

Measures to Reduce Reoffending in Japan

I. Effective Supervision and Support for Offenders in the Community (Mainly Related to Revised Key Elements VI.)

1. The Important Role of Volunteers¹

a Volunteer Probation Officer (Hogoshi) System

Volunteer probation officers (Hogoshi) are volunteers who support the rehabilitation of offenders and delinquent juveniles, who complement the work of a probation officer, and there are approximately 47,000 volunteer probation officers in Japan. Their main duties include interviewing and providing guidance/advice to probationers/parolees, creating a living environment so that those who were in prisons or juvenile training schools may reintegrate into society, and conducting awareness-raising activities to prevent crimes.

Hogoshi are citizens who live in the community where the offenders live and they understand and support the improvement and rehabilitation of offenders. For offenders, Hogoshi serve as gateways to the community and the offenders can feel that they are accepted by the community. This is an important foundation for the offender's reintegration into society.

Hogoshi play an indispensable role in the criminal justice system in Japan, as they voluntarily perform their duties to provide social services and have supported the safety and security in the region for many years. Thus, it is highly significant that community volunteers participate directly in the implementation of criminal policy.

b Voluntary Supporters for Offender Rehabilitation in the Local Community: Big Brothers and Sisters Movement (BBS), Women's Association for Rehabilitation Aid (WARA), and Cooperative Employers

Big Brothers and Sisters Movement (BBS) is a youth volunteer organization that aims to help juveniles solve their own problems and support each other for personal growth and development, like brothers and sisters, to encourage building safer communities. BBS has about 4,000 members nationwide.

Women's Associations for Rehabilitation Aid (WARA) is a volunteer organization that aims to promote awareness-raising activities to prevent crime and delinquency in communities, to support the healthy upbringing of youths, and to support the reformation/rehabilitation of those who have committed offenses and juvenile delinquents. There are approximately 130,000

¹ https://www.moj.go.jp/EN/hogo1/soumu/hogo_hogo04.html

members in Japan. Family and community involvement in delinquency prevention and healthy upbringing of youths is important. Therefore, they hold meetings to discuss challenges, such as misconduct and negligence, etc. and to share the actual circumstances of the community with local residents at community halls or schools, and engage in activities such as parent-child interaction events and child-rearing support activities.

Cooperating employers demonstrate their understanding to provide an inclusive environment which support the rehabilitation of released offenders. In order to support the independence and social reintegration of released offenders, “cooperating employers” are private employers who employ or intend to employ released offenders with a knowledge of the criminal history of released offenders. As of October 1, 2021, approximately 25,000 companies were registered as cooperating employers.

These voluntary supporters work together with volunteer probation officers (Hogoshi), to encourage the rehabilitation of those who have committed offences in their communities, which contributes to building safer local communities.

2. Legal Systems to Implement Non-custodial Measures

a Suspension of Execution of Sentence with Probationary Supervision

Imposing a suspension of execution of the sentence with probation supervision means all or part of the sentence is suspended with probationary supervision by a court.

The term "with probationary supervision" means to place a person under probation during the period of suspension of execution of the sentence.

If the court imposes suspension of execution of the sentence with probation, offenders receive instructions and supervision, and guidance and assistance from probation officers and Hogoshi in order to prevent recidivism and facilitate their rehabilitation.

(2020)

Number of persons on whom the courts imposed suspension of execution of the sentence with probationary supervision: 3,584

Number of offenders on whom the courts imposed suspension of execution of sentence with probationary supervision, who have successfully completed probation: 3,604

b Parole System²

² https://www.moj.go.jp/EN/hogo1/soumu/hogo_hogo01.html

The parole system aims to prevent repeat offenses and promote their rehabilitation and their smooth reintegration into society by releasing inmates who are expected to be rehabilitated before serving their term of imprisonment and placing them under supervision during their term of parole.

Parole may be granted to inmates who have served a term of more than one-third of the term of imprisonment for a definite term or more than ten years for life imprisonment, and the examination and decision are made by the Regional Parole Board.

Reimprisonment rate within 2 years (Number of inmates released in 2019) : 10.2% for parolees and 23.3% for those released after serving their sentence.

3. Raising Public Awareness, Understanding and Acceptance of Social Reintegration of Offenders

a Crime Prevention Activities and the "Yellow Feather Campaign"³

Crime prevention activities in Japan are one of the goals of rehabilitation and of the main tasks of probation offices.

The "Yellow Feather Campaign" is a nationwide organization that aims to prevent crimes. This is a nationwide movement that helps all citizens deepen their understanding of crime prevention and offenders rehabilitation, and work together in their respective positions to create safer and vibrant communities.

In order to promote these initiatives effectively, July 1 was designated as the "Offenders Rehabilitation Day" and July was designated as the "Yellow Feather Campaign" Enhancement Month. On July 1, 1949, the "Offenders Prevention and Rehabilitation Act" and a new offenders rehabilitation system were enforced.

In implementing the "Yellow Feather Campaign", community volunteers, including volunteer probation officers (Hogoshi), play a central role in supporting the rehabilitation of offenders, and in doing so, these volunteers and the relevant organizations including municipal governments are closely connected with each other. About 30,000 events were held in approximately 1700 regions across the country, and a total of 870,000 persons have participated.

b Awards for Recidivism Prevention Activities in the Private Sector

Private collaborators such as chaplains, who provide religious guidance at the request of

³ https://www.moj.go.jp/EN/hogo1/kouseihogoshinkou/hogo_hogo06.html

inmates, Hogoshi, who cooperate with probation officers to provide guidance and support for criminals, and other rehabilitation volunteers play a major role in preventing recidivisms. Their activities, however, are not financially rewarding and do not draw public attention.

Therefore, in order to make their activities better known to the public and thereby to further motivate them to enhance their activities, Prime Ministers of Japan have granted awards to those who have made outstanding contributions in the field of recidivism prevention for their achievements in building safer communities.

Specifically, each year the Prime Minister invites eight individuals or organizations selected by the Ministry of Justice, other government agencies and local governments as award recipients to the Prime Minister's Official Residence and attends an award ceremony. Prime Minister's Office videotapes the ceremony and distributes it online. In addition, the awardees and their activities are disseminated broadly through PR activities, which may give a valuable opportunity for many people to understand the ambitious efforts made by private collaborators.

II. Effective Assessment of Offenders and Implementation of Programs (Mainly Related to Revised Key Elements V.)

1. Individualized Assessment of Offenders

a Implementation of Correctional Treatment Based on Evidence and Evaluation of Researches

In order to implement treatment based on the “RNR principle”, one of the essential models of criminal rehabilitation, “General Risk Assessment Tool for Inmates (G-Tool)” has been used as an important information source for assessment of Criminal Tendency (a concept unique to Japan including the risk of reoffending, required security level, relation with criminal groups and readiness for treatment) as well as selections of special guidance programs for reform.

The re-offending prevention guidance for sex offenders is a complex of treatment programs for sex offenders which was developed with reference to programs of other countries that have confirmed the effectiveness and to advice of external professionals. To this day, the scope of those eligible for the program has been expanded due to the development of new programs, such as a program for sex offenders with intellectual disabilities and the improvement of the program contents. Also, evaluations of researches on the programs for sex offenders have been conducted twice, and confirmed a certain level of effectiveness in preventing recidivism.

b Case Formulation in Probation/Parole(CFP)

The CFP is an assessment tool to provide supervisees with more effective guidance and

support for their relapse prevention. In implementing supervision, the characteristics of individual supervisees are accurately identified through the use of CFP. The factors and characteristics that lead to the criminal behavior and the matters that contribute to their rehabilitation, the process leading to the crime, etc. are evaluated, and appropriate treatment programs are determined based on the results of the CFP.

c Categories of Treatments in Probation/Parole

Supervisees' problems and other characteristics are categorized according to the type and content of offense and treatment focusing on the common problems to each type is implemented. In January 2021, "Categorized treatment guidelines" were revised as treatment guidelines for each treatment category, and these guidelines are utilized for assessment, establishment of supervision plans, and implementation of treatment, etc.

2. Specialized Treatment Programs Focused on Specific Criminal Tendencies such as Drug Abuse

Probation offices implement specialized treatment programs based on cognitive behavioral therapy for supervisees with specific criminal tendencies, such as a tendency to repeat sexual offenses and use addictive drugs repeatedly, in order to improve such tendencies. There are four specialized treatment programs, namely, the Sex Offender Treatment Program⁴, Drug Relapse Prevention Program, Violence Prevention Program, and Drunken Driving Prevention Program. Supervisees are obligated to receive these program imposed with special condition.

Number of persons who started specialized treatment programs (final value in 2021)

Sex offender treatment program 731 people

Drug Relapse Prevention Program 3,239 people

Violence Prevention Program 204 people

Drunken Driving Prevention Program 227 people

III. Seamless Transition from Custodial Environment to the Community (Mainly Related to Revised Key Elements IV.)

1. Providing Housing (Offender Rehabilitation Facilities and Self-reliance

⁴ The sex offender treatment program was renamed the Sex Offender recidivism Prevention Program, and has been implemented since FY 2022.

Support Home)⁵

It is very important for the community to accept released offenders who have no place to live as they can be easily isolated from the community. In order to achieve this, it is important to provide a place to stay (a house) for these people. In Japan, they usually move into Offender Rehabilitation Facilities managed primarily by private organizations and Self-reliance support home owned by NPOs and other support organizations.

(As of April 2022)

Number of halfway houses: 103

Number of registered as self-reliance support homes: 473

(2020)

About a third of those on parole live in halfway houses

2. Support for Employing Ex-Offenders

About 70% of inmates who returned to prison were unemployed when they repeated the offense in Japan, and thus it is important to secure employment and stabilize their base for living in order to reintegrate ex-offenders into society smoothly.

a Employment Support for Inmates

The Ministry of Justice has assigned employment support staff to penal institutions and juvenile training schools in order to secure employment for inmates and others when they are released from prison, and implemented comprehensive employment support measures for those in cooperation with the Ministry of Health, Labour and Welfare. This measure has been taken to establish a system in which penal institutions, juvenile training schools, probation offices, and Public Employment Security Offices work together and systematically provide employment support for finding a job they like according to the abilities of persons eligible for support, for instance, the penal institution provides vocational consultations, job placement services, vocational lectures, etc. by the staff of Public Employment Security Offices to those persons.

⁵ https://www.moj.go.jp/EN/hogo1/soumu/hogo_hogo04.html
https://www.moj.go.jp/EN/hogo1/soumu/hogo02_00029.html
https://www.moj.go.jp/EN/hogo1/kouseihogoshinkou/hogo_hogo10-01.html

b Employment Support for Released Offenders⁶

The Ministry of Justice provides comprehensive and centralized employment support for released offenders not only in penal institutions but also in communities by implementing Comprehensive Employment Support Measures for released offenders in cooperation with the Ministry of Justice and the Ministry of Health, Labour and Welfare.

The Ministry of Justice provides vocational counseling and employment placement services in cooperation with probation offices and Public Employment Security Office to released offenders, utilizing employment support programs such as seminars, company visits, hands-on training, internship, and personal guarantee, and support supervisees who have difficulty in finding a job or retaining their job.

In addition, The Ministry of Justice provides support for employment of released offenders as follows: outsourcing of the matching companies that provide support with the supervisees to private organizations, accompanied by post-employment support, and paying incentives to employers that employ ex-offenders and mentor them to remain in the same job.

- Comprehensive Employment Support Measures for Released Offenders in FY 2021(only for those on probation)
Persons eligible for support: 2,476
Number of employment: 1,963
Employment rate: Approx. 79.3%
- Comprehensive Employment Support Measures for Released Inmates in FY 2021
Persons eligible for support in their job search: 16,326
Employment rate: 78.4%
Persons eligible for support at the workplace: 2,343
Job retention rate: 71.4%
- Released prisoner employment incentive in FY 2021 : 3,213

3. Welfare Support for Elderly and Disabled Persons who Have Committed Offenses

In penal institutions, social workers provide counseling and advice to elderly or disabled inmates recommending the use of various social welfare systems.

Efforts are made to enable inmates, etc. to receive necessary services including elder care, medical care, and social welfare services such as a pension, etc. as soon as they have been released,

⁶ https://www.moj.go.jp/EN/hogo1/soumu/hogo02_00030.html

and to proactively assist them get parole for elderly and disabled persons with no place to go. Specifically, for inmates in correctional facilities who meet the requirements for those who need to receive social welfare services, etc. and wish to receive the support, the correctional institutions, regional parole boards, probation offices, and Regional Settlement Support Center established by the relevant prefecture work together to follow the procedures so that inmates can receive social welfare services, etc. immediately as soon as released. (Special coordination)⁷

In addition, for elderly or disabled inmates, the Program for Reintegration into Society is implemented to provide them with basic knowledge about the social welfare system and to motivate them to have stability in their life after they are released.

Further, in some penal institutions, "test for dementia" are conducted for elderly inmates in order to identify the early stage symptoms of dementia so as to provide individually tailored treatment.

Moreover, the Public Prosecutors Office also support the persons in coordination with Probation office and Regional Settlement Support Center for people being in custody coming out of the criminal justice process without going to penal institutions due to non-prosecution or suspended execution of the sentence, who need someone to help them to perform their activities of daily living due to age or disability so that they can receive necessary social welfare support as soon as they are released.

4. Various Measures for Preventing Repeat Offenses by Drug Offenders (Treatment for Drug Offenders Using the Partial-Suspended-Execution-of-Sentence and Family Meeting for Drug Offenders)

Partial-suspended-execution-of-sentence makes it possible to prescribe adequate length of treatment, under which the execution of the sentence for a certain period of time is partially suspended and the offenders are placed under supervision during the suspension period. For drug dependent supervisees, including those on which partial-suspended-execution-of-sentence has been imposed, probation officers implement a drug relapse prevention program, and they make efforts to work closely with health and medical institutions that provide medical treatment and private support organizations such as the DARC (Drug Addiction Rehabilitation Center), etc. that provide assistance so as to help reduce drug dependence, thereby offering treatment and support programs in the community.

In addition, probation offices hold guardians/family meetings for the families of drug-dependent inmates, etc. to provide information and advice, etc. on knowledge about drug

⁷ Number of people whose special adjustments are concluded (in FY 2021): 826

dependency, how to interact with supervisees, and how to support them, etc., which have been provided by other relevant and private organizations.

IV. Formulation of the "Recidivism Prevention Plan" by the National and Local Governments, and Comprehensive and Systematic Promotion of Recidivism Prevention Measures Based on the Plan

In Japan, approximately half of the persons charged with crimes are re-offenders. In order to reduce crimes and build a safer society, it is important to focus on re-offenders and prevent them from repeating offenses. In 2016, the "Act for the Prevention of Recidivism" was enacted, and in 2017, the "Recidivism Prevention Plan" was established by the Government. Various measures have been promoted comprehensively and systematically based on this plan.

In other words, those measures have been implemented to covers a variety of social welfare and other relevant services, including employment support, housing support, study support and special support to work on the personal life problems of offenders, which respectively deals with each offenders' problems. Several government agencies have taken recidivism prevention measures because they are influenced by cross-sectional policies, including those for reemployment, housing and education.

Also, in order to promote the recidivism preventive initiatives to the public, the engagement of local governments and citizens who support rehabilitation for criminals who have served their prison term in their local communities is significant as well as the efforts being made by the Government.

The National Recidivism Prevention Plan, therefore, includes 115 specific measures under seven priority issues, and requires multi-stakeholders to cooperate with each other in promoting these measures during the five-year-plan period. In addition, the Plan also sets performance indicators to visualize the progress and effectiveness of the measures as accurately as possible.

The establishment of this plan enables various stakeholders to share the same direction and perspectives, and each concerned party including various agencies or departments within the Government to clearly and appropriately divide the roles among them, thereby enabling the comprehensive and effective promotion of measures to prevent recidivism.

Moreover, after the Plan has been established, many of the local governments also have started to make local Recidivism Prevention Plans in order to promote recidivism prevention measures in the local community corresponding to the their respective situations, and the number of organizations establishing these plans has been increasing rapidly.

The promotion of measures based on the Plan has resulted in the increase in the number of

various measures taken to prevent offences, and the repeat offense rate of released inmates has been steadily decreasing.