

MAIN ACTIVITIES OF UNAFEI (1 January 2020 – 31 December 2020)

I. ROLE AND MANDATE

The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) was established in Tokyo, Japan, in 1962 pursuant to an agreement between the United Nations and the Government of Japan. Its goal is to contribute to sound social development in the Asia and the Pacific region by promoting regional cooperation in the field of crime prevention and criminal justice, through training and research.

UNAFEI has paid utmost attention to the priority themes identified by the Commission on Crime Prevention and Criminal Justice. Moreover, UNAFEI has been taking up urgent, contemporary problems in the administration of criminal justice in the region, especially problems generated by rapid socio-economic change (e.g., transnational organized crime, corruption, economic and computer crime and the reintegration of prisoners into society) as the main themes and topics for its training courses, seminars and research projects.

II. TRAINING

Training is the principal area and priority of the Institute's work programmes. In the international training courses and seminars, participants from different areas of the criminal justice field discuss and study pressing problems of criminal justice administration from various perspectives. They deepen their understanding, with the help of lectures and advice from the UNAFEI faculty, visiting experts and ad hoc lecturers. This so-called "problem-solving through an integrated approach" is one of the chief characteristics of UNAFEI programmes.

Each year, UNAFEI conducts two international training courses (six weeks' duration) and one international seminar (five weeks' duration). Approximately one hundred government officials from various overseas countries receive fellowships from the Japan International Cooperation Agency (JICA is an independent administrative institution for ODA programmes) each year to participate in UNAFEI training programmes.

Training courses and seminars are attended by both overseas and Japanese participants. Overseas participants come not only from the Asia-Pacific region but also from the Middle and Near East, Latin America and Africa. These participants are experienced practitioners and administrators holding relatively senior positions in the criminal justice field.

The global Covid-19 pandemic had a significant impact on UNAFEI's activities during the 2020 calendar year. The 174th International Senior Seminar was held in January 2020, but all subsequent in-person training courses were postponed, specifically the 175th and the 176th International Training Courses and the 23rd UNAFEI UNCAC Training Programme. These programmes have been rescheduled to 2021, and they will be held online due to the global health situation.

Despite the sudden and severe impact of the pandemic on UNAFEI's in-person training programmes, UNAFEI adapted quickly to the new environment and shifted its activities online. In September 2020, UNAFEI held its first alumni webinar, which brought together over 100 members of the UNAFEI family from all parts of the world. The alumni webinar series has quickly become an important part of UNAFEI's strategy to promote best practices in the field of crime prevention and criminal justice and to strengthen its global network of alumni.

By the end of 2020, UNAFEI had conducted a total of 174 international training courses and seminars. Over 6,100 criminal justice personnel representing 139 different countries and administrative regions have participated in these seminars. UNAFEI also conducts a number of other specialized courses, both country and subject focused, in which hundreds of other participants from many countries have been involved. In their respective countries, UNAFEI alumni have been playing leading roles and hold important posts in the

fields of crime prevention and the treatment of offenders, and in related organizations.

A. The 174th International Senior Seminar

1. Introduction

The 174th International Senior Seminar was held from 13 January to 7 February 2020. The main theme was “Prevention of Reoffending and Fostering Social Inclusion: Policy Making and Good Practices”. Twenty-four overseas participants and seven Japanese participants attended the Seminar.

2. Methodology

Firstly, the Seminar participants introduced the roles and functions of criminal justice agencies in their countries in regard to the main theme. After receiving lectures from UNAFEI professors and visiting experts, the participants were then divided into group workshops as follows:

Group 1: Effectively Incorporating Rehabilitative Perspectives into Penalties and Case Dispositions

Group 2: Promoting Intervention, Treatment and Support Tailored to Offenders' Individual Needs

Group 3: Fostering Public Understanding and Multi-Stakeholder Partnerships for Acceptance of Offenders

Each Group elected a chairperson, co-chairperson(s), a rapporteur and co-rapporteur(s) in order to facilitate the discussions. During group discussion, the group members studied the designated topics and exchanged views based on information obtained through personal experiences, the Individual Presentations, lectures and so forth. The Groups presented their reports during the Report-Back Session, where they were endorsed as the Reports of the Seminar. The full texts of these Reports were published in UNAFEI Resource Material Series No. 111.

3. Outcome Summary

(i) Effectively Incorporating Rehabilitative Perspectives into Penalties and Case Dispositions

Group 1 considered the problems, challenges and solutions to the inclusion of rehabilitative perspectives in criminal justice dispositions. Despite the adoption of the Tokyo Rules almost 30 years ago to promote the use of non-custodial measures, incarceration and punitive approaches remain popular and overutilized. By considering the barriers to the use of non-custodial measures, Group 1 sought to identify solutions that might promote the inclusion of rehabilitative perspectives throughout all relevant stages of the criminal justice process.

The group found that all of the participating countries had adopted common non-custodial measures such as non-prosecution, suspended proceeding, suspended sentence and fines, but the adoption of other measures (community work, community fine, and restorative justice) varied widely. Even where available, the mindset of criminal justice authorities was considered an impediment to the use of non-custodial measures. One of the fundamental problems with the underuse of non-custodial measures is that it results in prison overcrowding—an environment that undermines the effectiveness of offender treatment and rehabilitation. Other barriers to the inclusion of rehabilitative perspectives in the criminal justice system include legal impediments, the prevailing public attitude that supports punitive justice, the lack of analysis of individual risk and needs (i.e., the lack of individually tailored treatment), and the lack of synergy between various agencies.

After considering the problems and challenges, the group proposed a number of possible solutions: first, adopting laws and policies to foster the inclusion of rehabilitative perspectives, such as depenalization of minor drug-use crimes; second, alternatives to pre-trial detention through the use of bail, electronic monitoring, house arrest and similar practices; third, designing evidence-based programmes to provide treatment as an alternative to incarceration; fourth, conducting risk-needs assessments and tailoring treatment to the individualized needs of each offender; fifth, promoting awareness of the benefits of the use of non-custodial measures among criminal justice practitioners, the general public and the media; and sixth, the creation of synergies among communities and key stakeholders to foster the rehabilitation and reintegration of offenders into society.

In conclusion, the group found non-custodial measures to be more effective in terms of treatment and cost

MAIN ACTIVITIES OF UNAFEI

to the correctional system. It was noted that most jurisdictions are better prepared to incorporate rehabilitative perspectives into juvenile dispositions than adult dispositions. Accordingly, the group encouraged criminal justice practitioners to include rehabilitative perspectives at all relevant stages of the criminal justice system and to expand the use of non-custodial measures.

(ii) Promoting Intervention, Treatment and Support Tailored to Offenders' Individual Needs

Group 2 reported that reoffending is a common issue faced by criminal justice systems throughout the world and, thus, discussed the importance of breaking the cycle of crime by providing offenders with individually tailored treatment based on effective risk assessment. The group considered the challenges and good practices faced by the participating countries in providing tailored treatment by considering five key issues: the justice system, human resources, assessment, specific treatment programmes, and community awareness.

Regarding *the justice system*, prison-based treatment programmes are often hindered by overcrowding, while treatment in the community suffers from a lack of human resources or even the lack of functional probation or community supervision systems. Citing a prison reform model in the Dominican Republic and the use of probation officers and volunteer probation officers in Japan, the group suggested that countries can enhance their own practices by reviewing those of other countries.

Regarding *human resources* and *assessment*, quality assessments require thorough examination of offenders' risks and needs, but such assessments require personnel with the qualifications and skills necessary to conduct assessment and subsequent treatment. Countries must invest in human resources and assessment by providing relevant training and developing effective assessment tools.

Regarding *specific treatment programmes*, offenders resort to crime due to a wide variety of reasons, such as family conflicts, chronic drug use, history of abuse, and physical and mental impairment. Treatment programmes must be designed to address these unique needs, and they must also be evaluated to confirm effectiveness.

Finally, regarding *community awareness*, the community has an important role to play in the rehabilitation and social reintegration of offenders. In fact, the community will only harm itself by excluding offenders or by failing to provide them with necessary support. Under those circumstances, offenders will return to crime. Thus, public awareness programmes like the Yellow Ribbon Project in Singapore hold great promise in building trust between the community, government and offenders.

The group concluded by offering the following recommendations: first, all countries should consider establishing or improving probation systems to implement community-based treatment; second, correctional treatment programmes should be tailored to offenders' individual needs and should be provided in custodial and non-custodial settings; third, improving the quality of risk-needs assessments in order to conform treatment programmes to offenders' needs; fourth, building the capacity of practitioners who conduct assessment and treatment through education and training; fifth, enhancing public awareness of and support for the importance of offender rehabilitation and reintegration.

(iii) Fostering Public Understanding and Multi-Stakeholder Partnerships for Acceptance of Offenders

Group 3 considered the importance of public understanding and multi-stakeholder partnerships to the social reintegration of offenders. The group found that overcoming public stigma against offenders is a prevalent issue faced by many countries. This issue was approached by discussing the challenges, best practices and solutions to fostering public awareness, acceptance of offenders into the community and acceptance of ex-inmates into the community.

The group noted a number of good practices aimed at fostering awareness in the participating countries. These practices included national strategies to support offender rehabilitation, holding exhibitions to promote offender rehabilitation, the implementation of crime prevention plans by local agencies, and community support programmes like volunteer probation officers in Japan and community probation volunteers in Kenya and Indonesia. Despite the existence of such practices, many offenders face stigmatization, social exclusion and other burdens as they attempt to reintegrate into society—these burdens often lead to reoffending. Former inmates face the harshest stigma and discrimination compared to other offenders. They

are viewed as vicious criminals who are likely to reoffend. This makes it difficult for them to find housing, obtain employment, receive health care or otherwise lead normal lives. Even though members of the public sympathize with former inmates' need to be accepted into society, they nevertheless refuse to accept former inmates as neighbours when they return to the community.

To overcome these challenges, the group stressed the importance of changing public perceptions of offenders. To raise public awareness, the group highlighted the role of awareness-raising campaigns such as the Yellow Ribbon Project in Singapore and the "Hogo chan" mascot in Japan. To ensure that offenders are provided with necessary support in the community, the group encouraged the expansion of community support services like probation, employment support, and community work orders (community service), which helps to demonstrate the value that offenders can bring to the community. Halfway houses and employment support were raised as important measures to reintegrate and destigmatize former inmates upon their return to the community. Finally, the group emphasized the importance of persuading community members of the value of supporting offenders upon re-entry by demonstrating how such support can be effective at reducing crime and reoffending.

In conclusion, Group 3 stated that multi-stakeholder partnerships and increased public awareness of the challenges faced by offenders upon reintegration into society are important factors to reduce or eliminate stigmatization of and discrimination against offenders.

III. SPECIAL TRAINING COURSES, TECHNICAL ASSISTANCE AND OTHER ACTIVITIES

A. Workshop on Community Corrections in Cambodia

On 13 January, a workshop organized by the Regional Office for South-East Asia and the Pacific of the United Nations Office on Drugs and Crime (UNODC) and UNAFEI was held in Cambodia, at which 71 officers from the Ministry of Interior and the Ministry of Justice of Cambodia discussed the potential advantages of community corrections.

B. Training Course for Corrections Officers in Timor-Leste

From 10 to 13 February, a workshop was held by the UNODC Regional Office for South-East Asia and the Pacific and UNAFEI in Dili, Timor-Leste, during which 33 corrections officers discussed the management of offenders to prevent violent extremism.

C. The Comparative Study on Criminal Justice Systems of Japan and Nepal

From 19 to 27 February, 12 Nepalese criminal justice practitioners discussed challenges to the implementation of the new Criminal Procedure Code in Nepal.

D. Training Course for Corrections Officers in the Philippines

Once a week from 12 October to 9 November, an online training was held by the UNODC Regional Office for South-East and the Pacific in Bangkok, together with UNAFEI, at which 40 corrections officers from the Manila City Jail, Philippines, discussed offender assessment and rehabilitation programmes.

E. The Fourteenth Regional Seminar on Good Governance for Southeast Asian Countries

Due to the global pandemic, the 14th Good Governance Seminar, originally scheduled to be held in December 2020, was rescheduled to March 2021.

IV. ALUMNI WEBINARS

A. First Alumni Webinar

On 30 September 2020, UNAFEI, together with JICA, held its first alumni webinar, which was attended by approximately 110 practitioners. Two UNAFEI professors and four alumni from the 173rd and 174th International Training Courses presented updates on recent criminal justice issues, mainly in the field of the treatment of offenders, including responses to the coronavirus pandemic. The alumni-presenters – from Kenya, Sri Lanka, Brazil and Japan – also reported on how they had made use of their experiences at UNAFEI in their daily work. After the presentations, participants were able to ask questions to the speakers and share their own experiences. The webinar also included brief updates from our former Visiting Experts

MAIN ACTIVITIES OF UNAFEI

on the situation in Europe (Mr. Stephen Pitts, International Ambassador of the Confederation of European Probation (CEP)) and the situation in Latin America (Dr. Miriam Estrada-Castillo from Ecuador, Vice Chair on Communications of the OHCHR's Working Group on Arbitrary Detention). After the formal session, an online reunion took place in which approximately 70 participants were able to provide personal and professional updates.

B. Second Alumni Webinar

On 19 November 2020, approximately 90 practitioners participated in UNAFEI's second alumni webinar, which focused on investigation, prosecution and adjudication issues. A UNAFEI professor presented on the measures to respond to the pandemic in investigation and prosecution practice in Japan. Then, alumni from the 172nd International Training Course (Panama and Lao PDR) and the 22nd UNCAC Training Programme (Ukraine and Armenia), which were both held in 2019, presented on how they had made use of their experiences at UNAFEI in their daily work and shared updates on criminal justice issues faced in practice, including responses to the Covid-19 pandemic. Like the first alumni webinar, a Q&A session and brief reunion event were held following the presentations.

V. INFORMATION AND DOCUMENTATION SERVICES

The Institute continues to collect data and other resource materials on crime trends, crime prevention strategies and the treatment of offenders from Asia, the Pacific, Africa, Europe and the Americas, and makes use of this information in its training courses and seminars. The Information and Library Service of the Institute has been providing, upon request, materials and information to United Nations agencies, governmental organizations, research institutes and researchers, both domestic and foreign.

VI. PUBLICATIONS

A. Annual Publications

Reports on training courses and seminars are published regularly by the Institute. Since 1971, the Institute has issued the Resource Material Series, which contains contributions by the faculty members, visiting experts and participants of UNAFEI courses and seminars. In 2020, the 110th and 111th editions of the Resource Material Series were published. Additionally, issue 161 of the UNAFEI Newsletter (on the 174th Senior Seminar) was published, which included a brief report on the seminar and other timely information. These publications are also available on UNAFEI's website at <http://www.unafei.or.jp/english>.

B. Publications of Research Studies by UNAFEI Professors

1. Background

The main work of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) is to conduct international training courses and seminars for personnel in crime prevention and criminal justice administration from developing countries around the world, as well as to conduct regional and bilateral research and provide technical assistance in the field of crime prevention and criminal justice. Through its activities since 1962, UNAFEI has accumulated knowledge on criminal justice in various countries.

Based on this knowledge, we have published the journal *Prevention of Crime and Treatment of Offenders*, also known as UNAFEI's Resource Material Series, and other publications to promote awareness of the UN standards and norms in the field of crime prevention and criminal justice and to disseminate good practices being implemented around the world.

Due to the global coronavirus pandemic, many of the training programmes planned for the 2020 fiscal year were postponed. We decided to use this as an opportunity to share the knowledge and information gained through our activities by publishing the results of our research in Japanese. These efforts resulted in two publications in Japanese: "Criminal Justice and Criminal Treatment Systems in Countries Supported by UNAFEI – Cambodia, Kenya, Myanmar, Nepal and Viet Nam" and "Anti-Corruption Strategies in Southeast Asia".

2. Criminal Justice and Criminal Treatment Systems in Countries Supported by UNAFEI – Cambodia, Kenya, Myanmar, Nepal and Viet Nam

This publication is a collection of research papers on criminal justice systems by professors at UNAFEI. The five countries surveyed are those in which UNAFEI has provided bilateral technical assistance in the field of crime prevention and criminal justice. Upon request from recipient countries around the world and the United Nations, UNAFEI provides bilateral technical assistance. Such assistance mainly includes training courses and seminars both at UNAFEI and overseas locations.

UNAFEI, in cooperation with the Japan International Cooperation Agency (JICA), began to support the improvement of juvenile justice practices in Kenya in the 1990s. Since 2013, UNAFEI has conducted a series of programmes called the “Joint Comparative Study on the Criminal Justice Systems of Japan and Nepal”. Upon taking over the Viet Nam training programme from the International Cooperation Department of the Research and Training Institute of the Ministry of Justice in 2014, UNAFEI has supported Viet Nam's efforts to reform and improve its criminal justice system through conducting a series of programmes called the “Joint Comparative Study on the Criminal Justice Systems of Japan and Viet Nam”. UNAFEI also provided technical assistance in the field of prison reform in Myanmar since 2015, which was focused on the capacity-building of prison officers in Myanmar.

An overview of the bilateral assistance to, and the organizations of, each targeted country are described in detail below. As overseas travel is severely restricted, we could not conduct on-site inspections to supplement our research. However, the criminal justice system of each country is introduced by making full use of the data accumulated by UNAFEI.

(a) Cambodia

From 2013 to 2015, the member countries of the Association of Southeast Asian Nations (ASEAN) and the three countries of Japan, China and the Republic of Korea (ASEAN+3) met to discuss cooperation in the area of treatment of offenders. UNAFEI participated in the ASEAN+3 meeting and, based on the results of the meeting and the seminars that evolved from the meeting, began support for efforts to enhance community-based corrections in four countries: the Kingdom of Cambodia, the Republic of the Union of Myanmar, the Lao People's Democratic Republic, and the Socialist Republic of Viet Nam. Japan continues to provide support for the establishment and implementation of community-based treatment systems through international cooperation efforts led by the Ministry of Justice. The publication provides an overview of the treatment of offenders in Cambodia, as well as the current situation and issues for the establishment and implementation of community-based corrections.

(b) Kenya

In order to improve the serious situation concerning juveniles in Kenya, UNAFEI, in cooperation with JICA, began to support the improvement of juvenile justice practices in the 1990s. As a summary of UNAFEI's technical assistance, the “Project for Capacity Building of Child Care and Protection Officers in the Juvenile Justice System” was implemented from 2009 to 2013. As a result, a training curriculum for officials of juvenile justice organizations was developed, and a training facilitator manual (module) was also developed. The Kenyan Constitution was amended in 2010, which strengthened the powers of public prosecutors in juvenile justice procedures. As a result, it became necessary to revise the module. UNAFEI professors were involved in revising the module, which enriched UNAFEI's knowledge on the juvenile justice system of Kenya. This publication summarizes the knowledge gained as a record for the future.

(c) Myanmar

The publication summarizes the treatment of offenders in the Republic of the Union of Myanmar, which had been guided by UNAFEI since 2013, through training, consultation, and joint research with the Correctional Service of the Interior Ministry of the Republic of Myanmar, concerning appropriate prison administration. In addition, in order to gain a deeper understanding of the efforts of the Myanmar Prison Service and to consider measures to enhance treatment of offenders, it is important to understand the offender treatment system and related laws and regulations in Myanmar. Therefore, this section also provides information on the provisions of laws and administrative guidelines. Various suggestions have been made by international organizations and human rights organizations regarding prison management in Myanmar, where the prison system of the former British colonial period and the military regime remain.

MAIN ACTIVITIES OF UNAFEI

(d) Nepal

In Nepal, the Murki Ain (national code) was established in 1854. This Code was influenced by the Civil Code of the French (the Napoleonic Code). Murki Ain was amended in 1963 and functioned as the law governing civil and criminal cases in Nepal until August 2018. However, the legal code, with the history over 150 years, lacked differentiation between the civil law and criminal law, and the failure of the code to differentiate between substantive law and procedural law was regarded as a problem. Therefore, Murki Ain was repealed and new legislation – the Civil Code, the Code of Civil Procedure, the Penal Code, the Code of Criminal Procedure and the Sentencing Law – was drafted. This section outlines the criminal procedures in Nepal, focusing on the new Code of Criminal Procedure and introduces the contents of the Penal Code and the Sentencing Law. Nepali criminal justice practitioners have participated in UNAFEI's international training programmes, and since 2013 UNAFEI has been conducting comparative joint research on the judicial systems of Japan and Nepal with Nepalese judges and prosecutors. The publication introduces UNAFEI's findings on criminal justice practices in Nepal.

(e) Viet Nam

Japan has been supporting Viet Nam in the development of various aspects of its legal system. These efforts were pioneered by the International Cooperation Department (ICD) of the Research and Training Institute of the Ministry of Justice, which started providing legal technical assistance to Viet Nam in 1994, within the framework of Official Development Assistance (ODA) by the Japan International Cooperation Agency (JICA). Upon taking over the Viet Nam training programme from the ICD in 2014, UNAFEI has supported Viet Nam's efforts to reform and improve its criminal justice system through conducting a series of programmes called the "Joint Comparative Study on the Criminal Justice Systems of Japan and Viet Nam".

In Viet Nam, in addition to basic laws such as the Civil Code and the Penal Code, the Code of Civil Procedure and the Code of Criminal Procedure, were revised in 2015. The current Code of Criminal Procedure in Viet Nam is an amendment of the former Code of Criminal Procedure of 2003. It was enacted in 2015, but as the implementation of the amended Penal Code was postponed, the amended Code came into force on 1 January 2018 as well. This section provides an overview of criminal procedures in Viet Nam with a focus on the provisions of the 2015 Viet Nam Code of Criminal Procedure.

3. Southeast Asian Anti-Corruption Legislation

Corruption is a complex social, political and economic phenomenon that affects all countries. Corruption undermines democratic institutions, slows economic development and contributes to governmental instability. Therefore, countermeasures against corruption continued to be one of the most important issues for developing countries, including Southeast Asian countries.

In 2007, UNAFEI launched the Regional Seminar on Good Governance for Southeast Asian Countries, known as the Good Governance Seminar, in order to enhance the capacities of anti-corruption agencies and to establish and strengthen the network of competent authorities within Southeast Asia. The seminar is held in support of activities to establish the rule of law and good governance in Southeast Asian Countries, to contribute to capacity-building for criminal justice practitioners, and to promote mutual understanding and cooperation among Southeast Asian countries. One of the main aims of the seminar is to strengthen international cooperation and enhance the capacity and human resources of institutions involved in investigating and prosecuting corruption crimes, such as bribery, embezzlement and abuse of authority, committed by government officials.

In principle, the seminar is held every two years, and has been held in Japan and countries other than Japan, such as Thailand (2007-2008), the Philippines (2009-2010), Malaysia (2013-2014), Indonesia (2015-2016), and Viet Nam (2017-2018). When these seminars are held outside of Japan, they are held jointly with designated criminal justice or international cooperation agencies in those countries, and they have been useful in deepening cooperative relationships with these organizations. The thirteenth Good Governance Seminar was hosted solely by UNAFEI from 17 to 19 December 2019. Twenty-three criminal justice practitioners who deal with corruption issues from ten ASEAN countries participated in the seminar. The seminar marked the first occasion on which Timor-Leste participated in the Good Governance Seminar, which increased the number of participating countries to eleven.

UNAFEI was able to accumulate knowledge on the legislation against corruption in Southeast Asian countries through the Good Governance Seminar. The seminar provides us with information on the current situation of corruption in the region and on developments in anti-corruption measures. The accumulated knowledge and information resulted in this publication, a collection of UNAFEI professors' research papers on anti-corruption legislation in the eleven Southeast Asian countries listed below:

- Brunei Darussalam
- Kingdom of Cambodia
- Republic of Indonesia
- Lao People's Democratic Republic
- Malaysia
- Republic of the Union of Myanmar
- Republic of the Philippines
- Republic of Singapore
- Kingdom of Thailand
- Democratic Republic of Timor-Leste
- Socialist Republic of Viet Nam

In addition, since 2000, UNAFEI has conducted an international training programme called the "International Training Course on the Criminal Justice Response to Corruption (UNCAC Training Programme)" which focuses on the effective implementation of the United Nations Convention against Corruption (UNCAC) of which almost all countries of the world are Member States. Some of the participants of the Good Governance Seminar have also participated in this training programme in which they and their fellow participants shared information on the current state of measures against corruption crimes in their respective countries.

As overseas travel is severely restricted, we could not conduct on-site inspections to supplement our research. However, the publication in Japanese introduces Southeast Asia's anti-corruption legislation by making full use of the data we have accumulated. Each section, aligned with the provisions of UNCAC, discusses the legal system to combat corruption crimes in Southeast Asian countries, specifically an overview of corruption crimes and corruption-related crimes, an overview of the investigating and prosecuting organizations and their roles, and international cooperation.

VII. OTHER ACTIVITIES

A. Public Lecture Programme

On 31 January 2020, the Public Lecture Programme was conducted in the Grand Conference Hall of the Ministry of Justice. In attendance were many distinguished guests, UNAFEI alumni and the participants of the 174th International Senior Seminar. This Programme was jointly sponsored by the Asia Crime Prevention Foundation (ACPF), the Japan Criminal Policy Society (JCPS) and UNAFEI.

Public Lecture Programmes increase the public's awareness of criminal justice issues, through comparative international study by inviting distinguished speakers from abroad. In 2020, Ms. Jana Spero, Assistant Minister, Directorate for Prison System and Probation, Ministry of Justice of the Republic of Croatia, and Matthew Wee Yik Keong, Chief Executive Officer of the Singapore Corporation of Rehabilitation Enterprises, were invited as speakers. They presented on "Prison and Probation Service in the Republic of Croatia" and "Empowering Lives, Transforming Communities", respectively.

B. Creation of Video Materials for On-demand Training

1. Background

The Covid-19 pandemic has greatly restricted UNAFEI's activities and has made it impossible to carry out international training courses and seminars in person. UNAFEI has been seeking to conduct its programmes online, but there have been challenges, for example, due to time differences among participating countries and the inability to visit relevant institutions during online training.

On the other hand, UNAFEI has accumulated valuable experience through conducting webinars for UNAFEI alumni and other online activities, which has demonstrated the benefits of online seminars. Indeed,

MAIN ACTIVITIES OF UNAFEI

time differences are a challenge, but utilizing on-demand video materials enables participants to learn at home when they are available without incurring travel costs. From the viewpoint of providing updated information continuously and easily, online training courses have advantages.

In order to conduct effective online training, appropriate teaching materials, in terms of both quality and quantity, are essential. Because in-person training and online training have different characteristics, materials cannot simply be reused for in-person training. For example, on-demand materials cannot offer the same degree of interactivity as in-person training. Simply adding the lecturer's voice to the slides is not enough to keep participants focused during on-demand lectures.

In addition, it was assumed that even if in-person international training programmes could be resumed, there would still be considerable restrictions on visits to relevant institutions, which is one of the features of the training, from the perspective of infection prevention measures, for the time being. Since visiting relevant institutions and learning actual procedures are one of the most important factors for the effectiveness of training, it was also considered important to create training materials that could substitute for actual visits as much as possible.

2. Planning of Video Materials

Based on this situation, from a relatively early stage of the Covid-19 pandemic, UNAFEI recognized that it would need to conduct online training courses and seminars with on-demand video materials. From June to August 2020, with the cooperation of JICA, which has conducted many international training programmes and has experience in creating training materials, we began to research and discuss the creation of video materials.

As a result, the following ideas were shared on the creation of video materials:

- a) Materials should cover all criminal justice procedures in Japan from investigation, prosecution, adjudication to offender treatment;
- b) Materials should contain mock procedural demonstrations, and filming should be conducted on location as much as possible;
- c) The mock procedural demonstrations should be based on a single case from investigation to treatment in order for the audience to be able to understand how the case is handled, step by step.

3. Preparation for Filming

In this project, the goal was to create effective materials by incorporating a fair number of mock procedural demonstrations. On the other hand, in order to create such materials, it is necessary to create detailed scenarios for the demonstration, secure locations and performers, and actually perform the demonstration, in addition to the slide materials or manuscripts for ordinary lectures. With this understanding, the following preparations were carried out to film mock demonstrations and lectures from December 2020 to January 2021.

The most time-consuming part of the project was writing the scenario. From September to November 2020, we prepared the basic case settings and the detailed scripts for each scene. From the perspective of providing as much explanation as possible about the current criminal justice procedures in Japan, we set the subject as a case for a *saiban-in* trial, in which citizens are randomly selected to hear cases together with professional judges. We also decided that the mock procedures include not only the mock trial but also the investigation process, the *saiban-in* appointment procedure, interviews at penal institutions and rehabilitation facilities, and interviews with probation officers, which are not open to the public. As the UNAFEI faculty is composed of active judges, prosecutors, correctional officers, and probation officers, draft scripts were prepared based on practical expertise in each field.

We also coordinated with the institutions to see if they would permit filming at their facilities. Fortunately, many of the relevant institutions understood the significance and usefulness of the project, and we were able to conduct interviews on the prison grounds, and filmed in the mock cells at the Training Institute for Correctional Personnel and at a halfway house. As a result, the material covered more scenes than could be covered in a single training course or seminar and included a wealth of mock procedures including non-public procedures.

4. Filming and Editing

The mock procedural demonstrations were filmed by a professional film crew, and professional editing made it possible to create video materials that ensure the accuracy of the content and enhance the effectiveness of the training. The scene that took the most time to film was the mock trial. It took more than 6 hours to film a 20 minute mock trial movie.

5. Summary of the On-Demand Materials

(a) *Kono's case*

Mr. Kono cut and injured the victim with a knife in a bar. As a result of the investigation, the prosecutor indicted Mr. Kono with attempted homicide¹ because he had the intention to kill when he cut the victim. In response, the defendant disputed the intent to kill and argued that his actions only constituted injury.² As a result of the trial, the court found the defendant guilty of attempted homicide and sentenced him to four years' imprisonment. Mr. Kono was incarcerated and received treatment that included a violence prevention programme. Then, he was finally granted parole and released. Since he did not have a home to live in after release, he was admitted to a halfway house to facilitate his reintegration into society.

(b) *Oda's case*

In addition to Kono's case, we also created another version of the case (Oda's case), which is a violence case that took place under similar circumstances but the defendant did not use a weapon. This was done to explain community-based correctional treatment by placing the offender on probation.

(c) *Use of the on-demand materials*

The materials were either filmed in English or subtitled in English, and we believe that this is the first time video training materials have been created that simulate the Japanese criminal justice procedure in English. These materials can be expected to have a great training effect in terms of providing intuitive understanding of the Japanese system and practice.

(d) *An outline of the materials (Refer to annex for more details)*

- <Chapter 1> Overview of the Criminal Justice System in Japan
- <Chapter 2> Overview of Investigation and Prosecution in Japan
- <Chapter 3> Trial
- <Chapter 4> Treatment of Offenders–Prison
- <Chapter 5> Treatment of Offenders–Community Corrections

Annex: Description of the Video Material

<Chapter 1> Overview of the Criminal Justice System in Japan (lecture)

A lecture which delivers a comprehensive view of the criminal justice system in Japan.

<Chapter 2> Overview of Investigation and Prosecution in Japan (lecture and mock procedural demonstration)

A lecture that covers the reporting of the crime to the public prosecutor's decision to prosecute. This material includes the following mock procedural demonstration:

Kono's case: Mr. Kono was arrested on suspicion of attempted homicide, and underwent a caution procedure at the public prosecutors' office. At the beginning of the procedure, the rights of the suspect, such as the right to remain silent and the right to counsel, were explained to him, and he stated that he did not intend to kill the victim. The prosecutor requested the judge to permit pre-indictment detention, and Mr. Kono was questioned before a judge. The judge also explained the rights of the suspect, and Mr. Kono again stated that he did not intend to kill.

¹ Under the Japanese Penal Code, the crime of attempted homicide should be constituted when an actor commits an act against a victim with the intent to kill and the act has a real risk of causing the victim's death, but the victim does not die.

² Under Japanese law, in a case where the defendant is charged with attempted homicide, if the court cannot find defendant's intent to kill, the defendant should not be convicted as attempted homicide. However, in such cases, if the defendant injured the victim, the court should convict the defendant of the crime of injury. This argument can be a defence because the applicable punishment for the injury is less severe than the attempted homicide.

MAIN ACTIVITIES OF UNAFEI

<Chapter 3> Trial (lecture and mock procedural demonstration)

A lecture covering the indictment, preparation for trial, trial, deliberation on the judgment and on the appointment procedure for *saiban-in*. This material includes the following mock procedural demonstrations:

Mr. Kono was indicted for attempted homicide. The case was tried by a *saiban-in* trial, which is tried by a hybrid panel of 3 professional judges and 6 citizens selected randomly, after preparation for the trial in the pre-trial conference procedure. Prior to the trial, a procedure for appointing *saiban-in* to hear the case was held, in which *saiban-in* were selected by lottery from among citizens. The appointed *saiban-in* took an oath of office and began their duties, and the trial began in the courtroom. At the trial, Mr. Kono claimed that he did not have the intention to kill the victim, and the evidence was examined, including documentary evidence, exhibits, and the testimony of the victim. After the conclusion of the trial, the professional judges and *saiban-in* deliberated on whether or not the defendant had the intent to kill and what the sentence should be. Finally, the judgment was pronounced in the courtroom.

<Chapter 4> Treatment of Offenders–Prison (lecture, mock procedural demonstration and inmate interviews)

A lecture on correctional institutions and treatment. This material includes interviews by corrections officers and the following mock procedural demonstrations:

Kono was sentenced and incarcerated. At the prison, a classification interview is conducted to classify the inmates according to their characteristics and treat them accordingly. Since Mr. Kono had been convicted of a violent crime, he was required to attend a violence prevention programme in the prison, and after the programme, he was interviewed by the officer in charge of education. Since he had completed the violence prevention programme and his behaviour in prison was good, he was granted parole with about six months remaining on his sentence. Prior to his parole, he was briefed by a welfare officer on the halfway house where he would reside and the welfare services that would be available to him after his release.

<Chapter 5> Treatment of Offenders–Community Corrections (lecture and mock procedural demonstration)

A lecture on parole and probation and on supervision. This material includes the following mock procedural demonstrations:

Kono's Case: Mr. Kono was released from prison on parole, but he had no place to live, and he was admitted to a halfway house. When Mr. Kono visited the halfway house just after release, the director of the facility interviewed him and gave him a tour of the facility. Mr. Kono told the director that he wanted to find a job, save money, become independent, and return to society.

Oda's case: After suspended sentence with probation was pronounced, Mr. Oda visited the probation office for an assessment interview. The probation officer explained to Mr. Oda about the volunteer probation officer in charge and told him that he had to attend the violence prevention programme at the probation office. Mr. Oda visited the volunteer probation officer's house and talked with him about his life and work, and Mr. Oda expressed his determination to rehabilitate himself. The volunteer probation officer said that he graduated from the same elementary school as Mr. Oda and offered some advice. In addition to visiting the volunteer probation officer regularly, Mr. Oda spent his probation period taking a violence prevention programme at the probation office.

C. Assisting UNAFEI Alumni Activities

Various UNAFEI alumni associations in several countries have commenced, or are about to commence, research activities in their respective criminal justice fields. It is, therefore, one of the important tasks of UNAFEI to support these contributions to improve the crime situation internationally.

D. Overseas Missions

Director Seto and Professor WATANABE Hiroyuki visited Phnom Penh, Cambodia, from 13 January to serve as lecturers at workshops hosted by the UNODC.

Professor Futagoishi, Professor WATANABE Machiko and Chief International Administration Officer

ANNUAL REPORT FOR 2020

Fujita visited Vientiane, Lao PDR, from 19 to 20 February to discuss plans for the 14th Regional Seminar on Good Governance for Southeast Asian Countries with related organizations.

Professor Yamamoto visited Dili, Timor-Leste, from 10 to 13 February as a lecturer at on-site seminars hosted by the UNODC.

Director Seto visited Vienna, Austria, from 12 to 14 February to attend the 4th informal consultation of the 14th United Nations Congress on Crime Prevention and Criminal Justice.

Professor WATANABE Hiroyuki and Chief International Administration Officer Koseki visited Phnom Penh, Cambodia, from 26 to 27 February to discuss plans for a project hosted by the UNODC with related organizations.

Professor Morikawa visited Nairobi, Kenya, from 26 to 28 February to discuss plans for the assistance of the juvenile criminal justice system in Kenya with related organizations.

Professor Yamamoto visited Manila, Philippines, from 9 to 13 March to conduct research for a project hosted by the UNODC.

E. Assisting ACPF Activities

UNAFEI cooperates and collaborates with the ACPF to improve crime prevention and criminal justice administration in the region. Since UNAFEI and the ACPF have many similar goals, and a large part of the ACPF's membership consists of UNAFEI alumni, the relationship between the two is very strong.

VIII. HUMAN RESOURCES

A. Staff

In 1970, the Government of Japan assumed full financial and administrative responsibility for running the Institute. The director, deputy director and approximately nine professors are selected from among public prosecutors, the judiciary, corrections, probation and the police. UNAFEI also has approximately 15 administrative staff members, who are appointed from among officials of the Government of Japan, and a linguistic adviser. Moreover, the Ministry of Justice invites visiting experts from abroad to each training course and seminar. The Institute has also received valuable assistance from various experts, volunteers and related agencies in conducting its training programmes.

B. Faculty and Staff Changes

Mr. WATANABE Hiroyuki, formerly a professor of UNAFEI, was transferred to the Tokyo Probation Office in April 2020.

Ms. KITAGAWA Mika, formerly a professor of UNAFEI, was transferred to the Tokyo Probation Office in April 2020.

Ms. YAMAMOTO Mana, formerly a professor of UNAFEI, was transferred to the Training Institute for Correctional Personnel in May 2020.

Ms. TAKAI Ayaka, formerly an officer of the Saitama Probation Office, was appointed as a professor of UNAFEI in April 2020.

Mr. OHTSUKA Takeaki, formerly an officer of Hitachinaka Resident Minister's Office, the Mito Probation Office, was appointed as a professor of UNAFEI in April 2020.

Ms. SASAKI Ayako formerly an officer of the International Transfer of Sentenced Persons, Prison Service Division, Correction Bureau, Ministry of Justice, was appointed as a professor of UNAFEI in May 2020.

Mr. TSUKAMOTO Masaomi, formerly the chief of the Training and Hostel Management Affairs Section of UNAFEI, was transferred to the Training Department, the Research and Training Institute in May 2020.

MAIN ACTIVITIES OF UNAFEI

Mr. YAMANE Kenji, formerly the chief of the Training Department, the Research and Training Institute, was appointed as a chief of the Training and Hostel Management Affairs Section of UNAFEI in May 2020.

Mr. SAITO Masato, formerly an officer of the Training and Hostel Management Affairs Section of UNAFEI, was transferred to the Chiba District Public Prosecutors Office in April 2020.

Ms. MATSUDA Mariko, formerly an officer of the Training and Hostel Management Affairs Section of UNAFEI, was transferred to the Director of the Welfare Division, the Ministerial Secretariat, Ministry of Justice in April 2020.

Ms. IINUMA Hazuki, formerly an officer of the Training and Hostel Management Affairs Section of UNAFEI, was transferred to the Tachikawa Branch of the Tokyo Probation Office in April 2020.

Mr. TATSUKAWA Masashi, formerly an officer of the Okayama District Public Prosecutors Office, was appointed as a senior officer of the Training and Hostel Management Affairs Section of UNAFEI in April 2020.

Mr. FUJISAKI Takuma, formerly an officer of General Affairs Division, the Rehabilitation Bureau, Ministry of Justice was appointed as a senior officer of the Training and Hostel Management Affairs Section of UNAFEI in April 2020.

Ms. MUKAI Saori, formerly an officer of Training Department, the Research and Training Institute, was appointed as an officer of the Training and Hostel Management Affairs Section of UNAFEI in April 2020.

IX. FINANCES

The Ministry of Justice primarily provides the Institute's budget. UNAFEI's total budget for its programmes is approximately ¥70 million per year. Additionally, JICA and the ACPF provide assistance for the Institute's international training courses and seminars.