

Parole in Japan

The Organization of Services Probation, parole and after-care services in Japan are organized and administered by the central government through the Rehabilitation Bureau, one of seven major departments of the Ministry of Justice.

Eight regional parole boards in Japan review applications for parole in panels of three, and have authority to revoke parole upon the recommendations of local offices.

Organized under the regional offices are 50 local offices staffed with close to 1,000 probation and parole officers who are responsible for the implementation of all forms of community-based correctional programs for both juveniles and adults. The majority of staff are probation officers, who are engaged mainly in supervision and aftercare of offenders. A smaller number of officers conduct pre-parole investigations.

As of December 31, 1988, probation officers were supervising 50,363 juvenile probationers referred by family courts, 14,693 adult probationers sentenced by criminal courts, 5,686 juvenile parolees from juvenile training schools, and 6,564 adult parolees from prison. Considerations for Release Japanese offenders have no right to apply for parole. When the warden of a prison finds that an inmate is ready for parole, he submits an application for release to the appropriate regional parole board.

Article 28 of the Japanese Penal Code stipulates that "when a person sentenced to imprisonment with or without forced labour demonstrates genuine reformation, he may be paroled by an action of administrative authorities after he serves one third of the sentence of a limited term, or ten years of a life-sentence." The Penal Code requires that the candidate for parole be repentant, desire rehabilitation, be unlikely to recidivate and be a person society will accept on parole. Repentance is a critical factor in Japan.

In considering individuals for release, the regional boards review the individual's character, behaviour at the institution, conduct prior to commitment and other related circumstances. Particular emphasis is placed on the community's attitude toward a prospective release, the living conditions the offender will return to and the offender's overall prospect for rehabilitation. One member of the board always conducts a personal interview with the candidate.

Parole-release conditions, determined partly by the law and partly through administrative action, are similar to those in Canada. The offender is required to maintain a fixed residence, refrain from associating with persons having criminal or delinquent tendencies, maintain good behaviour, obtain advance permission from a parole supervisor before changing a place of residence or travelling for an extended period, and comply with any special conditions imposed by the parole board at the time of release. In the case of revocation, the offender must serve the unexpired portion of the sentence.

A ruling of revocation is issued by the board in response to the request of the chief of the local office following violation of the general conditions of parole.

As in Canada, most halfway houses for discharged offenders have been established by voluntary organizations. There are 104 halfway houses for adult and juvenile offenders run by non-governmental bodies. Of the number, 76 (including a few juvenile facilities) have been in operation since the pre-war period.

The community residential centres in Japan have a total capacity of 2,548, with each facility housing from 10 to 75. Individuals can be accommodated for up to six months after release. Role of the Probation/Parole Officer A unique aspect of the parole process in Japan is the extensive use of volunteers in the supervision of offenders. The role of professional case workers in Japan is primarily administrative. They serve as Co-ordinators, consultants and, most importantly, as supervisors of the volunteer workers who handle most of the direct contact with offenders.

A wide network of some 50,000 volunteer probation/parole officers represents such varied occupational backgrounds as sales and managerial professions (about 18%), fishery, agriculture, forestry (19%), government (5%), industry (8%) and teaching or social work (4%).

In a recent paper, Mr. Noboru Hashimoto, a staff member of the Tokyo Probation/Parole Office, describes the parole supervision process as follows:

1. The offender who has been placed on probation or released on parole is advised to report immediately to the probation office. At the office, he is interviewed by the probation officer in charge of the area where the supervisee is going to reside.
2. Taking into consideration all information presented at the interview together with the data in the case record, the probation officer assesses the individual's needs and problems which require special attention and works out a treatment plan. He informs the offender of the name, address and other pertinent information of a volunteer probation officer who is assigned to him.
3. The probation officer makes a summary of the case record, which also indicates his view on the case, and sends a copy by mail to the volunteer. It is rare that the probation officer is involved in actual field work after the case has been entrusted to the volunteer.
4. The volunteer keeps in touch with the subject and his family by means of mutual visitations and interviews about twice a month. The frequency and mode of contact varies as the case requires.
5. The volunteer is expected to submit a regular progress report on each offender to the probation office every month. In addition, he is expected to send a written report whenever an unusual incident in relation to the offender happens.
6. When the probation officer thinks it necessary, judging from the report of the volunteer or information of the police or the offender's family, he visits the offender or sends a letter to the offender suggesting his appearance at the office instead. This accounts for nearly ten percent of the total number of probationers and parolees. Sometimes the probation officer will interview an offender for which he is responsible at least once every three months or half a year, as a matter of course. Difficult probationers who pose problems for the voluntary probation officers will be handled personally by the probation officers.

A recent innovation has been the introduction of "day offices" where officers can visit the local

community at intervals. Activities at the day office include interviews with probationers and parolees, family counselling, case consultation with volunteers, consultation with school teachers and employers, home visits, and liaison with community agencies.

The above information was adapted from a recent book, *Parole and the Community Based Treatment of Offenders in Japan and the United States*, published in 1986 and written by Dr. L. Craig Parker Jr., Ph.D. A recent paper, "Probation and Parole Supervision in Japan" (1989), by Mr. Noboru Hashimoto, Senior Probation Officer at the Tokyo Probation Office, was also very helpful in providing us with pertinent information.