

CHARACTERISTICS OF VIOLENT OFFENDERS IN JAPAN AND PREVENTION OF REOFFENDING - FOCUSING ON COMMUNITY-BASED TREATMENT -

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This paper will show the general situation of violent crimes in Japan, especially those in which women and children became victims, based on public statistics. Next, it will introduce findings from recent research on the characteristics of violent offenders (Research Department Report 60) and community-based correctional treatment of violent offenders in Japan. Finally, it will discuss the desirable policy for violent offenders and what should be considered and implemented when treatment techniques for violent offenders, which were previously introduced in other countries, are transferred to Japan.

I. VIOLENT CRIMES IN JAPAN

Of the victims of violent crimes (homicide, robbery, injury, and assault), excluding sex crimes, that occur in Japan, children under the age of 19 account for 12.9% and adult women account for 34.6%, which accounts for about half of all victims (White Paper on Crime 2018). In the 2030 Agenda for Sustainable Development adopted by the United Nations in September 2015, the following are included as sustainable development goals (SDGs): eliminate all forms of violence against all women and girls in the public and private spheres (goal 5.2); significantly reduce all forms of violence and related death rates everywhere (goal 16.1); and end abuse, exploitation, trafficking and all forms of violence against and torture of children (goal 16.2). The prevention of reoffending by violent offenders is also an important policy challenge for the achievement of the international goal of protecting women and children.

The incidence rate of violent crimes in Japan (incidents per 100,000 population) is significantly lower than other countries such as the United States and the United Kingdom (UNODC Statistics, 2018). In addition, the number of violent offenders who are sentenced to imprisonment or on probation has been on a downward trend over the past 15 years in Japan, and many of those arrested for violent crimes have their prosecution suspended or are fined in court to end their criminal proceedings. On the other hand, the rate of re-imprisoned inmates for injury/assault within two years after release has remained stable over the past ten years. Therefore, in Japan, there is a need for correctional treatment that emphasizes “quality” rather than “quantity,” especially for violent offenders with a high-risk of reoffending. It is necessary to consider this unique situation in Japan when considering a desirable policy.

II. CHARACTERISTICS OF VIOLENT OFFENDERS IN JAPAN

The Research and Training Institute of the Ministry of Justice conducted a survey of violent offenders etc. who were imprisoned in Japan in 2016. (For details, see the summary of Research Department Report 60 <http://www.moj.go.jp/content/001289624.pdf>). The survey found the following major factors as the characteristics of inmates who repeatedly receive criminal punishment for violent crimes: history of belonging to an organized crime group, history of unstable work, drinking at the time of the incident, and romantic entanglement with the victim, etc. The survey also found that the type of inmates who repeatedly commit violent crimes was more aggressive and had a higher risk of alcohol use disorder and drug dependence than those who did not. Among these factors, the most important factor was the history of belonging to an organized crime group. As there seemed to be a difference in characteristics between foreign gangs and Japanese Yakuza, further research needs to be conducted based on cultural differences. On the other hand, many previous studies in other countries have clarified the relationship between violence and aggression, alcohol/drug abuse, and violence against an intimate partner, etc. The importance of intervening in these needs has been confirmed in Japan as well.

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Research Department Report 60 also conducted a survey of adult probationers. The survey showed that alcohol problems and a tendency toward family violence had a strong effect on reoffending. The difference from the survey of inmates is that the survey of adult probationers revealed that the history of protective measures taken when they were juveniles was an important factor. In addition, compared with inmates, adult probationers were more closely related to domestic violence and child abuse. These differences suggest the necessity of treatment that takes into account differences in characteristics of violent offenders depending on the stage of criminal punishment.

III. TREATMENT OF VIOLENT OFFENDERS IN JAPAN

In Japan, the “Violence Prevention Program”, based on cognitive-behavioural therapy, has been implemented in prison and communities for violent offenders. The programme is designed to address risk factors by referring to programmes in Canada and other countries and composed of the following sections: anger management, reconstruction of cognition that affirms violence, acquisition of skills for communication and interpersonal conflict resolution, and relapse prevention, etc. Probation offices conduct additional work according to the results of a brief assessment, especially for: (1) those with a tendency to commit domestic violence and (2) those with alcohol problems, with the aim of responding to the diverse needs of violent offenders.

In addition to the community-based Violence Prevention Program implemented for a limited period, a total of five times in approximately three months, probation offices designate particularly high-risk violent offenders as “specific violent offenders” and conduct high-intensity interventions tailored to their needs, such as frequent home visits and coordination of psychiatric care, throughout the entire probation period. The conditions for the designation include having a history of multiple violent crimes and having special needs, such as being dependent on alcohol and drugs, being associated with an organized crime group, having a tendency to commit domestic violence, and having mental illness, etc.

These forms of treatment are consistent with the characteristics of violent offenders described in II. above, and their results are linked with basic research. However, unlike the Sex Offender Treatment Program, their effect at preventing reoffending has not been verified by the Violence Prevention Program. Therefore, it is necessary to carry out research of effectiveness and develop tools for assessing the risk of violence with sufficient predictive validity.

Stalkers are also offenders associated with the risk of violence. In Japan, after a case in which a stalker on probation killed a victim, probation offices and the police have cooperated to take multi-agency approaches. Probation offices provide support to perpetrators, such as job support, coordination of social welfare services, and housing support, etc., in addition to the Violence Prevention Program, and the police are responsible for protecting victims in an emergency. Probation offices and the police share information on behaviours of perpetrators beyond the jurisdiction of the prefecture.

IV. POLICY FOR VIOLENT OFFENDERS

As our survey revealed, the characteristics of violent offenders are diverse, and the factors considered to be related to reoffending include those common in previous studies in other countries and those reflecting cultural differences. Regarding elements of effective treatment programmes for violent offenders as pointed out in the meta-analysis (Jolliffe & Farrington, 2007), it is desirable to conduct basic research on the characteristics of violent offenders subject to treatment in one’s own country and reflect the results in policies before transferring treatment techniques for the Violence Prevention Program and other programmes to one’s own country.

In addition, it is necessary to conduct process evaluations (including staff training) on treatment programmes and outcome evaluations on the prevention of reoffending, and to verify and develop evidence in the country whether treatment techniques are properly transferred from other countries that take pioneering approaches.

Finally, in light of the diversity and seriousness of problems faced by violent offenders, it is difficult to

finish treatment to prevent them from reoffending solely by intervening in prison and at probation offices for a limited period. Elements of treatment programmes do not meet all needs of violent offenders. As with approaches in the treatment of stalkers taken at probation offices in Japan, it is considered possible to overcome the limitations of treatment in prison and at probation offices, realize throughcare based on a consistent policy, and provide effective aftercare even after the period of criminal punishment, by involving welfare service organizations, the Employment Security Bureau, and other relevant organizations in the community.

Aside from the effectiveness of individual treatment programmes, the most important role of probation for long-term aftercare will be to motivate violent offenders to continue to receive treatment and support in their communities. As Raynor and colleagues (2013) revealed, probation officers' motivational interviewing skills significantly reduce recidivism rates. We must engage in improving the professional skills of probation officers and multi-agency collaboration with the clear vision of desistance and rehabilitation.