



# Community-Based Rehabilitation in Japan: Some Unique Characteristics of the Japanese System and Recent Developments

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## Historical Perspective of Community-Based Rehabilitation Services in Japan

The history of community-based rehabilitation services for adults involved in Japan's criminal justice system began in 1888 when a halfway house was established by a group of volunteers. The idea that had originated in the private sector spread throughout the country in the early 1900s and in 1939 the national government passed the Judicial Rehabilitation Services Act that established probation for juveniles and, in some special cases, adults. After the Second World War, Japan, in a reform of the former system, introduced a western style community-based rehabilitation service and by 1954 the basic framework of the current system was established by several Acts and an amendment of the Penal Code. Following these changes, the crime rate remained relatively stable until in the late 1990s when it increased sharply, and correctional institutions faced problems of overcrowding. Moreover, at the beginning of the 2000s, Japan faced problems because of the number of serious re-offending by adult parolees and probationers, and in 2007, in response to these problems and in order to modernise the community-based

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rehabilitation system, the Offender Rehabilitation Act was passed. This new Act totally revised previous legislation that had created the former system. The principal characteristics of the Act are a clear affirmation of prevention of re-offending as a goal of rehabilitation services; a rearrangement and expansion of probationary and parole conditions; an increased focus on preparation of living conditions prior to release from correctional institutions; and the introduction of a system allowing crime victims to participate in the criminal justice process.

At the same time, evidence-based treatment programmes, drawn from western and North American countries and based upon cognitive behavioural theory, were introduced: these included specialised treatment programmes for people who have committed sexual offences, drug dependents, and those convicted of violence and drink driving. The ongoing effort to reduce recidivism and promote community rehabilitation, is evidenced by the establishment of a compulsory drug treatment system, as a part of the partial suspension of execution of sentence ushered in by a new statute in 2013 (implemented on 2016). In addition, the government passed the Promotion of Recidivism Prevention Act 2016 with the aim of encouraging further measures such as the establishment of a recidivism prevention plan and other practical measures at the national and local government level.

## **The Current System for Community-Based Rehabilitation**

The criminal justice system in Japan is composed of five major elements namely, police, prosecution, court, corrections, and rehabilitation. Rehabilitation services are responsible for all types of community-based rehabilitation relating to juvenile and adult probationers and parolees. Their jurisdiction covers administration of probation, parole, aftercare, amnesty, and crime prevention. Probation involves the provision of support and supervision of probationers; parole that of those released on parole; and aftercare that of those discharged from criminal justice procedure or released from adult and juvenile correctional institutions or police detention houses. Distinct from that kind of work, amnesty is focused on seeking individual pardons, and crime prevention is undertaken at both local and national level.

As determined by the Offender Rehabilitation Act 2007, the primary purpose of rehabilitation services is to protect society and promote individual and public welfare through firstly, prevention of recidivism and promotion of the re-integration of people who have been sentenced by the courts into the

society through the provision of appropriate community-based treatment and support; secondly, the carrying out of pardons, and thirdly, the promotion of crime prevention activities. The 2007 Act, which was fully implemented in June 2008, totally revised the former legal basis of probation and parole based as it was on the 1949 Rehabilitation Law and other related laws. The new legislation provides the legal framework for the organisational structure of rehabilitation services; the categories of person eligible for probation and parole supervision (adult and juvenile); the conditions for probationers and parolees and the term of their supervision; measures and procedures for their supervision, early discharge, termination and breach action; after-care services for discharged person from criminal justice procedure, released from correctional institutions and police detention houses; and crime prevention activities. In addition, it introduced a support scheme for crime victims and strengthened the framework of community-based treatment with an enhancement of the general conditions for probationers and parolees, and the introduction of special conditions designed to help them tackle their specific problems. By utilising these new special conditions, professional probation officers are able to run specific evidence-based treatment programmes, based on cognitive behavioural therapy, which target special dynamic risk factors such as drug abuse, sexual crime, violence, and drink driving.

Whereas the Penal Code (1907) included provision for probation (and its revocation procedure) as an available sentence for adults appearing before the criminal courts, the Offender Rehabilitation Act stipulates the concrete procedures and operation of adult probationary supervision and support. It also ensures urgent assistance for probationers and parolees, and aftercare services for people discharged from criminal procedure or correctional institutions, and lays down the conditions, types of supports, and the maximum period of supervision. The Penal Code also specifies eligibility criteria for release on parole and the justifications for its revocation. The authority for those decisions rests with the Regional Parole Boards (a part of rehabilitation service) in the Ministry of Justice; and the detail of parole decision-making procedure, supervision, and support is filled out by the new Act.

In addition to these provisions for regular adult parolees, Japan has a system of protective measures for women sex workers, so that when the criminal courts commit them to a Women's Guidance Home, Regional Parole Boards can decide to release them early under parole supervision. This system is based on the Prostitution Prevention Law established in 1956. Unfortunately, in recent years, the number of women benefitting from this law has diminished significantly.

The Juvenile Law 1948 provides protective measures for juvenile delinquents and troubled youths. Youths and juveniles are classified as those under 20 years, and they should be dealt with by the Family Court separately from adult cases. Family Court judges can choose several dispositions such as discharge from juvenile law procedure, placement of juveniles under probationary supervision, commitment to juvenile training schools, and some more general forms of dispositions based on child welfare statutes. The Offender Rehabilitation Act also specifies that those released on parole from juvenile training schools shall be placed parole supervision by professional probation officers.

The Amnesty Law 1947 defines two types of amnesty, general amnesty and individual pardon based upon the Constitution of Japan. The general amnesty is divided into three categories and the individual pardon is divided into four with various effects. The management of the amnesty system differs from North American countries where general amnesty or individual pardons are utilised as a measure of early release from correctional institutions. In Japan, the amnesty system is totally separate from the parole system.

As stated in the introduction, the use of volunteers has a long history in Japan. The Volunteer Probation Officer Law 1950 lays down the maximum number of Volunteer Probation Officers (VPOs) in the whole country (52,500 persons), eligibility, qualifications, and administrative term of office of the VPOs as well as recommendation and appointment procedures, regulations for their services, duties, and other relevant issues.

## **Organisational Structure of the Rehabilitation Services**

The Rehabilitation Services in Japan are organised and administered by the Ministry of Justice. Neither the court nor other governmental agencies organise or administer the Rehabilitation Services in the way that they do in many western countries. They are made up of four national governmental organisations: the Rehabilitation Bureau of the Ministry of Justice (the headquarters); the National Offenders Rehabilitation Commission for the administration of individual pardons; Regional Parole Boards (RPBs), and Probation Offices. In its focus upon actual functions of the Rehabilitation Services, the chapter concentrates mainly on the third and fourth.

Eight RPBs are located in the eight regions nationwide where high courts and high public prosecutors' offices operate. They carry out the following functions: deciding who should be released on parole from juvenile training

schools, prisons, Women's Guidance Homes and workhouses (accommodation for people unable to pay fines); revoking parole; determining early termination of the indeterminate sentence of parolees who were sentenced to imprisonment when they were juveniles and have kept excellent behaviour; and making decisions about the provisional suspension of the probationary supervision of adult probationers (a kind of award for keeping excellent behaviour). The RPBs are solely authorised to revoke the decision of parole release from adult correctional institutions and the Women's Guidance Home. However, because according to the Juvenile Law the Family Court is authorised to send juveniles to juvenile training school as a protective measure, it has the power and responsibility to revoke the parole of juveniles and re-commit to custody.

The Probation Offices stand in the front line of Rehabilitation Services and carry out the primary function of community-based rehabilitation. Throughout Japan, there are 50 probation offices, three large branch probation offices and 27 small branch probation offices: a Chief Probation Officer is responsible for each probation office. Probation offices are responsible for: supervision of probationers and parolees; inquiry into and adjustment of living conditions of inmates and their families prior to release from correctional institutions; aftercare services for persons discharged from criminal justice procedure, adult and juvenile correctional institutions and police detention houses; investigation into and application for individual pardons; promotion of crime prevention activities in the community; screening of candidates for volunteer probation officers; supervision of the Juridical Person for Offender Rehabilitation (JPOR) (see below) and volunteer probation officers; training of halfway house staff, volunteer probation officers and other volunteers who have closely collaborated with Rehabilitation Services. In addition, since 2005, probation offices are responsible for overseeing the medical treatment and supervision of people stipulated by the Act on Medical Care and Treatment for Person Who Have Caused Serious Cases under the Condition of Insanity 2003 (implemented 2005). Under the Penal Code, no one can be punishable by criminal sanctions when he or she committed an offence while insane or suffering from diminished responsibility. Thus, separately from the ordinary Penal Code system, this new Act plays an indispensable role in the treatment of individuals who have committed serious offence such as murder, arson, and others specified in the Act. The Rehabilitation Coordinators (RCs), who work in probation offices and are either certified social workers or mental health social workers who passed national examinations set by the Ministry of Health, Labour, and Welfare, carry out their case management and treatment. Although probation officers and RCs

work in the same probation office, their duties are different, and they do not cooperate in the treatment of medical cases. Special dispositions designed to facilitate their rehabilitation and re-integration them into the society are available to the courts: these are treatment in the special hospitals established by the Act, and community-based treatment by RCs when the court approves the release of individuals from a special hospital, coupled with outreach medical care at designated special hospitals.

Close collaboration between the private and public sectors is one of the special characteristics of Japanese Rehabilitation Services. In the public sphere, Professional Probation Officers (PPOs) work on probationary and parole supervision cases and RCs work on medical treatment cases. On the other hand, the private sector is made up of volunteer probation officers (VPOs) ('Hogoshi' in Japanese), the Women's Association for Rehabilitation Aid (WARA), the Big Brothers and Sisters (BBS) Association, Cooperative Employers (CEs), Juridical Persons for Offender Rehabilitation Services and other various volunteers and private organisations who contribute to the prevention of crime and rehabilitation of individuals in the community.

In the public sphere, PPOs work for Regional Parole Boards and Probation Offices in the Ministry of Justice (MOJ). Their qualifications, training, and official status are standardised at government level and after passing a national examination they become full-time government officials employed by the MOJ. They carry out probationary and parole supervision based on risk need assessment and crime prevention activities and are expected to collaborate closely with VPOs, WARA and BBS members, CEs, and other various private organisations. PPOs who work for the MOJ are totally different from Family Court probation officers who work for the judiciary. Recruitment and qualifications of those probation officers are basically different at the statute level. In Japan, PPOs never work for court duties such as seconded probation officers in the UK and Northern American countries. Family court probation officers are solely responsible for social inquiries for juveniles and submit predisposition reports to Family Court judges. In Japan, the adult courts lack a system of pre-sentence investigations and reports by court officials.

In close collaboration with the private sector, PPOs are responsible for implementing the conditions of adult probation and parole supervision in their various forms. A person who was sentenced to three years or less imprisonment with a suspended execution of the sentence may be placed on regular probation for a period of one to five years as determined by the court. A new sentence of probation based on partial suspension of execution of sentence was introduced in 2016 by an amendment of the Penal Code and an enactment of a new special statute allowing for compulsory drug treatment. Under

this system, for example, a person sentenced to three years imprisonment with a one-year partial suspension of execution of the sentence, should be released when he or she has completed two years of the sentence. Subsequently, the individual will be supervised by probation offices for a period of one to five years as specified by the court at the time of the original sentence. This differs from ordinary parole, the period for which is for the remainder of the sentence, and in the case of those sentenced to life imprisonment, for their lifetime unless they are awarded a pardon. Furthermore, women who have been conditionally released from Women's Guidance Home by the RPB and placed on parole will be supervised by probation offices until the expiration of remainder of the guidance period.

Probationers and parolees have to comply with general conditions and any special condition considered necessary under the Offender Rehabilitation Act. General conditions are same for all types of probationers and parolees, but special conditions designated by the courts or RPBs focus on either specific dynamic risk factors or critical issues relevant to rehabilitation. During the period of supervision probationers and parolees are entitled to receive various supports and assistance to do with accommodation, food and clothing, and job finding support from their probation offices. Of course, intentional violation of conditions or re-offending may lead to breach action by the authorities.

Probation officers supervise juveniles who have committed an offence or have been adjudicated as a 'pre-delinquent' and been placed on probation by the Family Court, and those who have been conditionally released from a juvenile training school by a decision of the RPB. Probation for juveniles is a protective measure stipulated in the Juvenile Law with a legally prescribed maximum period of supervision up to the probationer's 20th birthday or at least two years, whichever is longer, whereas a period of parole supervision is up to 20th birthday of parolee or the last day of a fixed period of custody—which must not go beyond the individual's 26th birthday—determined by the Family Court.

Regarding private sectors, VPOs are private citizens who assist PPOs with community rehabilitation, support people of all ages who offend, and for those at risk of offending. They also carry out general crime prevention activities in the local community. Their predecessors, Rehabilitation Workers, existed until the 1950 Volunteer Probation Officer Law 1950 came into force and established the duties of VPOs. Although that law set a maximum number of VPOs in the whole country as 52,500, by the 1st of April 2021 the number had decreased to 47,641. The decreasing trend in the number of VPOs with an increasing average around 65 years of age is a critical

problem which the Japanese VPO system has been facing for more than 10 years. Legally, VPOs are non-permanent government officials without salary and only entitled to receive small reimbursements for daily expenditure such as transportation fee. In addition to this, as government officials, VPOs are eligible to receive the National Compensation for Official Duties if, for instance, when VPOs got any bodily injury inflicted on them during the performance of their official duties. Their term of office is two years but in practice most are re-appointed repeatedly for years. Although they work in a voluntary capacity, the government provides various types of training at different levels in accordance with experience and length of the term of office and through them, they can learn about close collaboration with PPOs. Due to the fact that they live in local communities they know social and community resources well: indeed, locality and continuity of activities in their own community are the strength of VPO system. VPOs carry out general crime prevention activities in their local community on a daily basis, and in addition, the nationwide crime prevention campaign namely, 'the movement for a crime free society' is conducted every July as it has been for more than 70 years. The symbol of this campaign is the Yellow Feather and during this campaign period, the prime minister of Japan and cabinet members, local citizens, and approximately 200,000 volunteers who support Rehabilitation Services in their own community wear a Yellow Feather. Since 1962, the United Nations Asia and Far East Institute (UNAFEI) for the Prevention of Crime and the Treatment of Offenders at Tokyo which established by Japanese government under the agreement with the United Nations has provided international training courses for officials working for criminal justice field. Among many participants from 142 countries (as of 31 August 2022), participants from the Philippines, Thailand and Kenya brought back the idea and framework of the Japanese VPO system and have then introduced in their own criminal justice system (<https://www.unafei.or.jp/english/index.html>).

The WARA is an autonomous group that conducts crime prevention activities in the community and helps justice-involved persons reintegrate into the local community by making use of its members' experience as women and mothers. Membership is open to any woman in the community, and it organises crime prevention meetings for community members including students, and provides material support to VPOs, halfway houses, and BBS groups. WARA members visit inmates in correctional institutions and encourage them in their rehabilitative efforts. Currently, more emphasis is placed on supporting young mothers who find difficulties in bringing up their children. As of 1st April 2021 there were 140,539 members in the whole country.



The BBS Association is an organisation of young people who support, and mentor troubled youth and adults. It was inspired by the Big Brothers Big Sisters (BBBS) movement in the USA and was started in 1946 by a university student in Kyoto who felt sympathy for those severely affected by the aftermath of the Second World War. Any person usually from their twenties to thirties, regardless of educational or occupational background, is able to be a member and by 1st April 2021 there were 4,432 members throughout Japan. Among other things, they organise sports events, provide supplemental study, collaborate with the young people in nursing homes and run groups for the promotion of self-development. Individuals are referred to the BBS by professional probation officers, family courts, child consultation centres, and local police.

CEs, who are individuals or companies willing to employ and support those people, are such an important part of the rehabilitative strategies that government have taken measures to strengthen them and increase their number year by year with the result that on 1st October 2020 there were 24,213 CEs in Japan, just over a quadruple more than in 2005. Cumulative research evidence shows that having a stable job is vital to the successful re-integration of justice involved persons into the society (Aos et al., 2006; Bonta & Andrews, 2007; Sherman et al., 2002). For years, therefore, CEs have played an indispensable role to provide stable jobs and thereby contributed to reduction of recidivism.

JPORs, in the form of a non-profit organisations with taxation advantage status, were created by the 1995 Law for Offender Rehabilitation Services. A predecessor of the Juridical Person first emerged in late 1800s as a private body with a legal status established by Civil Law, and it was this that was finally modernised by this law. These Juridical Persons accommodate justice involved persons in halfway houses, provide them with material, give them various kinds of treatment, such as social skills training (SST) and Alcoholics Anonymous and Narcotic Anonymous meetings, to promote their re-integration into the society, and financially support other rehabilitation organisations that operate under the supervision of a probation office. Currently Judicial Persons manage a hundred halfway houses and three are run by other private bodies. To supplement this work, in recent years the government has established four nationally run halfway houses that focus on employment support mainly for those justice involved persons released from correctional institutions. While there, to promote future life with a stable job in the society, they are given from three to six months of intensive job skill training and employment support.

## Data on Probation and Parole

As for the trend in juvenile cases, the total number of new probation and parole cases peaked in 1986 with 77,848 and thereafter has consistently declined to the extent that between 1986 and 2020 juvenile cases decreased by approximately 84%. The major reason for this is the declining trend of birth rate in Japan for many years. In the case of adult cases, over the last ten years, the curve has been flat. The figures for 2020 show that there were 10,733 new juvenile probation cases and 1,692 juvenile parole cases. As for adult cases, 2,088 regular probation cases and 1,496 cases based upon partial suspension of execution of sentence. Of adult parole, there were 9,994 regular cases and 1,201 partial suspension of execution of sentence cases who had been released on parole prior to the end of fixed custody period sentenced by criminal courts. There were no cases of women released on parole from Women's Guidance Homes.

In the same years, the Chief Probation officer discharged early 73.5% of juvenile probation cases for excellent behaviour during the supervision period and 9% of juvenile parole cases were terminated early by a decision of the RPB; whereas 13.3% juvenile probation and 76.7% juvenile parole cases continued to the end of original term of probationary and parole supervision. The reason for this is that majority of juvenile parole cases have complex problems and, therefore, are less likely to be eligible for early termination. The figures for adult regular probation were 74.6% and 64.9% for partial suspension of execution of sentence cases; and with parole, 95.2% in regular cases and 96.9% in partial suspension of execution of sentence cases continued to the end of original term of sentence. This is explained by the fact that, as with juvenile parole cases, there were very few excellent behaviour cases, and in addition, there was no early termination system for adult except for release on parole of indeterminate sentence cases who were sentenced to imprisonment when they were juveniles and have kept excellent behaviour. Termination through breach action occurred in 13.1% of juvenile probationers, 13.8% of juvenile parolees, 4.5% of regular adult parolees, 22.2% of adult regular probationers, 3.1% partial suspension of execution of sentence parolee cases, 33.4% of partial suspension of execution of sentence probation cases (Research and Training Institute of Ministry of Justice, 2022).

## Evidence-Based Treatment Programmes and Support Measures

As explained earlier in the historical perspective, after 2006, in order to reduce recidivism and promote social re-integration, the government began to strengthen the legal framework with the introduction of new statutes and introduce evidence-based treatment programmes and concrete support measures for securing accommodation and employment for probationers and parolees. There are now evidence-based treatment programmes for drug abuse, sex offending, violence, and drink driving, all run by PPOs in probation offices throughout Japan. The Offender Rehabilitation Act provides the legal framework of the programmes, and the Minister of Justice specifies the specialist aspects that aim to modify special dynamic risk factors provided in the regulation of the Ministry of Justice. The programmes are based on medicine, psychology, pedagogy, sociology, and other expert knowledge (Somedá, 2009). Once the probationer or parolee is considered suitable for a programme, the court or RPB has the authority to impose special conditions that require an obligation to participate. Failure to comply with these conditions without reasonable excuse is followed by breach action by the court or RPB. Each of the programmes is grounded in cognitive behavioural therapy (CBT) and is modelled on evidence-based practice in North American and European countries. The PPOs who run the programmes are trained in the approach and assess the risk level of participants before and after. The programmes themselves consist of five components and are carried out both in group and individual settings.

Adults who appear before the criminal courts often suffer from discrimination in the society with the result that they have difficulty in finding appropriate accommodation and employment in the community. Evidence shows that unstable living and working conditions can be dynamic risk factors (Aos et al., 2006; Bonta & Andrews 2007; Sherman et al., 2002) and, therefore, the Ministry of Justice (MOJ) has been keen to develop and introduce multidisciplinary approaches to strengthen community-based rehabilitation. For example, in 2006, in the first case of ministries and agencies working closely together to reduce recidivism, the MOJ and the Ministry of Health, Labour and Welfare (MHLW) jointly launched the special employment support scheme for persons released from correctional institutions (Somedá, 2015; 2022). Moreover, three years later, the same ministries established the special coordination system to settle the social and family environment to which the individual will return after their release to maximise their chances of living an offence-free life. The system focuses

specifically on prisoners of 65 years old and over and/or those suffering from intellectual, mental, and physical disabilities. To achieve this, the Community Life Resettlement Support Centre (CLRSC), financed by the MHLW, was also established by the local governments throughout the country. Each prefecture has at least one CLRSC in its administration area and its work is conducted by qualified social workers and other specialists in close collaboration with probation offices, correctional institutions, the social welfare sectors of local governments, and non-profitable organisations which were established in order to support such people.

The rationale for this new system is drawn from recent Japanese research on elderly and disabled prisoners which revealed that they re-offended earlier after release and at a higher rate than other prisoners. For instance, in one long-term, large-scale study of elder convicts (65 years and over), the period from 1948 to 2006, revealed a recidivism rate of 46.7% for those compared to one of 28.9% for all ages (Someda et al., 2009). This study utilised the criminal records of one million convicts drawn randomly from the huge official criminal-related database. Elder convicts were followed from 65 to 70 years ( $n = 5115$ ). When classified for the initial offence which they committed, of those who committed larceny as an initial offence ( $n = 785$ ), 79.6% re-offended, and of that group 64.8% committed larceny again and 14.8% other offences, findings that underlined the need for special support and supervision for this group. Other research on intellectually disabled inmates ( $n = 548$ ), showed that 52.2% re-offended in less than one year, 19.6% less than three months (statistical significance in comparison with control group). In short, nearly three-quarters of them re-offended less than one year, thus similarly confirming the need for an intensive support system (Teramura & Shimizu, 2013).

On the policy front, in July 2012, the Cabinet Meeting for Crime Control decided to introduce the 'Comprehensive Measures for Reduction of Re-offence' to focus on a wide range of areas related to prevention of recidivism and promotion of re-integration of justice involved persons into society. The key pillars were the strengthening of relevant supervision and support for people around 65 years and over, those with a disability or drug dependence, or who have committed sexual offences; the provision of accommodation and opportunities of employment; the furtherance of research to identify more effective measures for prevention of recidivism; and the raising of public awareness and support for community rehabilitation and re-integration. Moreover, a target was set to reduce the re-admittance rate to correctional institutions within two years of release from a rate of 20% in 2012 to 16% by 2021. In fact a rate of 15.7% was achieved one year earlier than planned.

In other respects, the government has moved to fulfil the aims of these measures. In its efforts to resolve accommodation and employment problems, the Ministry of Justice (MOJ) added 'the Support Home for Self-sustaining Life System' to the existing halfway housing system and commenced employing juvenile probationers and parolees as part-time workers at its own headquarters and its local offices from 2013. The MOJ also requested all local governments to employ juvenile probationers and parolees. In addition to this, the MOJ asked all local governments to introduce incentives for CEs at public works tender when CEs publicises to employ those population. Although the number employed may remain small, this policy is aimed at impacting on the public's negative thinking towards justice involved persons through the symbolism of national and local government action.

Underpinning this policy development, and as part of the attempts to modernise the treatment system that began in 2006, are moves to strengthen evidence-based practice through renewal of the Categorized Treatment System (CTS) in 2020 and a year later, the newly introduction of the Case Formulation in Probation and Parole (CFP). The CTS, originally established in 1990, is intended to focus on specific dynamic risk factors of probationers and parolees, such as drug abuse and gang group membership, and provide suitable treatment options by PPOs. The new CTS consists of four domains with a number of subcategories, namely relationships (child abuse, spousal violence, family violence, and stalking), antisocial groups (organised crime groups, motorcycle gangs and special fraud), social adaptation (employment needs, educational needs, mental disability—including developmental and intellectual disability and elderly), and addiction (drugs, alcohol, gambling, and habitual theft).

The CFP is the Japanese original Risk/Need/Assessment scale based upon the Risk-Need-Responsivity Model (Bonta & Andrews, 2007). Before the introduction of the CFP, another Japanese style risk assessment scale had been used but it was not evidence-based and so its predictive capability was not high. While cumulative evidence-based studies gave impetus to the CFP, there remains the need to improve its predictive capability by monitoring the outcomes of probationary and parole supervision.

At the level of the law, the Promotion of Recidivism Prevention Act was passed in 2016 to strengthen efforts to reduce recidivism and smooth the path to re-integration. The national and local government, ordinary citizens and private bodies are expected to cooperate to help realise its goals. In particular, local governments are expected to develop a Local Recidivism Prevention Plan

in each jurisdiction to further strengthen the National Recidivism Prevention Plan. By 1st April 2021, 188 local governments had formulated a Local Recidivism Prevention Plan.

## **Conclusion: Challenges and Future Prospects**

Japan is a super-ageing society and has the highest ratio of elder people (28.8% in 2020) in the world. Since 1974, this situation has been compounded by the declining birth rate. One consequence of this phenomenon is that in 2013, 22.8% of people arrested by the police were 65 years and over. This figure means that the elder justice involved persons accounted for the largest percentage, in age distribution, of all arrested people. After 2013, proportion of arrested elder persons has kept the largest percentage up to now. Although, most have committed relatively minor offences such as shoplifting of food, and it is difficult to rehabilitate and reintegrate them into the society smoothly. There are several reasons for this. Many of them are isolated from family members and their local community, therefore, they lack support. Family members are also elder or already passed away and they seldom communicate with local community members. Moreover, the formal and informal care networks are dysfunctional. It is as if they are invisible in the community. Once they fall out from the public safety network, they have problems of limited income and living alone, finally they commit an offence to survive. Unfortunately, for those people, prison life becomes an attractive way to survive and even avoid death on the street. Although solving this challenge is not easy and will take time, the national and local governments have to take multidimensional countermeasures in a planned and consistent manner. In addition, the root causes of this problem need to be addressed through community rebuilding and the strengthening of support networks both formal and informal. This will require judicial and social welfare policies based upon multidisciplinary approaches at the national and local level.

Although the target set by the government through its Comprehensive Measures which decided on 2012, referred to above, was met, approximately 40% of prisoners are released without parole and their re-commitment to prison rate is 23.3% in comparison to 10.2% of prisoners released on parole. In response to this problem, the government has already formulated the Accumulation of the Prevention of Re-Offence Plan to focus specifically on full-term served prisoners: the challenge is to enrich the contents of this plan with a multi-agency approach.

Stimulant drug abuse has been a problem in Japan for many years. As the National Institute on Drug Abuse (NIDA) in the USA points out, ‘Many people do not realize that addiction is a brain disease. While the path to drug addiction begins with the act of taking drugs, over time a person’s ability to choose not to do so becomes compromised and seeking and consuming the drug becomes compulsive’ (NIDA, 2009: 5–6). Since addiction is a brain disease, long, sustained support and supervision is indispensable and the newly established partial suspension of execution of sentence with a compulsory drug treatment programme is key to this issue. For this to be successful there will need to be improvement in multidisciplinary collaboration not only between criminal justice, health, and medical care agencies, but also self-help groups, therapeutic communities, and other resources in the local community (Somedá, 2006; 2022).

In summary then, the challenges of the Japanese Community Rehabilitation System are to strengthen multidisciplinary and multi-agency approaches, revitalise the system of community rehabilitation volunteers by effectively utilising information technology and community social work, and ensure evidence-based approaches become standard practice. Among them, increasing the number of VPOs and the reduction of their average age are important issues for the system. With regard to volunteers, the Kyoto Declaration on Community Volunteers Supporting Offender Reintegration (Kyoto Hogoshi Declaration) was adopted on 7th March 2021 on the occasion of the World Congress for Community Volunteers Supporting Offender Reintegration (in the 14th United Nations Congress on Crime Prevention and Criminal Justice held in Kyoto):

We recognize the value of community volunteers such as hogoshi who interact with and provide support for offenders as fellow citizens working with professional probation officers who have expert knowledge. [...] We are convinced that more global efforts have to be made internationally to shed light on and promote the significant role of community volunteers. [...] In order to achieve the above-mentioned purposes, we invite the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ) to build an international network of community volunteers in the supervision and reintegration of offenders, to provide technical assistance and to urge member states to enact laws to anchor community volunteers for the purpose of fostering volunteering, raising awareness among the public and establishing systems of community volunteers. We also invite the CCPCJ to formulate a United Nations model strategy for reducing reoffending in order to tackle issues on reoffending and encourage the utilization of the community volunteers in this field, and to establish the International Day for Community Volunteers Supporting Offender Reintegration, ‘Hogoshi Day’.

Finally, the history of utilising evidence-based practice in the community rehabilitation field is in its infancy and majority of PPOs are not accustomed to the way of this thinking. Therefore, if we are to realise the desired outcomes of reduction of re-offending and the promotion of re-integration and ensure the integrity of programme design, systematic staff training needs to be a fundamental element of the CFP and other evidence-based treatment programmes (see, for example, the STICS programme in Canada, Bonta, 2012).

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- In this reference, the symbol “(J)” attached to the end of reference means it was originally written and only available in Japanese.
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