

Probation : Lessons from Japan.

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Japan's Probation system: Worthy of serious study.

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Transforming Rehabilitation:

A revolution in the way we manage offenders

Significant reforms made to probation as part of the Transforming Rehabilitation 2014/2015 intended to:

- extend post-release supervision to short-sentenced prisoners, ie those sentenced for more than one day.
- open up the market to a wider range of providers to encourage innovation and more modern ways of working;
- create new incentives for providers to focus on achieving reductions in reoffending; and



The existing 35 independent Probation Trusts were replaced by:

the **National Probation Service (NPS)**, a part of Her Majesty's Prison and Probation

Service (HMPPS) responsible for managing higher-risk offenders, advising courts, supporting victims and managing approved premises; and

21 privately-owned **Community Rehabilitation Companies (CRCs)** responsible for

supervising low and medium-risk offenders, as well as delivering unpaid work schemes,

accredited programmes and providing through-the-gate resettlement services to released prisoners.

a proportion of CRCs income contingent on achieving reductions in reoffending.

Project embarked upon before two pilot schemes were complete.



Review of Reforms.

Some innovative practice, numerous problems documented by HMI Probation and House of Commons Justice Committee. **BUT**

CRC income less than expected, particularly because of significant reduction in the proportion of community sentences given, as well as a reduction in the number of requirements attached to both community and suspended sentence orders. Other work less profitable.

Less income led CRCs to reduce services.

Substantial reductions in staff.

Evidence of too little training or experience of staff.

Huge caseloads for remaining staff – can exceed over 100 cases.

“Meaningless” community work.





Supervision often on the telephone, rather than face to face - offenders more likely to commit new crimes, or disappear.

Poor decisions in managing breaching of conditions causing people to be sent back into overcrowded prisons.

Categorisation of offenders (around 268,000) as either low, medium or high risk. Problematic.

Makes no allowance for the fact that levels of risk can change.

Insufficient co-operation between National Probation Service and CRCs.

Collapse of confidence by courts resulting in fewer Community Orders, driving up the number of vulnerable people jailed for less than a year who come out “with even more issues than when they went in”.

Lack of contact between probation contractors and the courts.

Voluntary sector is now less involved in probation than before.

Failure to develop a “through the gate” to help leaving prisoners with accommodation and employment.

Three CRCs falling into administration. Working Links (Employment) Limited.(15th February, 2019).



Need to make substantial additional payments to CRCs to enable them to continue.

Unethical behaviour in Devon and Cornwall CRC including down grading risk to avoid using up resources and marking sentence plans complete without meeting offenders.

“The professional ethos of probation has buckled under the strain of the commercial pressures put upon it here, and it must be restored urgently”
Dame Glenys Stacey.

Justice Committee Chair Bob Neill MP said the 2014 Transforming Rehabilitation programme had failed to meet its aims to reduce reoffending and improve the management of offenders.

“We are unconvinced that Transforming Rehabilitation will ever deliver the kind of probation service we need.”

Fundamentally can the human complexity of needs and skills in probation be reduced to contractual relations and key performance indicators?

Ethically, should rehabilitation be an object of profit?





Government's intentions.

Introduce changes so that offenders are seen face-to-face at least monthly during the first 12 months of supervision and staff do more to help offenders find accommodation and employment on release from custody



End CRC contracts early(2020) and explore with the market how we could put in place a more effective commercial framework for probation services.

Align probation areas in England, helping to strengthen ties with local partners such as voluntary sector organisations, local authorities, and Police and Crime Commissioners.

Introduce a standard training framework for staff across all probation providers, and consult on the implementation of a professional register

Introduce new delivery arrangements in Wales which better reflect the devolved responsibilities of the Welsh Government and build on existing local partnerships.

Probation trade unions, the Probation Institute, the Howard League, the Centre for Crime and Justice Studies, and the Centre for Justice Innovation urge the justice secretary, David Gauke, not to rush into re-tendering the contracts until a thorough review of the probation service has been conducted.

As a part of this review serious consideration should be given to successful models of probation elsewhere, especially that in Japan.



Jurisdictions for Rehabilitation Services in Japan

Regional Parole Boards 8
Probation Offices 50

Branch Offices 3
Tachikawa in Tokyo
Sakai in Osaka
Kita-kyushu in Fukuoka
Local Offices 29



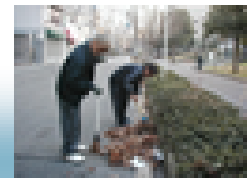
Commitment of Citizens in the Work of Probation 1

47,909 - Volunteer Probation Officers (VPOs)
(As of January 1 2017)

- No salary paid (actual cost incurred will get reimbursed)
- 2-year tenure
- Capacity rate: 91.4%
- Average age: 64.3 years old



103 - Offenders Rehabilitation Facilities
(Privately-run halfway houses)

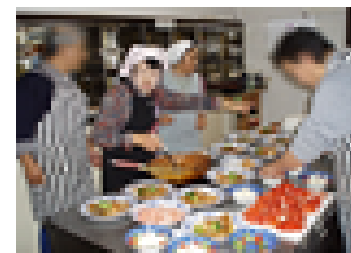
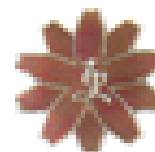


Volunteer Probation Officers (VPOs)



Commitment of Citizens in the Work of Probation 2

172,642 – Members of Women's Association for
Rehabilitation Aid



4,514 – Members of Big Brothers and Sisters
Association



12,603 – Cooperative Employers



Offenders Rehabilitation Facilities (Privately-run halfway houses)

103 - Total Facilities
(M) 89 (F) 7 (M&F) 7

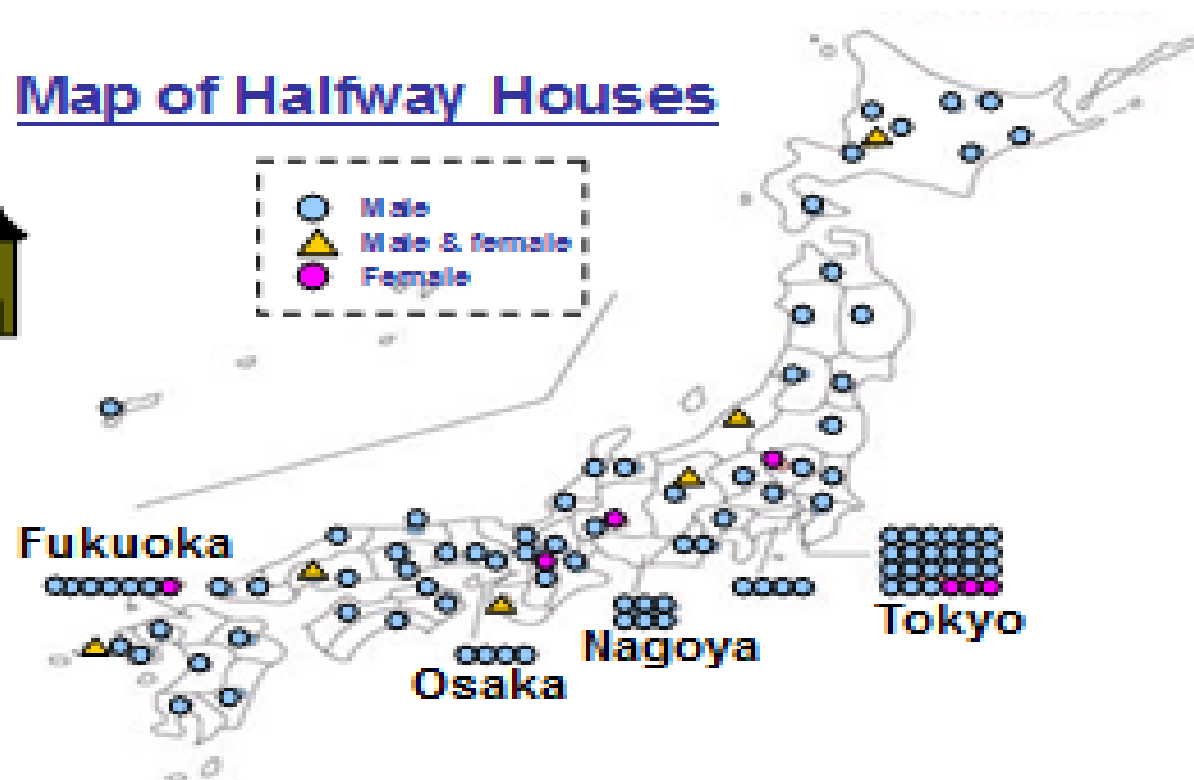
Total Capacity:
2,349 persons
(M) A 1,844; J 324
(F) A 134; J 47


(As of 1 July, 2014)

Accommodated:
8,640 persons
(Total number of 2013)



Map of Halfway Houses





Strengths.

Geographical proximity.


Social resources and practical assistance, including introductions, an important form of social capital, can be offered to supervisees.

Many VPOs demonstrate genuine concern.

Continuity of support.

Half of VPOs have been in that role for more than eight years.

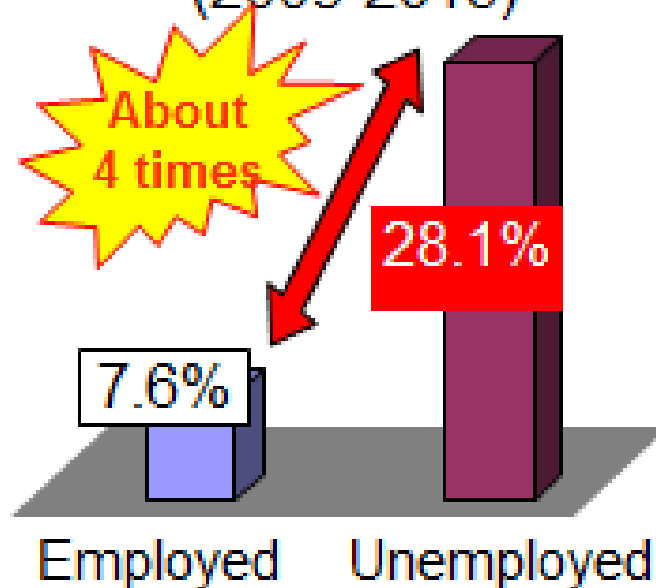
Notable that the VPO system in Japan has been a major influence on probation services in other countries including Kenya, Malaysia, Philippines, Singapore, South Korea and Thailand.

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- Challenges.
 - Number of probationers and parolees with diverse and complicated problems, including drug and alcohol addiction, aging, mental illness and developmental disorders has increased.
 - Especially in large Japanese cities, family ties and local community bonds have weakened resulting in fewer supervisees receiving support from their families.
 - Insufficient job opportunities for probationers and parolees. Linked with re-offending.
 - Shortage of accommodation for released prisoners.

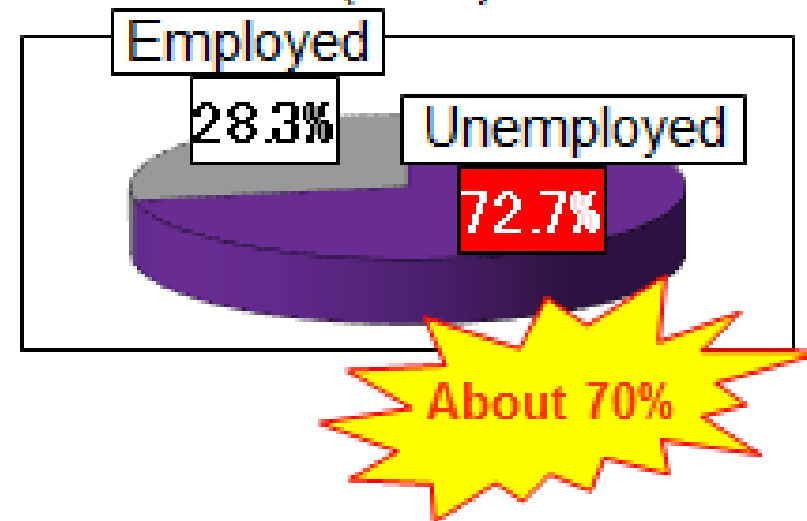
Current Conditions and Problems

Finding Job Opportunities

Employment and Recidivism
(2009-2013)




Percentage of unemployed persons among repeat prisoners
(2013)



Employment Assistance is urgently necessary!

Scheme to Provide Job Opportunities

- ✓ Cooperation between MOJ and MHLW 
- ✓ Encourage Cooperating Employers to employ Probationers and Parolees

(By monetary support, following up with both Employers and Employees and other means.)



- ✓ Increasing the number of Cooperating Employers
- ✓ Encourage the Business Community to Cooperate



(Establishing National Organization for Employment of Offenders)

Scheme to Provide Housing

✓ Enhancing capacities of offenders rehabilitation facilities

- Expanding accommodation capacity
- Enhancing support capabilities for elder or handicapped persons
- Capacity building for officers and staff

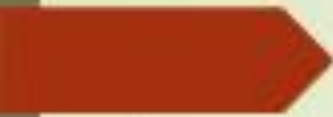



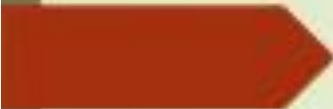

✓ Providing housing in new framework

- Urgent Housing/Self-help Assistance Program

Probation offices entrust NPOs to provide accommodations for probationers and parolees



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- Recruitment. Particularly of younger people.
 - VPO Candidate Information Meetings. Local government officials, members of neighbourhood associations, child welfare workers and voluntary workers present information about persons who might be approached with a view to nomination. Since 2013 take place in all probation areas.
 - Discussion of advertising in Press.
 - Payment rejected as contrary to voluntary spirit.
 - Commitment – varying degrees.

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- Limited domestic space, especially in urban areas.
 - Opposition from family members to visits by offenders
 - Interviews at Offender Rehabilitation Support Centers ("ORSC") By March 2015 some 345 were open. Funding for a further 42 was obtained in 2017
 - ORSCs where interviews may be held and act as a hub for local VPO Associations and raise their profile.

Offender Rehabilitation Support Center (Since 2008)



- ✓ Center for VPOs and VPO associations
(Place to Interview, VPO Meetings, Crime Prevention Activities Cooperating with Related Organizations, etc.)
- ✓ VPO associations rent space in facilities owned by municipal government or other public bodies
- ✓ Experienced VPOs stationed during weekday business hours
- ✓ 459 nationwide (as of FY 2016) → 501 (FY2017 Budget)

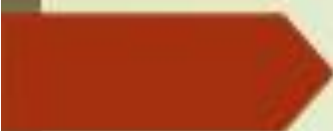




The Seminar on Promoting Community-based Treatment in the ASEAN Region (February 24-26, 2015)



Rehabilitation Bureau, Ministry of Justice JAPAN
<http://www.moj.go.jp/ENGLISH/index.html>

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- Retention.
 - May have no cases.
 - Lack of self – assuredness among new VPOs
 - Age differences with supervisees.
 - Frustration with clients not turning up.
 - Keeping up with training.
 - Co-ordination between PPOs and VPOs.

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- **Supervising more serious drug offenders.**
 - Partially Suspended Sentences.
 - reduction of repeat drug offending by adding probation supervision to custodial sentences. It is a recognition of the importance of sustained rehabilitation in the community, the role of probation in this and of the limitations of measures in the artificial conditions of prison. VPOs will in future supervise greater numbers of drug offenders released from prison.

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- **Consequences of a reduction in the age of criminal majority.**
 - At present 20, likely to reduce to 18.
 - Consequences:
 - 18 and 19 year olds excluded from probation and Juvenile Training Centre.
 - To preserve welfare / rehabilitative consideration of range of sentences:
 - Suspended Prosecution linked to Supervision; Deferred Sentences with Supervision;
 - Greater use of Suspended Sentences with Probation; Residence at Approved Premises with Monitoring and Supervision; Attendance Centres; Community Work as a substantive sentence.
 - Professional Probation Officers and Volunteer Probation Officers likely to be heavily involved

Concluding thoughts.

Mobilisation of tens of thousands of volunteers, mostly retired and in their sixties, a community in itself, to assist offenders in the community is impressive. Differences between Japan and this country exist and should not be under-estimated. However, what greater contribution volunteers, not confined to those with age seniority, could make in Britain, with its strong tradition of volunteering, and how they might be organised, is surely worthy of serious consideration.



Thank you very much for your kind attention!

