Make Use of VPOs' Advantage

- To Clarify Responsibility of the State
  - Case management including risk management is responsibility of the State
- To establish safe guard to secure mental and physical safety of VPOs
- To institute training system and providing VPOs with up to date information on the treatment of offenders
- To institute of symbolic appraise system to answer to the good will and contribution by VPOs

# Probation System in Japan

## - Partnership with Volunteer Probation Officers

Ayako SAKONJI  
Wakayama Probation Office,  
Ministry of Justice, Japan



# The Participation of the Private Sector

- Originally developed through the efforts of private sector
- Volunteer Probation Officers and Halfway Houses were formalized after WW II
- 48,000 VPOs
- 104 Halfway Houses run by the private sector

# Types of Offenders under Supervision

- Juvenile Probationer (decision by Family Court)
- Juvenile Parolee (released from Juvenile Training School)
- Adult Parolee (released from Penal Facility)
- Adult Probationer (decision by Criminal Court)

# Caseload

The total number of probationers and parolees

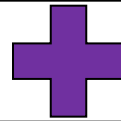
(as of 30 Jun. 2013)

	<b>Total</b>	<b>Juvenile Probationers</b>	<b>Juvenile Parolees</b>	<b>Adult Parolees</b>	<b>Adult Probationers</b>
<b>Nationwide</b>	39,719	18,817	4,567	5,605	10,737
<b>W.Probation Office</b>	466	202	45	64	155

Source: Monthly Report of Statistics on Rehabilitation

# Probation Officers and VPOs

Number of Probation Officers in the field **980** (as of 1 April 2012)



Number of **VPOs** **48,221** (as of 1 Jan. 2012)

Supervision  
in  
the community

Number of Parolees  
and Probationers

**39,719**  
(as of 30 June 2013)

# Roles of Probation Officers and VPOs

Probation Officer

Expert knowledge

Making treatment plans  
Intake interview and interventions  
Special treatment  
Breach actions  
Liaising with relevant agencies



Guidance

monthly reports

Consultation

VPO

Advantages as a local & private citizen

Interviews on a regular basis  
Working with their families  
Helping them find jobs  
Liaising with local social resources

# Legislative Framework of VPOs

## (1)

### Legal Status

- Citizen volunteers commissioned by The Minister of Justice
- Status as a part-time government official

### Salary

- *No salary paid (Art. 11, the VPOs Act)*
- VPOs may receive **the whole or part of the expenses** needed for performance of their duties.

### The term of office

- *Two years*
- **Re-appointment is possible**

# Legislative Framework of VPOs

## (2)

The age-limit on appointment of a appointment

- *65 years*

The age-limit on a VPO's reappointment

- *under 76 years*

# Case Assignment

## ➤ “Probation Area” System

- A Probation Area consists of one to several municipalities (cities, towns, villages, etc.)
- Each probation officer is in charge of one to several Probation Areas and supervises all the clients living there

## ➤ VPO Association

- Every VPO must belong to the local VPO Association of his/her residence
- A local VPO Association corresponds to a Probation Area



# What kind of cases are assigned to VPOs?

- Basically any
- “Difficult cases” are more likely to be under direct supervision of probation officers, but still could be assigned to a VPO as well.

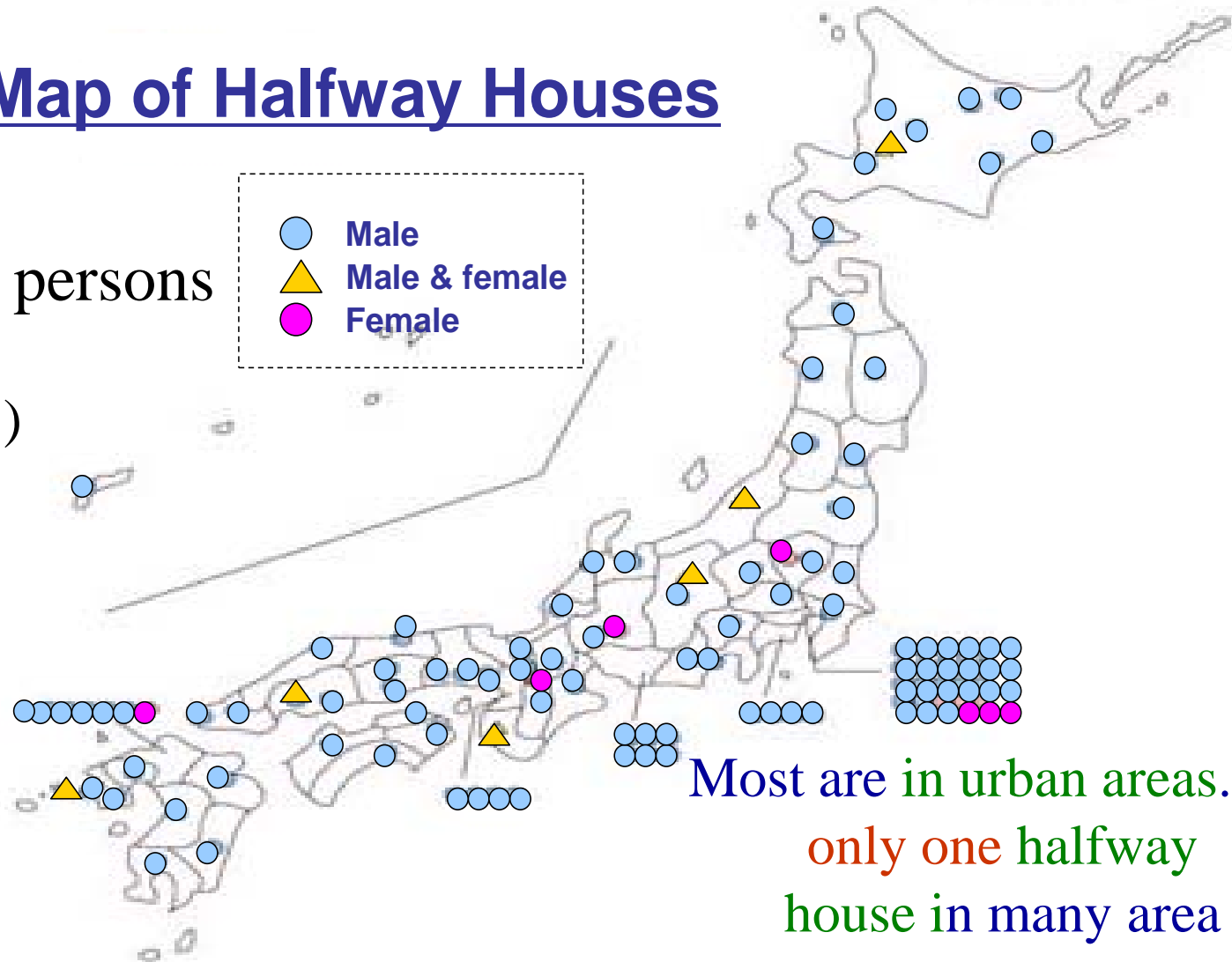
# Trainings for VPOs

- Initial Training Course (on recruitment)
- Primary Training Course (1st-2nd year)
- Secondary Training Course (2nd-4th year)
- Regional Regular Training (4 times a year)
- Special Training
- *Independent Training*

# Offenders Rehabilitation Facilities (Halfway Houses)

## Map of Halfway Houses

**Capacity: 2,340** persons  
M 2,159; F 181  
(As of 1 Apr. 2013)



**8,505** persons were newly admitted in 2012

**Approximately 70%** of residents are probationers/parolees

# Offenders Rehabilitation Facilities (Halfway Houses)





Thank you very much for your  
attention!

# How to Support Rehabilitation of Juvenile Delinquents with Developmental disabilities

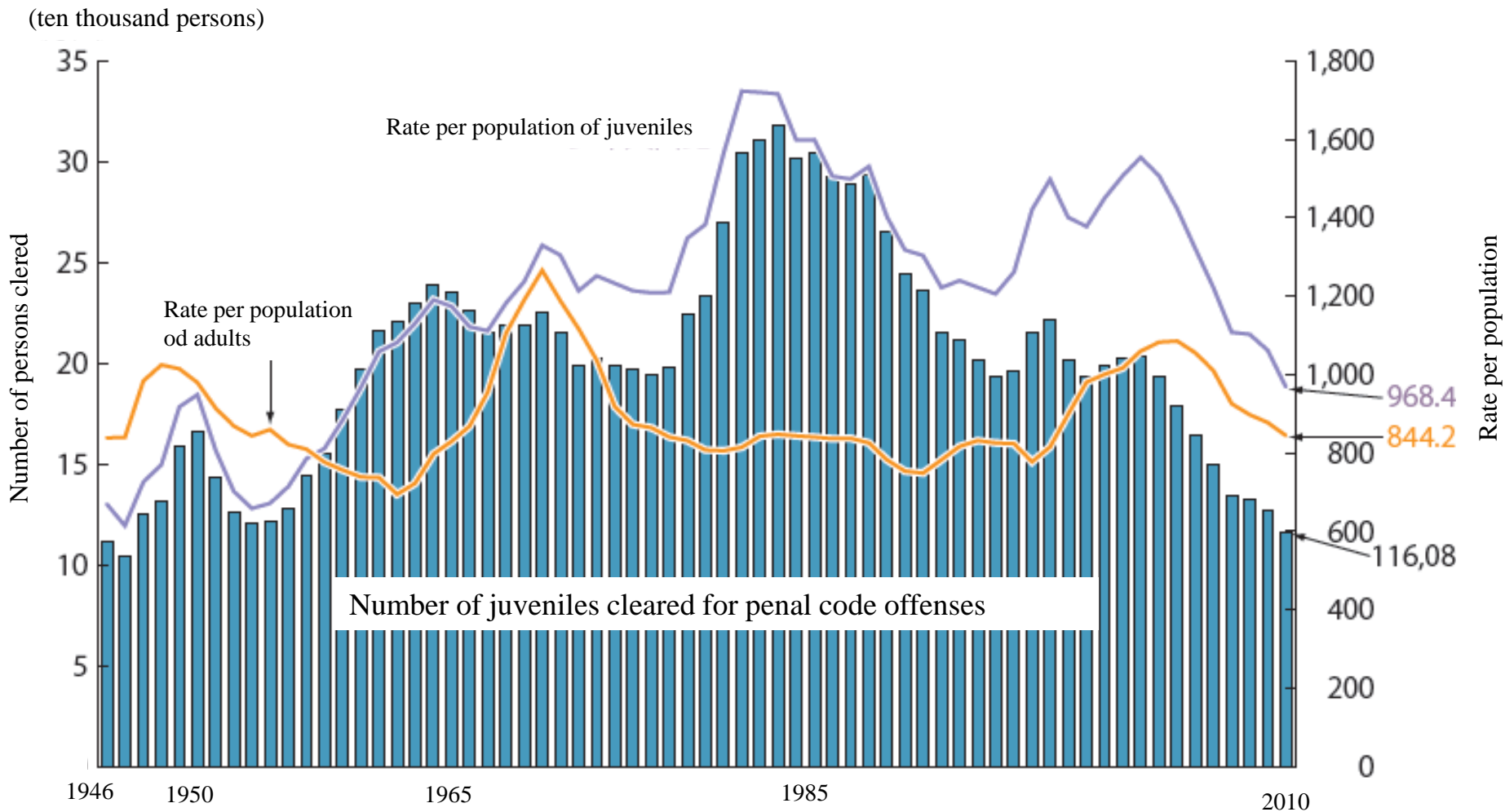
Civil Participation in Probation from a Japanese Perspective

Hiroshi Shojima

Graduate School of Human Development & Culture  
Fukushima University

(Vice President : the Japanese Association of Offender  
Rehabilitation)

# Statistics of Juvenile Penal Code Offences in Japan(1946-2011)





# A type of juvenile delinquency “Hard to Understand”

- Poverty, family conflicts, or/and bad company, are not the main reasons
- Serious juvenile crimes committed by delinquent juveniles with developmental disabilities
  - The Sakakibara Case (Kobe, 1997)
  - “I want an experience of killing someone” (Aichi, 2000)
  - A high school student who cut off his mother’s head (Fukushima, 2007)

# Roles and Functions of Volunteer Probation Officers(VPO)

- To reintroduce discharged juveniles into community and society (Ex. Inviting those juveniles to the VPO's houses, meeting the juveniles with their family members, often with a cup of tea)
- In 2000, a temporarily-discharged juvenile with developmental disorder set fire on VPO's house.
- Accident compensation covered by the government, but no risk management skills equipped.

# To Improve the System for Volunteer Probation Officers

- Performing a strict risk assessment
- Determining if the case is best handled by probation officers alone ( due to a high level of risk) or through collaboration between probation officers and VPOs
- Depending on potential risks and needs for support, an accurate case assessment is needed to determine who will be best in charge for each case

# A Handbook for Volunteer Probation Officers

- Learning interview skills that take into account characteristics of developmental disorders, such as preference for visualization or fixation
- Coaching life-skills that take into account of characteristics of disabilities; developing a way to scold that respects the juveniles' self-esteem, rather than preaching them about morality alone
- Learning effective approaches for job assistance from rehabilitation experts

# The Collaboration between Criminal Justice Systems and Well-Fare Systems

- Place well-fare professionals at Offender Rehabilitation Facilities
- Utilize “the special arrangement” that fosters collaboration with well-fare services at rehabilitation facilities

# The Collaboration between Criminal Justice Systems and Well-Fare Systems

- Develop a life-support system for discharged offenders in the community to utilize community well-fare facilities
- The system needs to be applied beyond adult offenders to include Juvenile delinquents

# Criminal Justice Systems for Offenders with Mental Disorders

- Treatment System According to the Act on Medical Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity (In effect since 2005)
- Designated inpatient and outpatient care hospitals specializing for offenders with mental disorders are in development.
- Mental health probation has begun
- Needs to include juvenile delinquents with developmental disorders

# Autistic Spectrum Disorder

- A close association with those criminal cases that were “hard to understand”
- This is a disorder of communication and an impairment of sociality
- Treatment is more effective if it is done beyond /outside the confined treatment facilities
- Volunteer probation officers conducting social skills training in everyday setting will be more effective?



# Low Self-Esteem due to Abuse

- Experiences of abuse are suspected in the backgrounds of the youth who committed serious juvenile delinquency .
- Decreased self-esteem causes self-harming behaviors (including chemical dependency)
- As a results, lose their respect to others, their possessions, and even to their own life
- It is important to pay attention to “wounded self” rooted in juvenile delinquency.

## How Volunteer Probation Offices Treat Juvenile delinquents is essential

- Meet juveniles in the familial settings
- Facilitate juveniles' social inclusion
- Help them experience being cared for and accepted by the community and society
- Regardless of presence of developmental disorders, the system of volunteer probation officers is working effectively for delinquent juveniles to reform themselves