

MAIN ACTIVITIES OF UNAFEI (1 January 2007 - 31 December 2007)

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 1961 pursuant to an agreement between the United Nations and the Government of Japan. Its goal is to contribute to sound social development in Asia and the Pacific region by promoting regional co-operation 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 criminal justice discuss and study pressing problems of criminal justice administration from various perspectives. They deepen their understanding, with the help of lectures and advice by 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). One hundred and forty nine government officials from various overseas countries receive fellowships from the Japan International Cooperation Agency (JICA; an independent administrative institution for ODA programmes) each year to participate in all 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 criminal justice fields.

During its 46 years of existence, UNAFEI has conducted a total of 137 international training courses and seminars, in which approximately 3,332 criminal justice personnel have participated, representing 116 different countries. UNAFEI has also conducted 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 holding important posts in the fields of crime prevention and the treatment of offenders, and in related organizations.

A. The 135th International Senior Seminar

1. Introduction

The 135th International Senior Seminar was held from 12 January to 16 February 2007. The main theme was "Promoting Public Safety and Controlling Recidivism Using Effective Interventions with Offenders: An Examination of Best Practices". In this Seminar, eighteen overseas participants and seven Japanese participants attended.

2. Methodology

Firstly, the Seminar participants respectively introduced the current position regarding the role and function of criminal justice agencies in their countries in regard to the main theme. The participants were then divided into three group workshops as follows:

Group 1: The Use of Effective Interventions in Reducing Recidivism and Promoting Public Safety at the Prosecution and Sentencing Stage

Group 2: Promoting Public Safety and Controlling Recidivism Using Effective Interventions with Offenders Whilst Serving Their Sentences : An Examination of Best Practices

Group 3: The Use of Effective Interventions in Reducing Recidivism and Promoting Public Safety after the Offender has Served His or Her Sentence

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 experience, the Individual Presentations, lectures and so forth. Later, Plenary Meetings were held to discuss the interim outline of the Group Workshop reports and to offer suggestions and comments. During the final Plenary Meetings, drafts of the Group Workshop reports were examined and critiqued by all the participants and the UNAFEI faculty. Based on these discussions, the Groups further refined their reports and presented them in the Report-Back Sessions, where they were endorsed as the Reports of the Seminar. The full texts of these Reports are published in UNAFEI Resource Material Series No 74.

3. Outcome Summary

(i) The Use of Effective Interventions in Reducing Recidivism and Promoting Public Safety at the Prosecution and Sentencing Stage

The common denominator in the discussions of Group 1 was that alternative intervention models that go beyond the conventional criminal justice process of prosecution, sentencing and imprisonment, such as diversion mechanisms at both the prosecution and sentencing stage and drug court programmes or other schemes targeting specific categories of offenders, may well serve the objectives of preserving public safety and order and rehabilitating the offenders with a view to controlling recidivism. In that sense, authorities and agencies involved in this area should establish an effective collaboration network to avoid fragmented action and ensure that a holistic and integrated strategy to address the problems posed by recidivism is pursued and effectively implemented.

The following recommendations were made.

1. Where necessary, legislative reform should be pursued and carried out as a first element and component of strategies aiming at achieving better results in the treatment of offenders and the control of recidivism;
2. There should be various options such as suspended sentences and other non-custodial measures to be applied at the pre-trial and sentencing stages, and the rehabilitation of the offender should always be considered in conjunction with other objectives of sanctioning policies to ensure that the interests of both the offender and the community are well served;
3. A more integrated approach should be followed to enable better co-ordination among national and local agencies, as well as consistency of action and more effective case management in preventing and controlling reoffending;
4. The designation of focal points in each authority or agency involved in intervention models with offenders as well as the establishment of a communication network between them and the enhancement of information-sharing mechanisms should be prioritized as a means of boosting co-ordination and facilitating concerted action among the various stakeholders;
5. An integrated information system database on recidivist incidents and rates should be developed to carry out an in depth evaluation and assessment of the extent and impact of the problem and to formulate appropriate policies and guidelines based on comprehensive, timely and reliable data and information;
6. In order to ensure the operational success of intervention models with offenders, primary consideration should be given to establishing the appropriate infrastructure and making available the necessary resources for supporting such infrastructure;
7. In order to address the lack of institutional capacity and experience in tackling the problems posed by recidivism, high priority should be accorded to training programmes and activities and the provision of technical assistance generally, aiming at enhancing the expertise and skills of

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- law enforcement and prosecutorial and judicial authorities, as well as other staff involved in criminal justice affairs;
8. Effective mechanisms primarily aimed at monitoring and assessing the effectiveness of intervention should be developed;
 9. Partnerships with non-governmental organizations and other elements of civil society should be built and further encouraged to allow for multi-stakeholder involvement in the implementation of intervention schemes;
 10. In seeking alternative models of effective interventions with offenders and dealing with problems of recidivism, the role of the community should be considered and restorative justice approaches can be considered as a response to crime problems, especially with regard to less serious offences.

(ii) Promoting Public Safety and Controlling Recidivism Using Effective Interventions with Offenders Whilst Serving Their Sentences : An Examination of Best Practices

It is agreed that mechanisms to enhance the opportunity for an offender to rehabilitate and re-enter society are an essential part of any strategy to reduce recidivism. However, the issues are extremely complex. It is not safe to assume that the offender was well integrated in society prior to his or her imprisonment. Worldwide evidence is that many prisoners were not well integrated, and in fact in many countries, the "average" prisoner does not have good life skills, educational or trade qualifications, work experience or stable housing. The group members, after taking into consideration the diverse social, economic, cultural, legal and geographical features existing in their respective countries, discussed possible action to meet the challenges of rehabilitation. This advice can be adapted by individual countries in reducing recidivism and promoting public safety whilst the offender is serving his or her sentence.

The following recommendations were made.

1. Implementation of comprehensive assessment methods to improve management of prison systems. This should include measures such as:
 - Establishing databases;
 - Providing centres for research;
 - Ensuring classification of offenders is in keeping with the United Nations Standard Minimum Rules (UNSMR) for the Treatment of Prisoners.
2. Identification of the most important treatment target:
 - Ensuring that the highest risk offenders are given priority treatment;
 - Making optimal use of available budgets;
 - Maximizing the human resources available;
 - Enhancing community participation.
3. Identification of the most effective treatment methods by providing comprehensive treatment, to include:
 - Motivational interviewing;
 - Cognitive behavioural therapy;
 - Education, work and social skills training;
 - Enhancing family and community participation;
 - Health, legal and religious assistance.
4. Revision and concentration of resources on target groups:
 - Preparation of an annual plan and budget;
 - Review assessment and classification of offenders.
5. Development and expansion of collaboration with other agencies:
 - Form teams to reflect diversification of professional staff roles, government and community support;
 - Disseminate information through the development of public relations plans;
 - Establish a Memorandum of Understanding with all stakeholders.
6. Increase public awareness of the importance of family and community in the reintegration process of ex-prisoners:
 - Encourage development of family relationships during an offender's incarceration;
 - Implement strategies to keep families informed of the progress of prisoners;
 - Strengthen networks with potential employers and keep them updated of prisoners' competences;

- Collaborate and maintain relations with welfare agencies.

(iii) The Use of Effective Interventions in Reducing Recidivism and Promoting Public Safety after the Offender has Served His or Her Sentence

The Group considered the topic for discussion in detail, keeping in mind that rehabilitation of the offender during the period of sentence and after sentence is key to public safety. Reduction of recidivism is possible only through rehabilitation of offenders as custodial or non-custodial sentences without rehabilitative programmes are useless. The issues of detrimental societal attitudes and supervision of known habitual offenders were discussed in detail and the following recommendations were made.

1. Necessity of Aftercare Programmes

- The group agreed on the general need for an aftercare programme when an offender completes his or her sentence. It is advisable that the programmes are designed to make the offenders useful and law abiding citizens who can rehabilitate and reintegrate and that the programme objective is to reduce recidivism;
 - Such programmes should be based upon standard assessment of the offenders upon their entry into prison. The programme should be based upon the risks, needs and responsiveness of each offender. Specific programmes could address a wide variety of their criminogenic needs such as sex offender therapy, drug addiction treatment and treatment for their criminal style of thinking (cognitive distortion) so that the chance of reoffending can be reduced;
 - Priority would have to be placed on programmes for high risk and high need offenders in order to reduce the chances of reoffending and to effectively utilize limited resources.
- (i) Gradual Reintegration
- Upon release, high risk offenders should not be exposed to society directly. There should be a system of rehabilitation whereby the offender may be sent out for short periods prior to release, depending upon his or her risk;
 - Where applicable, there should be halfway houses and parole systems, not only to provide board and lodging, but to offer mental care, living skills guidance and job placement services.
- (ii) Good Staff: Recruitment, Training, Integrity and Motivation
- Aftercare programmes should employ specialized staff such as psychologists, social workers and psychiatrists. Staff should be of high integrity;
 - To raise the level of efficiency, the conditions of service of personnel involved in the programme may have to be improved to motivate them and also to attract highly qualified personnel;
 - There should be training for staff in new techniques for carrying out their tasks. Staff should have access to institutions where they can acquire more knowledge and higher qualifications;
 - The current strength of corrections officers should be enhanced to reduce the burden on the existing officers.
- (iii) Volunteers
- Efforts have to be made to seek the involvement of volunteers with relevant competence to implement specialized programmes at minimum cost. The Japanese Volunteer Probation system could be a good model.

2. Post Release Rehabilitation Programmes

- For successful results of post release rehabilitative programmes, offenders should be given treatment from the very first day of custodial and non-custodial sentences;
 - The standard classification/assessment system needs to be introduced to the custodial and non-custodial punishment system and used upon an offender's entry into the system. Assessment should consider the motives and circumstances of the crime and the degree of the criminal behaviour i.e. assessment on the basis of risk/need.
- (i) Information Flow
- Management information systems may require improvement to maintain up-to-date records of offenders. As far as practicable, computers should be utilized;

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- In order to judge the success of the programme, assessments may be made regularly, duly recognizing the risk of the offender.
- (ii) Motivation of Offenders after Release
- In order to attract the offenders to the aftercare programme, motivating factors should be addressed carefully. Motivation can be formed externally or internally. In some cultural contexts, motivation could take the form of incentive; e.g. provision of vocational training, employment or the issuing of a good behaviour certificate. Offenders may even be coerced into treatment by making an appropriate legal framework. However, offenders can also motivate themselves to receive treatment in order to live a better life.
3. Co-ordination among Related Organizations
- Efforts to co-ordinate the work of not only related agencies such as prisons departments, parole and probation departments, and police departments, but also private institutions like NGOs, religious institutions and charitable institutions should be made to enhance the capabilities of these organizations;
 - The personnel in governmental organizations engaged in the delivery of programmes may exchange information with each other freely to enhance better understanding of the offenders.
4. Community Involvement (Public Awareness)
- Societal attitudes may be changed by conducting seminars, workshops, media campaigns, walks or rallies with the co-operation of non-governmental institutions, notables from all walks of life, students and religious institutions to create or develop awareness of rehabilitation and reintegration of offenders and to reduce stigmatizing of offenders by society;
 - Informal organizations performing rehabilitative activities for reintegration of ex-offenders should be encouraged by the government.
5. Sustainability of Programmes (Political Support)
- In designing programmes, factors such as consistency, adaptability, feasibility, suitability and affordability ought to be given prime attention. Gaining political support by presenting the effectiveness of such programmes is of vital importance.
6. Supervision of Known Ex-Offenders
- (i) Supervision by Police and Other Related Agencies
- In order to protect the public, it is necessary to monitor high risk known offenders. Information regarding such offenders should be given to the police from correctional institutions upon their release. The systems used in Japan and the UK could be used as a model.
- (ii) Vigilance Committees
- Where applicable, a vigilance committee comprising notables of the respective area from all walks of life including lawyers, doctors, educators, students and representatives of local police may take responsibility for the supervision of known offenders.

B. The 136th International Training Course

1. Introduction

The 136th International Training Course was held from 23 May to 28 June 2007. The main theme was “Effective Measures for the Treatment of Juvenile Offenders and their Reintegration into Society”. In this Course, fourteen overseas participants, nine Japanese participants and two overseas observers and attended.

2. Methodology

The objectives of the Course were primarily realized through the Individual Presentations and Group Workshop sessions. In the former, each participant presented the actual situation, problems and future prospects of his or her country with respect to the main theme of the Course. The Group Workshops further examined the subtopics of the main theme. To facilitate discussion, the participants were divided into three groups to discuss the following topics under the guidance of faculty advisers:

Group 1: Ensuring Due Process in the Juvenile Justice System and the Appropriate Adjudication or Disposition of Juveniles

Group 2: Effective Institutional Treatment of Juvenile Offenders for their Successful Reintegration into Society

Group 3: Effective Measures in the Community-Based Treatment of Juvenile Offenders and Enhancement of the Juvenile's Ability to Reintegrate into Society

The three groups each elected a chairperson, co-chairperson(s), rapporteur and co-rapporteur(s) to organize the discussions. The group members studied the designated subtopics and exchanged their views based on information obtained through personal experience, the Individual Presentations, lectures and so forth. During the course, Plenary Meetings were held to discuss the interim outline of the Group Workshop reports and to offer suggestions and comments. During the final Plenary Meeting the drafts of the Group Workshop reports were examined and critiqued by all the participants and the UNAFEI faculty. Based on these discussions, the Groups further refined their reports and presented them in the Report-Back Sessions, where they were endorsed as the reports of the Course. The full texts of the reports are published in full in this edition of the UNAFEI Resource Material Series.

3. Outcome Summary

(i) *Ensuring Due Process in the Juvenile Justice System and the Appropriate Adjudication or Disposition of Juveniles*

In regard to the above topic the following recommendations were made.

1. A special court system competent to deal with juvenile offenders is necessary. The Family Court in Japan, and also the model of the Criminal Child Court in South Africa as proposed in the Child Justice Bill, or the model of the *Barangay* Court in the Philippines, are considered good models;
2. The formulation of (or improvement of an existing) fundamental framework on arrest, detention, prosecution and trial, applicable to juvenile offenders, and based on United Nations standards, norms and guidelines;
3. Judges must have proper information in the form of comprehensive reports to enable them to make appropriate decisions;
4. Probation officers, as specialists of human sciences such as psychology, sociology and education, should be involved in the process of decision-making. Their reports and recommendations should have significant bearing on the final disposition;
5. The involvement of volunteer probation officers and social workers, etc. as community support resources in dealing with juvenile offenders should be encouraged;
6. The competent authorities, in their determination, should, as a rule, give priority to the juvenile offender rather than the offence;
7. Restorative justice, where the victim meets the juvenile offender to understand why the latter committed the offence and for possible compensation to be agreed upon, should be encouraged;
8. Many participants emphasized the importance of recording, properly and methodically, statistics on juvenile offenders.

(ii) *Effective Institutional Treatment of Juvenile Offenders for their Successful Reintegration into Society*

The Group carefully considered the situation and practices in each participating country and agreed upon the following recommendations.

1. To obtain more genuine and accurate information, the different aspects and characteristics of juveniles should be considered when conducting risk/needs assessment;
2. Treatment programmes should be updated regularly by inviting the opinion of experts and related parties. Consideration should be given to the ideas of participating staff members as well as the juveniles. Programmes should be introduced in a step-by-step manner, and according to available resources;
3. Objective measurement methods should be used to assess the effectiveness of treatment programmes, such as the rate of recidivism of participants;
4. Treatment programmes which consider victims and restitution of the harm caused to them

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- should prepare juveniles to apologize before victim mediation programmes commence;
5. Before discharging juveniles, greater pre-release training and preparation should be provided. For this purpose, parole board officers should be involved in treatment of the juvenile during his or her stay in an institution;
 6. For the juvenile to lead a stable life, employment is indispensable. Therefore, authorities should seek co-operation from private companies as well as the community through media contact;
 7. Effective systems to monitor volunteers and NGOs are necessary;
 8. In order for the juvenile to maintain his or her motivation to rehabilitate him or herself after release, it is necessary to provide innovative and creative programmes;
 9. Greater effort should be made to encourage the juvenile to build up trusting relationships with his or her family members. This should begin upon the juvenile's admission to an institution and be continued after release on probation or during the supervision period;
 10. Aftercare supervision with control and care elements significantly influences a juvenile's re-integration into society. For this purpose, juveniles' needs should be investigated before release.
 11. Training and education for staff on the rationale and mission of rehabilitation of juveniles should be strengthened. Some cultural change and motivational programmes could be good ways to enhance team spirit and levels of co-operation.

(iii) Effective Measures in the Community-Based Treatment of Juvenile Offenders and Enhancement of the Juvenile's Ability to Reintegrate into Society

The Group agreed to conduct its discussion according to the following agenda:

1. The current situation and problems faced by organizations that treat juveniles;
2. Measures of assessing the individual characteristics, degree of risk and individual needs of juveniles and classification accordingly;
3. Development of an effective programme in accordance with risk and needs assessment;
4. Development of an effective treatment programme considering victims and/or restitution of the harm caused to victims;
5. Continuous collaboration and maintaining links with institutional treatment services and/or related organizations for the effective treatment of juveniles and their rehabilitation (through-care); and
6. The creation of an aftercare system which helps maintain the effect of correctional treatment, reduces the risk of re-offending and enhances the juvenile's ability to reintegrate into the community.

The following recommendations were made.

1. Community-based correctional treatment must be in line with the needs of offenders. A governmental institution may screen these programmes before allowing implementation by NGOs and other community organizations. By doing this, the government may also need to set guidelines or regulations;
2. A treatment programme for the type of risk and need assessment should be developed by specialists and stakeholders in co-operation with the police and departments of justice, social welfare and corrections;
3. Considering the protection of the human rights of juveniles, governments must prioritize financial support of treatment programmes and concerned organizations;
4. Aftercare agencies should co-operate and collaborate with all institutional organizations. Communication and exchange of information and community resources between treatment agencies and the community is crucial in increasing collaboration and co-operation between them. This should take into consideration the juvenile's right to privacy and should be in the juvenile's best interests. Identically formatted documents should be used by all agencies to enhance co-operation and collaboration among stakeholders;
5. The use of community resources such as religious and community leaders and police community forums should be considered for community-based treatment;
6. Third parties are necessary for successful victim-offender meetings but they need to be chosen carefully, taking into account the desires and situations of both victims and offenders;
7. Aftercare residences (halfway houses, etc.) should be established or increased to continue effective treatment of the juvenile within the community;

8. Continuous supervision, assessment and treatment of juveniles, and supports to their parents and families should be maintained;
9. Treatment programmes should provide juveniles with healthy distractions and hobbies in which they have interest so as to reduce negative peer influence and recidivism.

C. The 137th International Training Course

1. Introduction

The 137th International Training Course was held from 5 September to 11 October 2007. The main theme was “Corporate Crime and the Criminal Liability of Corporate Entities”. Twelve overseas participants, six Japanese participants and one overseas observer attended.

2. Methodology

The participants of the 137th Course endeavoured to explore the investigation, prosecution and trial of corporate crime. This was accomplished primarily through a comparative analysis of the current situation and the problems encountered. The participants’ in-depth discussions enabled them to put forth effective and practical solutions.

The objectives were primarily realized through the Individual Presentations and the Group Workshop sessions. In the former, each participant presented the actual situation, problems and future prospects of his or her country with respect to the main theme of the Course. To facilitate discussions, the participants were divided into three groups.

Each group elected a chairperson, co-chairperson, rapporteur and co-rapporteur(s) to organize the discussions. The group members studied the situation in each of their countries and exchanged their views based on information obtained through personal experience, the Individual Presentations, lectures and so forth.

Group 1: Issues Concerning the Legal Framework on Corporate Crime, Corporate Liability and Misuse of Corporate Vehicles

Group 2: Issues Concerning the Investigation and Prosecution of Corporate Crime

Group 3: Issues Concerning Trial and Sentencing in Corporate Crime Cases

Plenary Meetings were later held to discuss the interim outline of the Group Workshop reports and to offer suggestions and comments. During the Plenary Meetings, drafts of the Group Workshop reports were examined and critiqued by all the participants and the UNAFEI faculty. Based on these discussions, the Groups further refined their reports and presented them in the Report-Back Sessions, where they were endorsed as the reports of the Course. The reports will be published in full in UNAFEI Resource Material Series No. 76.

3. Outcome Summary

(i) *Issues Concerning the Legal Framework on Corporate Crime, Corporate Liability and Misuse of Corporate Vehicles*

In this globalized era, corporate activities have become transnational. Corporations can expand, creating employment and investment opportunities. However, globalization is not free of negative impacts on society, such as the commission of economic crimes with highly sophisticated and complicated *modi operandi*. Faced with this challenge, each segment of the criminal justice system is mandated to come up with effective solutions to address the problem. Furthermore, the international community has to work hand in hand to curb corporate crimes. Every participating country has taken some steps to prevent and detect corporate crimes and misuse of corporate vehicles and to impose sanctions on corporate entities that commit crimes. Although the legal systems of participant countries regarding liability of legal persons vary, the Group concluded that it is important to punish legal persons effectively and appropriately and made the following recommendations.

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1. Raise awareness among the public and the law enforcement authorities in regard to charging legal persons;
2. In order for the competent authorities to impose adequate sanctions against legal persons it is important to have a variety of sanctions available as options, which may be criminal, administrative and/or civil, in accordance with the legal system of each country;
3. In order to prevent, deter, and combat corporate crimes, effective and adequate legal sanctions should be imposed on legal persons, regardless of sanctions against natural persons;
4. Proceeds of corporate crime should be taken from legal persons and offenders. To serve this purpose, laws on confiscation or forfeiture should be strengthened and fully implemented;
5. Corporate crime is a global problem. Therefore, international co-operation, in terms of international agreements as well as co-operation and co-ordination through formal and informal channels, is important and should be strengthened;
6. Sharing of technical investigative know-how pertaining to corporate crime, including by means of training, should be enhanced among the international community;
7. Legal measures that may contribute to the prevention and detection of misuse of corporate vehicles and corporate crime, such as registration systems for companies and obligations of financial institutions (customer identification, record keeping and suspicious transaction reporting) should be strengthened. Company and bank information kept by relevant authorities or institutions should be accessible to the competent authorities in a timely manner.

(ii) Issues Concerning the Investigation and Prosecution of Corporate Crime

Regarding the above topic, the Group made the following recommendations.

1. Development of a basic guideline document in the investigation of financial, commercial or economic crimes involving corporate entities which have a serious impact on the economic and social stability of their countries that should include: i) the legal study of the elements of the crime; ii) the identification of the sources of information; iii) the techniques of investigation that could be applied; iv) methods of interrogation; v) collection of material or evidence that can be used to prove the elements of the crime; etc;
2. Development of interrogative techniques for victims, witnesses and suspects;
3. Establishment or strengthening of co-operation between prosecutors or police officers and the administrative investigative authorities at state level who have power to conduct administrative investigations in relation to corporate crime;
4. Strengthening of co-ordination between police officers and the prosecutors from the beginning of the investigation;
5. Establishment or strengthening of co-operation with foreign countries to develop joint investigations between law enforcement agencies of different countries. This would ensure a close working relationship to fight corporate crime and enforce mutual legal assistance measures to share information and collect evidence. It would also help in the identification and location of the profits or proceeds of the crime with the purpose of seizing or freezing them and later on, confiscation of same;
6. Enhancement of the expertise of the administrative investigative authorities, police officers and prosecutors in investigation of corporate crime and the strengthening of the financial resources for investigative authorities to train them in order to acquire or improve their specialized knowledge.

In addition to the above mentioned recommendations, it become clear that the majority of the participating countries do not provide for special investigative techniques to investigate corporate crime and such mechanisms and any changes to the existing systems would require extensive discussion and agreement between various state agencies in accordance with the domestic laws in respective countries. Therefore the Group suggests the following:

1. An investigation or a study to assess whether special investigative techniques, in accordance with the domestic law, could be applicable in the field of corporate crimes; and
2. A comparative study of the legal framework in various countries as an aid to determining the most appropriate legal tools to support investigators in carrying out their work.

(iii) Issues Concerning Trial and Sentencing in Corporate Crime Cases

After a lengthy discussion on all the above topics the Group members agreed upon the following recommendations:

1. There is no need to establish or create special courts in respective countries to deal with corporate crime cases. The procedure currently followed in dealing with such cases is appropriate. However, it is useful to establish specialized departments to deal with corporate crime cases like tax evasion in order to ensure speedy and fair trials;
2. Every country should have legislation to provide for the use of electronic evidence to avoid such evidence being challenged in court. The legislation will make its use in court unequivocally binding;
3. As much as possible, countries should use original documents as evidence in courts. Copied documents must be used with strict conditions to avoid the use of tampered evidence;
4. Preparation before the actual trial is vital in all countries where clarifications of disputes and disclosure of evidence are required. The preparation will speed up the trial process by cutting unnecessary objections which may arise during the trial;
5. The court should maintain a list of qualified forensic analysts and experts who can be called to give testimony, rather than the parties calling their own analysts and experts; this would avoid possible conflicts of interest between opposing experts. The list would be prepared by the court in consultation with relevant bodies. However, the parties should not be bound to use only the analysts and experts on the list;
6. Countries must have adequate numbers of jurists and legal personnel who handle corporate crime cases in order to ensure fair and speedy trials. Countries should strive to have, as much as possible, a continuous trial process without adjournments;
7. Judgment and sentencing should be rendered within a reasonable time after the trial. Preferably, the judgment and sentence should be delivered together at the end of the trial;
8. In order to avoid disparities in sentences and to speed up the trial, it is useful to establish sentencing guidelines in respective countries. However, judges are not bound by the guidelines in determining the sentence;
9. In order to combat corporate crimes, there should be a balance amongst criminal (penal), civil, and administrative sanctions being imposed on both corporate entities and the individuals concerned.

D. Special Seminars and Courses

1. The Third Seminar on Criminal Justice for Central Asia

The Third Seminar on Criminal Justice for Central Asia was held from 26 February to 17 March 2007. The main theme was "Effective Measures and Enhancement of Treatment for Drug Abusers in the Criminal Justice Process". Thirteen criminal justice officials from Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) attended.

2. The Twelfth Special Seminar for Senior Criminal Justice Officials of the People's Republic of China

The Twelfth Special Seminar for Senior Criminal Justice Officials of the People's Republic of China was held from 5 to 23 March 2007. The main theme was "Globalization of Crimes and International Criminal Justice Co-operation". Thirteen senior criminal justice officials from China attended.

3. The Second Country Specific Training Course on the Revitalization of the Volunteer Probation Aide System for the Philippines

The Second Country Specific Training Course on the Revitalization of the Volunteer Probation Aide System for the Philippines was held from 17 to 26 April 2007. Eleven Parole and Probation Officers and one Volunteer Probation Aide from the Philippines discussed measures to improve communication and feedback, and measures to promote Volunteer Probation Aide Associations.

4. The Eighth Training Course on the Juvenile Delinquent Treatment System for Kenya

The Eighth Training Course on the Juvenile Delinquent Treatment System for Kenya was held from 15 October to 9 November 2007. Eleven participants from Kenya reviewed their progress in regard to improving the treatment of juveniles in correctional institutions and in the community and the progress they have made in establishing a Volunteer Children's Officers programme.

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5. The Tenth International Training Course on Corruption Control in Criminal Justice

The Tenth International Training Course on Corruption Control in Criminal Justice was held from 24 October to 21 November 2007. In this Course, thirteen overseas and five Japanese officials engaged in corruption control comparatively analysed the current situation of corruption, methods of combating corruption, and measures to enhance international co-operation.

6. The First Regional Seminar on Good Governance for Southeast Asian Countries

The First Regional Seminar on Good Governance for Southeast Asian Countries, jointly hosted by UNAFEI, the Office of the Attorney General of Thailand and the UNODC Regional Centre for East Asia and the Pacific, was held from 17 to 23 December 2007 in Bangkok, Thailand. The main theme was “Corruption Control in the Judiciary and Prosecutorial Authorities”. Approximately thirty participants from eight countries, comprising judges, prosecutors and other law enforcement officials attended.

III. TECHNICAL CO-OPERATION

A. Regional Training Programmes

1. Short-Term Experts in Kenya

Two UNAFEI professors were dispatched to Kenya, from 28 July to 1 September 2007, to assist the Children’s Department of the Vice President and Ministry of Home Affairs in a project to develop nationwide standards for the treatment of juvenile offenders and vulnerable children.

2. Short-Term Experts in Latin America

Two UNAFEI faculty members visited Argentina and Costa Rica from 8 to 27 July 2007. In Argentina they held a follow-up Seminar, focusing on the specific situation in Argentina. In Costa Rica, they jointly hosted, with ILANUD, a course on Criminal Justice Reform in Latin America in which ten countries were represented.

3. Short-Term Experts in the Philippines

A UNAFEI professor was dispatched from 22 September to 2 October 2007 to Baguio, the Philippines, to attend and present lectures at the In-Country Training Programme of the Philippines PPA.

B. First Regional Seminar on Good Governance for Southeast Asian Countries

UNAFEI, the Office of the Attorney General of Thailand and the UNODC Regional Centre for East Asia and the Pacific held the First Regional Seminar on Good Governance for Southeast Asian Countries in Bangkok, Thailand from 17 to 23 December 2007. Approximately thirty participants from eight countries attended the Seminar. The main theme of the Seminar was “Corruption Control in the Judiciary and Prosecutorial Authorities”.

IV. 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.

V. 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 2007, the 71st, 72nd and 73rd editions of the Resource Material Series were published. Additionally, issues 122 to 124 (from the 135th Seminar to the 137th Course respectively) of the UNAFEI Newsletter were published, which included a brief report on each course and seminar and other timely information. These publications are also available on UNAFEI’s website <http://www.unafei.or.jp/english>.

VI. OTHER ACTIVITIES

A. Public Lecture Programme

On 2 February 2007, 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 135th International Senior Seminar participants. 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. This year, Mr. Peter Wheelhouse from the United Kingdom Home Office and Dr. Brian A. Grant from Correctional Services Canada were invited as speakers to the programme. They presented papers on "The Impacts of the *Prolific and other Priority Offenders Programme* and its Significance" and "Reducing Recidivism by Applying the Principles of Risk, Need and Responsivity", respectively.

B. 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.

C. Overseas Missions

Ms. Megumi Uryu (Professor) visited Helsinki, Finland from 21 to 26 January 2007 to attend the HEUNI 25th Anniversary Symposium and made a presentation on Technical Activities in the Traditional Areas of Crime Prevention and Criminal Justice.

Ms. Tae Sugiyama (Professor) and Mr. Koji Yamada (Professor) visited Manila, the Philippines to attend the In-Country Training Programme of the Parole and Probation Administration of the Philippines, sponsored by JICA. Mr. Yamada delivered the Director's remarks. Mr. Yamada attended from 15 to 18 January 2007 and Ms. Sugiyama attended from 17 to 20 January 2007.

Director Keiichi Aizawa and Ms. Kayo Ishihara (Professor) visited Vienna, Austria from 21 to 29 April 2007 to attend the 16th Session of the Commission on Crime Prevention and Criminal Justice. The Director made a presentation and a statement and Ms. Ishihara made a statement to the Commission.

Mr. Shintaro Naito (Professor) and Ms. Yoko Hosoe (Staff) visited Bangkok, Thailand from 3 to 9 June to make preparations for the First Regional Seminar on Good Governance, held in December 2007. While in Bangkok, they had meetings with personnel from the Office of the Attorney General, Thailand and the UNODC Regional Centre, Bangkok.

Ms. Kayo Ishihara (Professor) visited Guangzhou, China from 16 to 27 June 2007 to attend the first IAACA Seminar. Ms. Ishihara gave a presentation on "Anti-Corruption Measures in Japan".

Deputy Director Takeshi Seto visited Vientiane, Laos from 25 to 28 June 2007 to attend the Fourth and Fifth ASEAN Senior Officials Meetings on Transnational Crime (SOMTC).

Deputy Director Takeshi Seto visited Bangkok, Thailand from 29 June to 4 July 2007 to prepare for the First Regional Seminar on Good Governance, held in December 2007.

Ms. Kayo Ishihara (Professor) and Mr. Jun Oshino (Professor) visited Argentina and Costa Rica from 8 to 27 July 2007. In Argentina they held a follow-up Seminar, focusing on the specific situation in Argentina. In Costa Rica, they jointly hosted with ILANUD the International Training Course on Criminal Justice System Reforms in Latin America in which ten countries were represented.

Deputy Director Takeshi Seto visited China from 22 to 26 July to meet with personnel from various criminal justice organizations and to prepare for the 2008 Special Seminar for Senior Criminal Justice Officials of the People's Republic of China.

MAIN ACTIVITIES

Mr. Tetsuya Sugano (Professor) and Ms. Tae Sugiyama (Professor) visited the Republic of Kenya from 28 July to 25 August 2007 and 4 August to 1 September 2007, respectively. The purpose of the trip was to observe children's institutions, observe the conditions of the treatment of children and the activities of volunteers, exchange ideas and provide advice to the staff of the Department of Children's Services. The professors also gave lectures at training seminars.

Deputy Director Takeshi Seto visited Vietnam from 27 to 1 September 2007 to present lectures on the Japanese criminal justice system at the Vietnamese Supreme People's Procuracy.

Deputy Director Takeshi Seto visited Hong Kong from 16 to 21 September 2007 to attend and serve as a panellist at the meeting of the International Association of Prosecutors.

Mr. Koji Yamada (Professor) visited Manila and Baguio, the Philippines from 22 September to 2 October 2007 to attend the In-Country Training Programme for the Revitalization of the Volunteer Probation Aide system for the Philippines. Mr. Yamada gave lectures on the Japanese criminal justice system, focusing on the role of Volunteer Probation Officers, and attended group workshop sessions.

Mr. Ryuji Tatsuya (Professor) visited Bangkok, Thailand from 20 to 27 October 2007 to attend the Annual General Meeting of the International Corrections and Prisons Association.

Director Keiichi Aizawa visited Saudi Arabia from 9 to 14 November 2007 to attend and contribute to the discussion of the PNI Co-ordination Meeting.

Deputy Director Takeshi Seto, Mr. Koji Yamada (Professor) and Mr. Ikuo Kosaka (Staff) visited Uzbekistan, Kyrgyzstan and Tajikistan from 13 to 28 November 2007 to conduct research on the criminal justice systems of Central Asia.

Mr. Tetsuya Sugano (Professor) and Mr. Atsushi Takagi (Staff) visited Hanoi, Vietnam from 25 November to 2 December 2007 to attend the Asian Pacific Conference of Correctional Administrators.

Director Keiichi Aizawa, Deputy Director Takeshi Seto, Mr. Shintaro Naito (Professor), Mr. Jun Oshino (Professor), Ms. Yoko Hosoe (Staff) and Mr. Etsuya Iwagami (Staff) visited Bangkok from 11 to 23 December 2007 to attend the First Regional Seminar on Good Governance for Southeast Asian Countries, which UNAFEI co-hosted with the Office of the Attorney General of Thailand and the UNODC Regional Centre for East Asia and the Pacific.

D. Assisting ACPF Activities

UNAFEI co-operates and corroborates 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.

VII. 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 officers, probation officers 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 Changes

Mr. Keisuke Senta, formerly Deputy Director of UNAFEI, was transferred and appointed Senior Legal Expert in Terrorism Prevention (Asia and the Pacific), Terrorism Prevention Branch, UNODC on 22 February 2007.

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Mr. Hiroyuki Shinkai, formerly Professor of UNAFEI, was transferred and appointed Principal Programme Supervisor, Education Division, Fuchu Prison, on 1 April 2007.

Ms. Megumi Uryu, formerly Professor of UNAFEI, was transferred and appointed Professor of Nihon University Law School and Shinshu University School of Law on 1 April 2007.

Mr. Ichiro Sakata, formerly Professor of UNAFEI, was transferred and appointed Judge of Sapporo District/Family Court on 1 April 2007.

Mr. Masato Uchida, formerly Professor of UNAFEI, was transferred and appointed Principal Programme Officer, Classification Division, Chiba Prison on 1 April 2007.

Mr. Takeshi Seto, formerly Senior Attorney for International Affairs, Criminal Affairs Bureau was appointed Deputy Director of UNAFEI on 1 April 2007.

Mr. Ryuji Tatsuya, formerly Chief Specialist for the Observation and Treatment Unit, Chiba Juvenile Classification Home, joined UNAFEI as a Professor on 1 April 2007.

Mr. Jun Oshino, formerly Judge of Ichinomiya Branch, Nagoya District/Family Court, joined UNAFEI as a Professor on 1 April 2007.

Mr. Tetsuya Sugano, formerly Chief of the Case Review and Assessment Section, Nagano Juvenile Classification Home, joined UNAFEI as a Professor on 1 April 2007.

Mr. Simon Cornell, Linguistic Adviser of UNAFEI, resigned on 19 October 2007.

Ms. Grace Lord, from Ireland, joined UNAFEI as Linguistic Adviser on 22 October 2007.

VIII. FINANCES

The Ministry of Justice primarily provides the Institute's budget. The total amount of the UNAFEI budget is approximately ¥272 million per year. Additionally, JICA and the ACPF provide assistance for the Institute's international training courses and seminars.