

UNAFEI NEWSLETTER

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AND THE TREATMENT OF OFFENDERS

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LETTER FROM THE DIRECTOR

It is my privilege to inform readers of the successful completion of the 144th International Senior Seminar on "The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of the Criminal Justice Process", which took place from 12 January to 9 February 2010.

In this Seminar, we welcomed two Japanese observers, seven Japanese participants and 14 overseas participants: eight from Asia, one from Africa, three from Latin America and the Caribbean, and two from Oceania. They included police officers, public prosecutors, and other high-ranking public officials in the field of corrections and rehabilitation.

As this newsletter demonstrates, the Seminar was extremely productive. It consisted of individual presentations, group workshops and plenary sessions, visits to relevant criminal justice agencies, and presentations by visiting experts, faculty members and ad hoc lecturers.

Considerable attention has deservedly been paid to ensuring due process and establishing fundamental rights for suspects and defendants. In contrast, and despite the fact that they were the most adversely affected by crime, the criminal justice system paid little attention to the protection, support, rights, interests and legal status of victims of crime.

It was not until the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (hereinafter referred to as "the Congress") in 1980 that the United Nations really focused on the issue of the protection of victims, when the Congress discussed this issue under the agenda item "Crime and the abuse of power: offences and offenders beyond the reach of the law". Five years later, "The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power" was adopted at the Seventh Congress held in Milan, Italy in September 1985, and subsequently by the United Nations General Assembly on 29 November 1985 (Assembly Resolution 40/34 annex). The Declaration is the most fundamental instrument adopted by the United Nations in relation to the improvement of the treatment of victims in the crime prevention and criminal justice field. The Declaration is divided into two parts, namely "Part A: Victims of Crime" and "Part B: Victims of Abuse of Power". In summary, based on the philosophy that victims of crime should be treated with compassion and respect for their dignity, Part A recommends measures to be taken on behalf of victims of crime at the international, regional and national levels. The United Nations Convention on Transnational Organized Crime and the United Nations Convention against Corruption also require States Parties to take measures to assist or protect victims (UNTOC Art 25, UNCAC Art 32).

However, despite the adoption of the Declaration there was little evidence that Member States took adequate measures for the improvement of the treatment of victims, including changes to their legal systems, as noted in "The Guide for Policy Makers on the Implementation of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power", developed by the Expert Group Meeting on Victims of Crime and Abuse of Power which was established in response to ECOSOC resolution 1996/14, on developing a manual to aid implementation of the Declaration.

Thus, twenty-five years since the adoption of the Declaration, it is worthwhile for criminal justice practitioners of Member States to review their criminal justice systems in accordance with it, and UNAFEI, as an institute of the UN Crime Prevention and Criminal Justice Programme Network, therefore decided to hold this Seminar.

During the Seminar the participants diligently and comprehensively examined the current situation of measures for victims of crime in their respective countries, primarily through a comparative analysis. The participants shared their own experiences and knowledge of the issues, and identified problems and areas in which improvements could be made. After engaging in in-depth discussions with the UNAFEI faculty and visiting experts, the participants were able to put forth effective and practical solutions that could be applied in their respective countries.

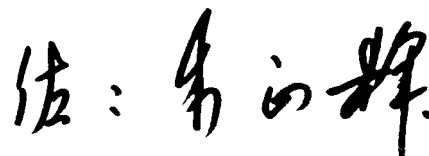
I would like to offer my sincere congratulations to all the participants upon their successful completion of the Seminar, made possible by their strenuous efforts. My heartfelt gratitude goes to the visiting experts and ad hoc lecturers who contributed a great deal to the Seminar's success. Furthermore, I appreciate the indispensable assistance and co-operation extended to UNAFEI by various agencies and institutions, which helped diversify the programme.

I would like to express my great appreciation to the Japan International Cooperation Agency (JICA) for its immeasurable support throughout the Seminar. At the same time, a warm tribute must be paid to the Asia Crime Prevention Foundation (ACPF) and its branch organizations for their substantial contributions to our activities. Lastly, I owe my gratitude to all the individuals whose unselfish efforts behind the scenes contributed significantly to the successful realization of this Seminar.

Upon returning to their home countries, I genuinely believe that, like their predecessors, the strong determination and dedication of the participants will enable them to work towards the improvement of their respective nations' criminal justice systems, and to the benefit of international society as a whole.

Finally, I would like to reiterate my best regards to the participants of the 144th International Senior Seminar. I hope that the experience they gained during the Seminar proves valuable in their daily work, and that the bonds fostered among the participants, visiting experts and UNAFEI staff will continue to grow for many years to come.

February 2010

A handwritten signature in black ink, reading '佐々木 昌之' (Sasaki Masayuki).

Masaki Sasaki
Director, UNAFEI

THE 144TH INTERNATIONAL SENIOR SEMINAR

"THE ENHANCEMENT OF APPROPRIATE MEASURES FOR VICTIMS OF CRIME AT EACH STAGE OF THE CRIMINAL JUSTICE PROCESS"

Seminar Rationale

Considerable attention has deservedly been paid to ensuring due process and establishing fundamental rights for suspects and defendants. In contrast, under modern criminal justice systems, victims of crime were "forgotten persons" until the middle of the twentieth century. Despite the fact that they were the most adversely affected by crime, little attention was paid to their protection, support, rights, interests and legal status in the criminal justice system. However, a common understanding regarding the necessity of promoting the protection and the support of victims of crime has developed.

This development, which mainly took place in Western countries after the 1960s, can be divided into three stages. The first stage was the establishment of a system of monetary support for the victim (1960s). The second stage was the strengthening of immediate and direct support for the victim (1970s). After the second stage there was a realization that the victim in the criminal justice process had very few rights and the actual process sometimes victimized them a second time and this led to the third stage. The third stage has brought about the enactment of statutes for the improvement of the legal status of the victim and the establishment of the rights of the victim (from the 1980s).

It was not until the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (hereinafter referred to as "the Congress") in 1980 that the United Nations really focused on the issue of the protection of victims, when the Congress discussed this issue under the agenda item "Crime and the abuse of power: offences and offenders beyond the reach of the law". Five years later, "The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power" was adopted at the Seventh Congress held in Milan, Italy in September 1985, and subsequently by the United Nations General Assembly on 29 November 1985 (Assembly Resolution 40/34 annex). The Declaration is the most fundamental instrument adopted by the United Nations in relation to the improvement of the treatment of victims in the crime prevention and criminal justice field. The Declaration is divided into two parts, namely "Part A: Victims of Crime" and "Part B: Victims of Abuse of Power". In summary, based on the philosophy that victims of crime should be treated with compassion and respect for their dignity, Part A recommends the following measures to be taken on behalf of victims of crime at the international, regional and national levels:

- that victims of crime are entitled to access to the mechanism of justice and fair treatment (Declaration 4-7);
- that fair restitution to victims by offenders responsible for their behaviour should be realized (Declaration 8-11);
- that States should endeavour to provide financial compensation to victims, when compensation is not fully available from offenders (Declaration 12,13); and
- that victims should receive necessary material, psychological and social assistance. (Declaration 14-17).

Part B proposes that states should consider incorporating into their national law norms

proscribing abuses of power and providing remedies to victims of such abuses. However, despite the adoption of the Declaration there was little evidence that Member States took adequate measures for the improvement of the treatment of victims, including changes to their legal systems. In consideration of the above, the United Nations Economic and Social Council recommended that Member States take the necessary steps to give effect to the provisions contained in the Declaration in its resolution 1989/57, and recognized the need for continuous efforts to do so and to adapt the Declaration to meet the full range of needs and the circumstances of different countries in the preamble of its resolution 1990/22. Moreover, the United Nations Commission on Crime Prevention and Criminal Justice (hereinafter referred to as "the Commission"), at its fifth session, adopted a resolution to develop a manual or manuals on the use and application of the Declaration, which was subsequently adopted as ECOSOC resolution 1996/14. In response to that resolution, the Expert Group Meeting on Victims of Crime and Abuse of Power was established, and it developed "The Handbook on Justice for Victims on the Use and Application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power"¹ (hereinafter referred to as "the Handbook") and "The Guide for Policy Makers on the Implementation of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power"² (hereinafter referred to as "the Guide"). The Guide points out a major discrepancy between the implementation and the philosophy of the Declaration by stating in its introduction "There is probably no jurisdiction where the treatment of victims of crime and abuse of power is fully in accordance with the Declaration". In 2005, the Bangkok Declaration on Synergies and Responses adopted at the Eleventh Congress declared that "we recognize the importance of giving special attention to the need to protect witnesses and victims of crime and terrorism, and we commit ourselves to strengthening, where needed, the legal and financial framework for providing support to such victims, taking into account, inter alia, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power".

From the other perspective, the United Nations Convention on Transnational Organized Crime (hereinafter referred to as "UNTOC") and the United Nations Convention against Corruption (hereinafter referred to as "UNCAC") require States Parties to take measures to assist or protect victims (UNTOC Art 25, UNCAC Art 32).

Thus, twenty-five years since the adoption of the Declaration, it was worthwhile for criminal justice practitioners of Member States to review their criminal justice systems in accordance with it.

Giving due consideration to the above mentioned rationale, UNAFEI, as a regional institute of the United Nations Crime Prevention and Criminal Justice Programme Network, explored in this Seminar various issues that relate to victims of crime, with due consideration for the Declaration.

In regard to victims of crime, the restorative justice approach has been frequently discussed in recent years. "Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters"³, which is also a United Nations instrument, should be referred to when the restorative justice approach is discussed as a related issue to victims of crime in this Seminar, although the restorative justice approach was not the focal point of this Seminar.

Regarding the matter of victims of abuse of power, although it is a topic of grave concern, it was too broad an issue to include as a theme of this Seminar. Therefore, in this Seminar, we did not address the issue of victims of abuse of power unless it was necessary to discuss the issue of victims of crime.

¹ "The Handbook on Justice for Victims on the Use and Application of Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power" United Nations Office for Drug Control and Crime Prevention, Centre for International Crime Prevention, New York, 1999. It can be obtained at the following web site. <http://www.uncjin.org/Standards/standards.html>

² "The Guide for Policy Makers on the Implementation of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power." United Nations Office for Drug Control and Crime Prevention, Centre for International Crime Prevention, New York, 1999. It can be obtained at the above web site.

³ Economic and Social Council Resolution 2000/14 U.N. Doc. E/2000/INF/2/Add.2

Objectives

The purpose of this Seminar was to offer participants an opportunity to share experiences and knowledge regarding measures for victims of crime. In order to achieve this purpose, the Seminar programme provided an opportunity to clarify the current situations and problems existing in the respective countries in the field of measures for victims of crime. There was also an opportunity to build participants' knowledge of possible ways to enhance measures for victims of crime at all stages of the criminal justice process. In doing so, the participants were expected to use the Declaration as a yardstick and the Handbook and the Guide, mentioned above, as their main reference materials. Among the major topics studied were the following:

- (1) Current situation of and problems with measures for victims of crime at the investigation stage (Declaration Art 6 (a), (b), (d), Handbook Chap. III A):
 - a. Consideration of the views and concerns of victims of crime in investigation (e.g. making of a complaint);
 - b. Ensuring victims' safety and privacy (e.g., prohibition of access by the offender to the victim, separate waiting rooms);
 - c. Providing information for victims of crime (e.g. progress of investigation, available measures for assistance).
- (2) Current situation of and problems with measures for victims of crime at the prosecution stage (Declaration Art.6 (a), (b), 7, Handbook Chap. II E, III B):
 - a. Consideration of the views and concerns of victims in prosecution (e.g. Private prosecution, measures of objection to non-prosecution and dismissal of the case);
 - b. Mechanisms for the resolution of disputes other than by formal prosecution (e.g. mediation, reconciliation and arbitration, including the restorative justice approach);
 - c. Providing information for victims of crime (e.g. the prosecutor's disposition and reason for the disposition).
- (3) Current situation of and problems with measures for victims at the trial/sentencing stage (Declaration Art 6(a), (b), (d), 8-11, Handbook Chap. II D, F, III C):
 - a. Consideration of the views and concerns of victims regarding the criminal trial (e.g. victim participation in criminal trials, questioning of witnesses/defendant by the victim, victim impact statement);
 - b. Restitution from offender through the criminal trial or attached process (e.g. compensation order, reparation order, reconciliation in the criminal process, *constitution de partie civile*);
 - c. Ensuring the victim's safety and privacy (e.g. confidentiality of victim's identifying information, witness protection programmes);
 - d. Minimizing the burden on victims in testifying as a witness (e.g. video link, testimony using videotape, victims' attendants);
 - e. Providing information for victims of crime (e.g. the schedule of the trial, inspecting or making copy of the trial record).
- (4) Current situation of and problems with measures for victims of crime at the execution of sentence stage (Declaration Art 6(a), (b), Handbook Chap. III D):
 - a. Consideration of the views and concerns of victims regarding the treatment of offenders at the post-sentencing stage (e.g. opinion hearing on parole or release, involvement in sessions for the education of offenders on the impact of crime on victims);
 - b. Providing the victim and the community with information concerning the treatment of offenders (e.g. date of release, legal grounds for release and location of sex offenders).

- (5) Current situation of and problems with measures for victims of crime at all stages of the criminal justice process (Declaration Art 6 (c), 12, 14-16, Handbook Chap. II.F.):
- a. Necessary material, medical, psychological and social assistance (e.g. shelter, counselling, legal assistance);
 - b. State compensation system for victims of crime;
 - c. Strengthening co-operation with other criminal authorities or organizations, experts or community outside of the criminal justice system;
 - d. Training on victim matters for criminal justice practitioners;
 - e. Other effective measures for victims of crime (e.g. raising public awareness).

Seminar Summary

Lectures

In total, seven lectures were presented by visiting experts, eight by ad hoc lecturers, and seven by the professors of UNAFEI. Five distinguished criminal justice practitioners and scholars from abroad served as UNAFEI visiting experts. They lectured on issues relating to the main theme, and contributed significantly to the Seminar by encouraging discussions after their own lectures, participating in the discussions of other programmes, and conversing with the participants on informal occasions. Additionally, distinguished senior officials of the Government of Japan and university professors delivered ad hoc lectures. The lecturers and lecture topics are listed on pages 8 to 9.

Individual Presentations

During the first two weeks, each Japanese and overseas participant delivered an individual presentation, which introduced the actual situation, problems and future prospects of his or her country. These papers were compiled onto a USB memory stick and distributed to all the participants. The titles of these individual presentation papers are listed on pages 10 to 11.

Group Workshop Sessions

Group Workshop sessions further examined the subtopics of the main theme. In order to conduct each session effectively, the UNAFEI faculty selected individuals to serve as group members for the sub-topics, based on their response to a questionnaire previously distributed. Selected participants served as chairpersons, co-chairpersons, rapporteurs or co-rapporteurs, and visiting experts and faculty members served as advisers. Each group's primary responsibility was to explore and develop their designated topics in the group workshop sessions. The participants, experts and UNAFEI faculty studied the topics and exchanged their views based on information obtained through personal experience, the individual presentations, lectures and so forth. After the group workshop sessions, reports were drafted based on the discussions in their groups. These reports were subsequently presented in the report-back session, where they were endorsed as the reports of the Seminar. Brief summaries of the group workshop reports are provided on pages 12 to 14.

Visits and Special Events

Visits to various agencies and institutions in Japan helped the participants obtain a more practical understanding of the Japanese criminal justice system. In addition to the Seminar's academic agenda, many activities were arranged to provide a greater understanding of Japanese society and culture, with the assistance of various organizations and individuals, including the Asia Crime Prevention Foundation (ACPF). For more detailed descriptions, please refer to pages 15 to 18.

Lecture Topics

Visiting Experts' Lectures

- 1) Prof. John P.J. Dussich (USA)
 - "Victimology - Past, Present and Future"
- 2) Prof. Cho Kyoon Seok (Republic of Korea)
 - "Measures for Crime Victims in the Korean Criminal Justice System"
- 3) Prof. Dr. Kumaravelu Chockalingam (India)
 - "Measures for Crime Victims in the Indian Criminal Justice System"
- 4) Ms. Kim Herd (USA)
 - "Assistance for Federal Crime Victims at All Stages of the Criminal Justice Process"
- 5) Ms. Martina Peter (Germany)
 - "Measures to Protect Victims in German Criminal Proceedings"

UNAFEI Professors' Lectures

- 1) Mr. Haruhiko Higuchi, *Professor*, UNAFEI
 - Challenges of the Koban (Police Box) System in the 21st Century
- 2) Ms. Fumiko Akahane, *Professor*, UNAFEI
 - Prosecution in Japan
- 3) Mr. Jun Oshino, *Professor*, UNAFEI
 - The Courts
- 4) Mr. Junichi Watanabe, *Professor*, UNAFEI
 - Institutional Corrections in Japan
- 5) Mr. Toru Kawaharada, *Professor*, UNAFEI
 - The Community-Based Treatment of Offenders System in Japan
- 6) Mr. Tetsuya Sugano, *Professor*, UNAFEI
 - Institutional Corrections in Japan: Juvenile Institutions

- 7) Mr. Haruhiko Ukawa, *Deputy Director*, UNAFEI
 - Promoting the Interests of Crime Victims: Ministry of Justice Responses
- 8) Mr. Motoo Noguchi, *Professor*, UNAFEI
 - International Criminal Tribunal and Victims

Ad Hoc Lectures

- 1) Mr. Shinichi Seto
Director, Office for Policies on Crime, Cabinet Office
 - Current Conditions and Future Issues with Measures for Crime Victims
- 2) Mr. Hayato Takagi
Director, Office for Crime Victims, National Police Agency
 - The Police Support for Crime Victims in Japan
- 3) Mr. Akira Yamagami
Administrative Director, National Network for Victims
 - Victim Support in Japan: History, Current Situation, and Future Tasks - Psychology of Victimization and Victim Support
- 4) Ms. Emiko Okubo
Executive Board Member, Victim Support Center of Tokyo
 - Protection and Support of Crime Victims from their Viewpoints
- 5) Mr. Keisuke Senta
Professor, University of Tokyo Graduate Schools of Law and Politics
 - Victim Support and Protection within the Framework of the United Nations Conventions in Criminal Matters
- 6) Mr. Tatsuya Ota
Professor, Keio University Faculty of Law
 - Victim Support in Asia
- 7) Ms. Fusako Ishibashi
Chief, Victim Support Division, Japan Legal Support Center Headquarters
 - Support for Crime Victims by the Japan Legal Support Center (JLSC)
- 8) Ms. Yukiko Yamada
Director, Victim-Offender Dialogue Programme Management Center
 - Necessity and Fulfillment of Dialogue with Offenders from the Viewpoint of Victims - Activities of "Victim-Offender Dialogue Meetings"

Individual Presentation Topics

Overseas Participants

- 1) Mr. Md. Awlad Ali Fakir (Bangladesh)
 - Country Report on Victims of Crime
- 2) Ms. Valéria Raquel Pereira Martirena (Brazil)
 - Victim-Etymological Considerations and the Treatment Given in the Brazilian Penal System
- 3) Mr. Conrado A. Reyes (Guatemala)
 - Current Situation of Violence in Guatemala
- 4) Mr. Wawan Muliawan (Indonesia)
 - Indonesia Criminal Justice Process for Victims of Crime in Human Trafficking Cases
- 5) Mr. Nayaya Balarabe Sulaiman (Nigeria)
 - The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of the Criminal Justice Process
- 6) Mr. Shakeel Ahmad Durrani (Pakistan)
 - The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of the Criminal Justice Process
- 7) Mr. Muhammad Athar Waheed (Pakistan)
 - Victims of Crime in Pakistan
- 8) Mr. Donald Yamasombi (Papua New Guinea)
 - The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of the Criminal Justice Process
- 9) Mr. Eduardo José Tristán Castro (Peru)
 - Appropriate Measures for Victims of Crime
- 10) Mr. Manuel Goloso Co (Philippines)
 - The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of The Philippine Criminal Justice System
- 11) Ms. Mari Elvira Bote Herrera (Philippines)
 - The Measures Provided for Crime Victims in the Prosecution Stage of the Philippine Criminal Justice System
- 12) Mr. Shem Philip (Vanuatu)
 - The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of The Vanuatu Criminal Justice Process
- 13) Mr. Vu Nam Ha (Vietnam)
 - The Enhancement of Appropriate Measures for Victims of Crime at Each Stage of The Criminal Justice Process

- 14) Mr. Musaed Dhaifallah Qaid Al-Dhaheri (Yemen)
 - Current Situation of Measures for Victims of Crime at Each Stage of the Criminal Justice Process in the Republic of Yemen

Japanese Participants

- 15) Mr. Mahito Araki
 - Victim Support Measures at the Investigation Stage Provided by the Public Prosecutors Offices in Japan
- 16) Mr. Yoshiaki Furukawa
 - Current Situation and Challenges of the Policy and Measures for Victims of Crime in the Offender Rehabilitation Services
- 17) Mr. Masahito Murohashi
 - The Enhancement of Appropriate Measures for Victims at Each Stage of the Japanese Criminal Justice Process: Current Situation of and Problems with Measures for Victims at the Trial/Sentencing Stage
- 18) Mr. Hiroshi Sato
 - Victim Support at the Stage of Public Prosecutors' Disposal
- 19) Mr. Ko Takano
 - Current Situation and Problems of Measures for Victims of Crime at the Execution of Sentence Stage
- 20) Mr. Ryoji Terado
 - Offenders and Crime Victims
- 21) Mr. Masaki Yokose
 - Support for Crime Victims from the National Police Agency, Japan

Japanese Observers

- 22) Ms. Emiko Nishimura
 - Victim Support Related Juvenile Hearings in Japan
- 23) Mr. Takashi Nishioka
 - The Victim Support System During Trial in Japan

Group Workshop Sessions

Group 1

MEASURES FOR VICTIMS OF CRIME AT EACH STAGE OF THE CRIMINAL JUSTICE PROCESS WITH SPECIAL ATTENTION TO VICTIMS OF SEX CRIME/CHILD VICTIMS

Chairperson	Ms. Mari Elvira Bote Herrera	(Philippines)
Co-chairperson	Mr. Masahiro Murohashi	(Japan)
Rapporteur	Mr. Donald Yamasombi	(Papua New Guinea)
Co-Rapporteur	Mr. Eduardo José Tristán Castro	(Peru)
Members	Mr. Ryoji Terado	(Japan)
	Ms. Valéria Raquel Pereira Martirena	(Brazil)
	Mr. Philip Shem	(Vanuatu)
	Mr. Takeshi Nishioka	(Japan)
Visiting Experts	Prof. Cho Kyoon Seok	(Rep. of Korea)
	Ms. Martina Peter	(Germany)
	Ms. Kim Herd	(USA)
Advisers	Prof. Tetsuya Sugano	(UNAFEI)
	Prof. Fumiko Akahane	(UNAFEI)
	Prof. Ayako Sakonji	(UNAFEI)

Report Summary

Group One discussed the following issues with reference to their respective countries' experiences: (i) Collection/reception of evidence; (ii) Preservation of evidence; (iii) Improvement of Line Agencies Co-operation; (iv) Providing for the safety and wellbeing of victims. Following comprehensive discussions on these matters, the group then made the following recommendations:

1. Special consideration should be given to the mental and physical needs of victims, specifically, via the following initiatives: (a) the development of a central system or organization to provide for victims' medical, social, welfare and psychological needs, as well as collection and preservation of evidence; (b) development of guidelines for investigators on matters such as methods of collection and preservation of evidence, interview techniques, etc.; and (c) core group training for police officers, to include education in social, medical, psychological and religious/community services available to victims.
2. Governments should implement awareness and enlightenment programmes for vulnerable groups, with the support of police, teachers, public health professionals and the mass media.
3. The privacy and dignity of victims should be protected via: (a) creation of female-majority police units or stations to handle sex crimes; (b) non-disclosure of the victim's personal information; (c) modified behaviour of personnel who deal with victims.
4. The State should render professional protection and services (including psychological services) to victims.
5. Victims or their immediate family members (unless the family members are the perpetrators of the crime) should be notified of the status of the case at every stage of criminal justice proceedings.
6. Legal frameworks should be established to allow for victim protection and victim participation in judicial procedure.
7. Victim advocate programmes should be developed in the community to provide legal support, liaise between agencies, monitor case progress, escort victims to police stations and courthouses, and to provide psychological support.

Group 2

**MEASURES FOR VICTIMS OF CRIME AT EACH STAGE OF THE
CRIMINAL JUSTICE PROCESS WITH SPECIAL ATTENTION TO VICTIMS
OF VIOLENT CRIME, INCLUDING HOMICIDE**

Chairperson	Mr. Manuel Goloso Co	(Philippines)
Co-Chairperson	Mr. Hiroshi Sato	(Japan)
Rapporteur	Mr. Muhammad Athar Waheed	(Pakistan)
Co-Rapporteur	Mr. Yoshiaki Furukawa	(Japan)
Members	Mr. Md. Awlad Ali Fakir	(Bangladesh)
	Mr. Nam Ha Vu	(Vietnam)
	Ms. Emiko Nishimura	(Japan)
Visiting Experts	Mr. Musaed Dhaifallah Qaid Al-Dhaheer	(Yemen)
	Prof. Cho Kyoong Seok	(Rep. of Korea)
	Ms. Martina Peter	(Germany)
	Ms. Kim Herd	(USA)
Advisers	Prof. Haruhiko Higuchi	(UNAFEI)
	Prof. Jun Oshino	(UNAFEI)
	Prof. Toru Kawaharada	(UNAFEI)

Report Summary

Following comprehensive discussions, Group Two made the following recommendations:

1. Each state may establish a separate national institution responsible for planning and execution of national victim policy.
2. There is need for specific laws providing for victims' rights to information, compensation and restitution and other allied services.
3. Each state should create a victim support fund for all categories of victims of crime, but especially for women and children. Those states with the requisite financial resources are recommended to institute a system of fine surcharge; some percentage of fines collected from offenders must be added to the victim support fund.
4. Each state may incorporate victim impact statements in its criminal justice system.
5. General practitioners should receive training in issues which commonly arise in dealing with victims, and advanced training should be mandatory for specialized units, such as those dealing with crisis interventions.
6. There must be proper infrastructure and systems to provide information to crime victims, including separate offices and facilities.
7. The information-gathering procedure should be simplified with the provision of a "one-stop shop" service for crime victims.
8. The nation state must establish a balance between offenders' and victims' rights at each stage of the criminal justice process, without prejudice the rights of suspects or offenders.
9. Each state must inculcate sensitivity to the rights of victims in its national educational policies.
10. The media should avoid secondary victimization of crime victims by adhering to international codes of ethics for media professionals.
11. Communities should be involved in victims' issues through awareness, motivation and participation campaigns.
12. Each state may encourage public-private partnerships for victim support.
13. Research on victims' concerns should be both governmental and academic, and modifications in the criminal justice system can be undertaken in view of given policy recommendations. Independent sources within each state should undertake a national survey of crime victims.
14. States should focus on the 3Ms Formula: man, material and method. Capacity building of human resources, separate infrastructure and modified procedure and practice will lead to a fairer and more just system for victims of crime.

Group 3

MEASURES FOR VICTIMS OF CRIME AT EACH STAGE OF THE CRIMINAL JUSTICE PROCESS WITH SPECIAL ATTENTION TO VICTIMS OF ORGANIZED CRIME

Chairperson	Mr. Mahito Araki	(Japan)
Co-Chairperson	Mr. Conrado A. Reyes	(Guatemala)
Rapporteur	Mr. Shakeel Ahmed Durrani	(Pakistan)
Co-Rapporteurs	Mr. Balarabe Nayaya Sulaiman	(Nigeria)
	Mr. Masaki Yokose	(Japan)
Members	Mr. Muliawan Wawan	(Indonesia)
	Mr. Ko Takano	(Japan)
Visiting Experts	Prof. Cho Kyoon Seok	(Rep. of Korea)
	Ms. Martina Peter	(Germany)
	Ms. Kim Herd	(USA)
Advisers	Prof. Naoyuki Harada	(UNAFEI)
	Prof. Junichi Watanabe	(UNAFEI)

Report Summary

Group Three considered this topic with particular reference to human trafficking (hereinafter "HT") and recommended both short-term and long-term measures. Short-term measures: 1. States should establish special units to protect victims of and witnesses to organized crime. 2. Criminal justice officials, especially investigators, should be sensitized to the suffering of victims of HT. 3. Co-ordination and co-operation among various agencies and organizations, including NGOs, should be streamlined by a national commission for prevention of HT. 4. Vulnerable groups should be targeted in awareness-raising campaigns which highlight the dangers to life and health caused by HT. 5. Weak and vulnerable groups should in no way be treated as offenders. If and when detained, they should not be confined and should be afforded all possible material assistance and be informed of their rights. 6. Affected countries should post representatives on a reciprocal basis to liaise and oversee treatment provided in each country.

Long-term measures: 1. An administratively and financially autonomous national level committee should be established to ensure provision of immediate assistance to victims of organized crime, particularly HT. The committee should address rehabilitation and restitution or compensation. 2. Best practices of treatment of victims should be replicated even if they do not relate specifically to victims of HT. 3. A national committee for prohibition of HT, comprising legislators, academics, intellectuals, representatives of I/NGOs and experienced criminal justice practitioners, should reassess existing anti-HT laws and suggest amendments as necessary. 4. Countries of origin, transit and destination should maintain close co-ordination and should sign bilateral or multi-lateral MOUs to ensure that victims are treated with compassion and respect, even though they may be *prima facie* offenders. 5. These MOUs should provide for informal mechanisms of information-sharing to identify and protect victims of HT. 6. Private sector participation should be ensured to extend social assistance to victims of HT. 7. An independent national institute should be established to study victimology, with reference to HT. 8. To compensate victims, governments should create a victims' fund from fines collected from all offenders. 9. Items recovered or confiscated from offenders should also be used to compensate victims.

Observation Visits

<u><i>Date</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
20 Jan.	Tokyo District Public Prosecutors Office	• Mr. Shuji Iwamura (Chief Prosecutor)
	Ministry of Justice	• Ms. Keiko Chiba (Minister of Justice)
1 Feb.	Tokyo District Court	
	The Supreme Court	• Mr. Yuuki Furuta (Justice)
9 Feb.	Fuchu Prison	• Mr. Hideo Fujimoto (Special Assistant to the Warden)

Group Study Tour

<u><i>Date</i></u>	<u><i>Location</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
3 Feb.	Hiroshima	• Hiroshima Prefectural Police HQ	• Mr. Masayoshi Watanabe (Assistant Director of the Police Safety Consultation Division)
4 Feb.	Hiroshima	• Chugoku Regional Parole Board	• Mr. Kenji Yamada (Director)
	Hiroshima	• Hiroshima Probation Office	• Ms. Masako Suzuki (Director)
	Hiroshima	• Hiroshima Public Prosecutors Office	• Mr. Masao Nobuta (Deputy Chief Prosecutor)
5 Feb.	Kyoto	• Kyoto Victim Support Center	• Prof. Minoru Oya (Director)

Special Events

14, 15, 19 Jan. *Japanese Conversation Classes*

The overseas participants attended three Japanese conversation classes and learned practical Japanese expressions. The *sensei* (teacher) was Ms. Junko Toyoguchi of JICE.

20 Jan. *Courtesy Visit to the Ministry of Justice and
Reception by the Vice-Minister of Justice*

After visiting the Ministry of Justice, a reception was held by the Vice-Minister of Justice, Mr. Kotaro Ono, at the Ministry of Justice, Tokyo.

21 Jan. *Social with Tokyo University Students*

A social was held at UNAFEI to allow the participants a chance to meet with students of Tokyo University School of Law.

25 Jan. *Friendship Party with Japanese VPOs*

A Friendship Party was held at UNAFEI to allow the participants a chance to chat informally with Japanese Volunteer Probation Officers.

29 Jan. *Public Lecture and UNAFEI Alumni Reception*

The Public Lecture Programme is conducted annually to increase social awareness of criminal justice issues through comparative international study. The public lecture, sponsored by the Asia Crime Prevention Foundation (ACPF), the Japan Criminal Policy Society (JCPS) and UNAFEI, was held in the Grand Hall of the Ministry of Justice and was attended by distinguished guests, UNAFEI alumni and the participants of the 144th Senior Seminar.

This year, Ms. Kim Herd, Chief of the Victim Witness Assistance Unit, United States' Attorney's Office for the District of Columbia, USA, and Ms. Martina Peter, Director of Division RB 2 of the Federal Ministry of Law, Germany, were invited as speakers. They presented papers entitled "Assistance for Federal Crime Victims at All Stages of the Criminal Justice Process" and "Measures to Protect Victims in German Criminal Proceedings: A Summary with Special Focus on the Key Points of the Second Victims' Rights Reform Act", respectively.

Afterwards, the UNAFEI Alumni Association hosted an enjoyable reception for the participants at the Lawyers' Club.

1 Feb. *ACPF Nangoku-kai Party*

The ACPF Nangoku Branch kindly hosted a party for the participants where they were entertained by Black Shimada, a Japanese magician.

9 Feb.

Farewell Party

A party was held to bid farewell to all the participants.

Reference Materials

I. United Nations Documents

A. Standards and Norms and Related Materials

1. Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice: Part Three: Crime prevention and victim issues: II. Victims (including UN Declarations of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985, A/RES/40/34), UN Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (2004, Annex I, E/CN.15/2005/14/Add.1).
< http://www.unodc.org/pdf/compendium/compendium_2006_part_03_02.pdf >
2. Criminal Justice Assessment Toolkit: cross cutting issues: victims and witnesses (2006).
< http://www.unodc.org/documents/justice-and-prison-reform/cjat_eng/3_Victims_Witnesses.pdf >
3. Handbook on Justice for Victims on the Use and Application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1999).
< <http://www.uncjin.org/Standards/9857854.pdf> >
4. Guide for Policy Makers on the Implementation of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1999).
< <http://www.uncjin.org/Standards/policy.pdf> >
5. Justice in Matters involving Child Victims and Witnesses of Crime: Model Law and Related Commentary (2009).
< http://www.unodc.org/documents/justice-and-prison-reform/Justice_in_matters...pdf >
6. Handbook on Restorative Justice Programmes (2006) (including UN Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters (2002, E/CN.15/2002/L.2/Rev.1).
< http://www.unodc.org/pdf/criminal_justice/06-56290_Ebook.pdf >
7. Results of the Meeting of the Intergovernmental Expert Group to Develop an Information-Gathering Instrument on United Nations Standards and Norms Related Primarily to Victim Issues: Report of the Secretary-General (2009, E/CN.15/2007/3) (data only).
< <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/V07/805/39/PDF/V0780539.pdf?OpenElement> >
8. Use and Application of Standards and Norms in Crime Prevention and Criminal Justice: Report of the Secretary General (2009, E/CN.15/2009/16).
< http://www.unodc.org/documents/commissions/CCPCJ-session18/CCPCJ18-Documents/ECN_5200916-E.pdf >

B. Conventions and Related Materials

1. United Nations Convention against Transnational Organized Crime and Its Protocol thereto (2003) (excerpts: v(contents), p5, p27-p28).
< <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf> >
2. United Nations Convention against Corruption (2005) (excerpts: p1, p17-p18).
< http://www.unodc.org/pdf/corruption/publications_unodc_convention-e.pdf >
3. Legislative Guides: United Nations Convention against Transnational Organized Crime and (2004) (excerpts: p163-182, p280-p293).
< http://www.unodc.org/pdf/crime/legislative_guides/Legislative%20guides_Full%20version.pdf >
4. Legislative Guides: United Nations Convention against Corruption (2006) (excerpts: p141-146).
< http://www.unodc.org/documents/treaties/UNCAC/Publications/LegislativeGuide/06-53440_Ebook.pdf >

II. Other International or Regional Instruments and Related Materials

A. International Criminal Court

1. Rome Statute of the International Criminal Court (2002).
< http://www.icc-cpi.int/NR/rdonlyres/EA9AEFF7-5752-4F84-BE94-0A655EB30E16/0/Rome_Statute_English.pdf >
2. Rules of Procedure and Evidence (2002, excerpts: Table of Contents, p20-p27, p52-p59).
< http://www.icc-cpi.int/NR/rdonlyres/F1E0AC1C-A3F3-4A3C-B9A7-B3E8B115E886/140164/Rules_of_procedure_and_Evidence_English.pdf >

B. Council of Europe

1. European Convention on the Compensation of Victims of Violent Crimes (1983, Council of Europe).
< <http://conventions.coe.int/Treaty/en/Treaties/Word/116.doc> >
2. Council of Europe, Council Framework Decision on the Standing of Victims in Criminal Proceedings (2001, Council of Europe).
< <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:082:0001:0004:EN:PDF> >

C. Others

1. Draft of United Nations Convention on Justice and Support for Victims and Crime and Abuse of Power (2006, World Society of Victimology).
< <http://www.tilburguniversity.nl/intervict/undeclaration/convention.pdf> >
2. Crime Victims: Doing Justice to Their Support And Protection (2003, HEUNI publication written by Irvin Waller).
< <http://www.coe.int/t/dghl/standardsetting/victims/crime%20victims.pdf> >
3. Model Codes for Post-Conflict Criminal Justice: Volume 2 (2008, United States Institute for Peace: Model Code of Criminal Procedure) (excerpts: chapter 5).
< <http://www.usip.org/files/MC2/MC2-8-Ch5.pdf> >

III. Others

A. United Kingdom

1. The Victims Charter (2004, Criminal Justice System, UK).
< <http://www.homeoffice.gov.uk/documents/victims-charter?view=Binary> >
2. The Code of Practice for Victims of Crime (2005, Office for Criminal Justice Reform, UK).
< <http://www.homeoffice.gov.uk/documents/victims-code-of-practice?view=Binary> >

B. United States

1. New Directions from the Field: Victims' Rights and Services for the 21st Century: Index, Executive Summary, Chapter 1 & Chapter 2 (2000, Office of Victims of Crime (OVC), US) (excerpts: i, vii- xxiii, p1-p146).
< <http://www.ojp.usdoj.gov/ovc/new/directions/pdf/txt/direct.pdf> >
2. First Response to Victims of Crime (2008, OVC, US) (excerpts: index, 1-13, 37-65).
< <http://www.ojp.usdoj.gov/ovc/publications/infores/pdf/txt/FirstResponseGuidebook.pdf> >
3. Attorney General Guidelines for Victim and Witness Assistance (2005, OVC, US).
< http://www.justice.gov/olp/pdf/ag_guidelines.pdf >
4. Guidelines for Victim-Sensitive Victim-Offender Mediation: Restorative Justice through Dialogue (2000, OVC, US) (excerpts: p1-25).
< http://www.ojp.usdoj.gov/ovc/publications/infores/restorative_justice/restorative_justice_ascii_pdf/ncj176346.pdf >

C. Japan

1. Basic Act on Crime Victims (2004).
< <http://www.japaneselawtranslation.go.jp/law/detail/?printID=&ft=3&re=01&dn=1&bu=16&x=27&y=23&ky=&page=12&vm=03> >
2. Code of Criminal Procedure (Chapter 1&2) (2006 version, data only).
< <http://www.japaneselawtranslation.go.jp/law/detail/?printID=&ft=3&re=01&dn=1&bu=16&x=27&y=23&ky=&page=4&vm=02> >
3. For Victims of Crime (Public Prosecutors Office).
< <http://www.moj.go.jp/ENGLISH/CRAB/crab-02.html> >
4. White Paper on Crime 2007 (p241-256).
5. Police Support for Crime Victims (National Police Agency, 2009) (data only).
< <http://www.npa.go.jp/english/kyuuyo1/Police%20Support%20for%20Crime%20Victims.pdf> >
6. Japan's Actions to Combat Trafficking in Persons (Ministry of Foreign Affairs) (data only).
< http://www.mofa.go.jp/policy/i_crime/people/pamphlet.pdf >
7. Stop the Violence (Gender Equality Bureau, Cabinet Office) (data only).
< <http://www.gender.go.jp/e-vaw/book/images/pdf/stoptheviolence.pdf> >

D. Other Countries

1. The Emergence of Victim's Rights in Thailand: Twenty Years after the U.N. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (Prof. Prathan Watanavanich, Thailand, UNAFEI Resource Material Series No. 70, p.3-25, data only).
< http://www.unafei.or.jp/english/pdf/PDF_rms/no70/p003-p30.pdf >
2. Group work Reports in UNAFEI 131st International Training Course (UNAFEI Resource Material Series No. 70, p.3-25, data only).
Group 1: Protection of Victims of Crime in the Criminal Justice Process.
< http://www.unafei.or.jp/english/pdf/PDF_rms/no70/p163-169.pdf >
Group 2: Response to the Needs of Victims of Crime.
< http://www.unafei.or.jp/english/pdf/PDF_rms/no70/p170-178.pdf >
Group 3: Active Participation of Victims of Crime in the Criminal Justice Process.
< http://www.unafei.or.jp/english/pdf/PDF_rms/no70/p179-186.pdf >

Experts and Participants List

Visiting Experts

Prof. Cho Kyoon Seok	Professor School of Law Ehwa Womans University Republic of Korea
Ms. Kim Herd	Chief Victim Witness Assistance Unit United States' Attorney's Office for the District of Columbia, USA
Ms. Martina Peter	Regierungsdirektorin Referentin (Legal Officer), Division RB 2 Law of Criminal Proceedings Federal Ministry of Law Germany
Prof. John P. J. Dussich (USA)	Director Tokiwa International Victimology Institute, Tokiwa University Japan
Prof. Dr. Kumaravelu Chockalingam (India)	Deputy Director Tokiwa International Victimology Institute, Tokiwa University Japan

Overseas Participants

Mr. Md. Awlad Ali Fakir	Superintendent of Police Faridpur District Police Bangladesh
Ms. Valéria Raquel Pereira Martirena	Head of Police Officers on Duty 5 th District Regional Police Station Civil Police Department of the Federal District Brazil
Mr. Conrado A. Reyes	Lawyer Criminal Cases of the National Property Register, Register Security Department Guatemala

Mr. Wawan Muliawan	Chief of Operational Unit Security Intelligence Division Indonesian National Police Indonesia
Mr. Balarabe Nayaya Sulaiman	Assistant Commissioner of Police Legal Section Force Criminal Investigation Department Nigeria Police Nigeria
Mr. Shakeel Ahmed Durrani	Director of Balochistan Province Interior Division Federal Investigation Agency Pakistan
Mr. Muhammad Athar Waheed	Senior Superintendent of Police Regional Investigation Branch Rawalpindi Regional Police Force Pakistan
Mr. Donald Yamasombi	Director of Criminal Investigations Crimes Division Royal Papua New Guinea Constabulary Papua New Guinea
Mr. Eduardo José Tristán Castro	Analayst and Advisor of Important and Relevant Information, General Secretariat National Police of Peru Peru
Mr. Manuel Goloso Co	Regional Director National Capital Region Parole and Probation Administration Philippines
Ms. Mari Elvira Bote Herrera	State Prosecutor (Prosecutor II) National Prosecution Service Department of Justice Philippines
Mr. Shem Philip	Coordinator for Liaison Officers Crime Prevention and Community Safety Unit Vanuatu Police Force Vanuatu
Mr. Nam Ha Vu	Head of Police Communication and Command Center, Police Staff Department General Department of Police

Ministry of Public Security
Vietnam

Mr. Musaed Dhaifallah Qaid Al-Dhaheri

Deputy General Manager
General Department of Tourism Police
Ministry of Interior
Yemen

Japanese Participants

Mr. Mahito Araki

Public Prosecutor
Tokyo District Public Prosecutors Office

Mr. Yoshiaki Furukawa

Chief
Chief of Planning and Co-ordination Department
Tokyo Probation Office

Mr. Masahiro Muroshashi

Judge
Tokyo District Court

Mr. Hiroshi Sato

Public Prosecutor
Osaka District Public Prosecutors Office

Mr. Ko Takano

Special Assistant to the Superintendent
Naniwa Juvenile Training School

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Senior Researcher
Research Division
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Mr. Masaki Yokose

Police Inspector
Personnel Division
Commissioner General's Secretariat
National Police Agency

Ms. Emiko Nishimura

Government Attorney
International Cooperation Department
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Ministry of Justice

Mr. Takeshi Nishioka

Government Attorney
International Co-operation Department
Research and Training Institute
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**THE 15TH SEMINAR ON CRIME PREVENTION AND
CRIMINAL JUSTICE FOR THE PEOPLE'S REPUBLIC OF
CHINA**

The 15th Seminar on Crime Prevention and Criminal Justice for the People's Republic of China was held from 16 November to 3 December 2009. Twelve participants and three course counsellors attended.

Mr. Jiang Jing	Deputy Director-General Department of National Judicial Examination Ministry of Justice of the People's Republic of China
Mr. Kang Yu	Deputy Director-General Department of Judicial Assistance and Foreign Affairs, Ministry of Justice of the People's Republic of China
Mr. Zhang Zhao-Xin	Deputy Director-General Bureau of Re-Education through Labor Administration, Ministry of Justice of the People's Republic of China
Mr. Liang Ran	Division Director Bureau of Prison Administration Ministry of Justice of the People's Republic of China
Mr. Jiang Hai-Tao	Division Director Department of National Judicial Examination Ministry of Justice of the People's Republic of China
Mr. Li Nai-Bao	Deputy Division Director Department of Finance Ministry of Justice of the People's Republic of China
Ms. Wang Rui-Guang	Personnel Department Ministry of Justice of the People's Republic of China
Mr. Zhang Gui-Long	Deputy Director Regulations Filing and Review Department Legislative Affairs Commission Standing Committee of the National People's Congress of the People's Republic of China

Ms. Liu Zuo-Jun	Deputy Director-General Legislation Planning Department Legislative Affairs Commission Standing Committee of the National People's Congress of the People's Republic of China
Mr. Guo Li-Ran	Assistant Judge The Third Criminal Tribunal Supreme People's Court of the People's Republic of China
Mr. Nie Hong-Yong	Senior Judge The Judicial Supervision Court Supreme People's Court of the People's Republic of China
Mr. Deng Yun	Division Director Educating and Training Division of Political Department, The Supreme People's Procuratorate of the People's Republic of China
Mr. Lu Jia-Yi	Director General Office of the National Prosecutors College of the People's Republic of China
Mr. Yu Lin-Tao	Deputy Chief of Division Criminal Investigation Department Ministry of Public Security
Mr. Niu Yong	Director Clerk Criminal Investigation Department Forensic Science Division, Ministry of Public Security

INFORMATION ABOUT FORTHCOMING PROGRAMMES

1. The Tenth Country Focused Training Course on the Juvenile Delinquent Treatment System for Kenya

The Tenth Country Focused Training Course on the Juvenile Delinquent Treatment System for Kenya will be held from 15 February to 11 March 2010. The Course is entitled "Development of a Child Care and Protection Officers' Training System". Twelve government officials and one JICA observer will attend.

2. The Sixth Seminar on Criminal Justice for Central Asia

The Sixth Seminar on Criminal Justice for Central Asia will be held from 3 to 18 March 2010. The theme of the Seminar is "Effective Criminal Justice Measures against Drug Offences and Prevention of International Drug Trafficking". Nine participants from four Central Asian countries, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, will attend.

3. The 145th International Training Course

The 145th International Training Course will be held from 12 May to 17 June 2010. The tentative theme of the Course will be "Effective Resettlement of Offenders by Strengthening 'Community Reintegration Factors'". Ten overseas participants and nine Japanese participants will attend.

Rationale

Since the 1990s, scientific trends measuring the efficacy of rehabilitative programmes for offenders from the viewpoint of 'what works' have spread in many countries and, as a result, many have come to believe that applying adequate treatment methods to a relevant group of offenders could change their behaviour and reduce the possibility of repeat offences. Particularly, programmes based on cognitive behavioural theory, designed to encourage offenders to acknowledge their offending behaviour, consider its impact, address the distortions in their perspectives and thinking, change their attitudes, and develop strategies for avoiding situations giving rise to their offending in the future, have come to be widely utilized in both institutionalized and community-based settings.

However, it has become gradually apparent that these programmes alone are not sufficiently effective unless coupled with programmes aimed at strengthening community reintegration factors, such as stable accommodation, basic skills (such as literacy and numeracy), employment, and budgeting/debt counselling. Strengthening these factors will achieve the following objectives in terms of the treatment of offenders:

- It reduces the possibility of repeat offences;
- It increases the possibility that cognitive behavioral programmes, etc. will be successfully completed; and
- It could complement and reinforce the efficacy of such programmes.

It is necessary to strengthen these integration factors, in particular, for the treatment of prolific or persistent offenders. Because those offenders are likely to have multiple problems, working on a single factor of offending behaviour, for example the distortions in their perspectives, is not sufficient, and, it is also important to take a wide range of community reintegration factors into consideration for their treatment. The Japanese government's *White Paper on Crime 2009*, based upon a follow-up research of 1,210 offenders who received a suspended sentence (691 offenders for larceny and 519 offenders for violations of the Stimulants Control Act), statistically demonstrates that offenders with:

- (i) proper employment;

- (ii) family members, etc. with whom the offender lives (stronger ties with family members); or
 - (ii) a guarantor who swore supervision of the offender in court;
- have lower rates of repeat offences (the Research and Training Institute of the Ministry of Justice, *White Paper on Crime 2009* [English Version], forthcoming).

Strengthening community reintegration factors cannot be appropriately implemented by a single agency. Co-operation with a wide range of agencies, organizations and individuals is indispensable. The White Paper on Crime 2007 states that "a multidisciplinary approach" for wide-ranging support is to be carried out with the close collaboration of the criminal justice agencies and other relevant agencies responsible for employment, welfare, education, health and medicine and so forth (the Research and Training Institute of the Ministry of Justice, *White Paper on Crime 2007* [English Version], p.360). In the international community, the necessity of strengthening the role of groups and individuals outside the public sector is also emphasized.¹ Strengthening community reintegration factors, through establishing co-operation with such a wide range of agencies, organizations and individuals in both the public sector and the private sector, is, however, difficult to accomplish, and it is a great challenge in the treatment of offenders at present.

Based on the above, this course aims to clarify the current situations and problems existing in participating countries' treatment of offenders systems, mainly in terms of ways of strengthening community reintegration factors, i.e., supporting employment, securing stable accommodation, developing basic skills, and so on. It also aims to study good measures to improve these kinds of treatment for offenders, including ways of co-operating with concerned agencies, organizations and individuals in the public sector and the private sector, and by doing so, aims at further promotion and development of the administration of both institutional and community-based treatment of offenders in the participating countries.

Objectives

The purpose of this Training Course is to offer participants an opportunity to share experiences and knowledge regarding the effective resettlement of offenders by strengthening community reintegration factors. In order to achieve this purpose, the training programme will provide an opportunity to clarify the current situations and problems existing in the respective countries in the field of the resettlement of offenders by strengthening community reintegration factors. There will also be opportunity to build participants' knowledge of possible measures to improve ways of strengthening community reintegration factors of offenders at all stages of criminal justice proceedings. In doing so, the participants are expected to deal with offenders, considering their social inclusion.

(1) Current situations and problems of the treatment of offenders at all stages of criminal justice proceedings in participating countries in terms of strengthening community reintegration factors:

- (a) Measures for strengthening community reintegration factors during investigation, prosecution and diversion at the pre-adjudication stages, etc.;
- (b) Measures for strengthening community reintegration factors at the adjudication stage;
- (c) Measures for strengthening community reintegration factors during the institutional corrections (the examples of concrete topics are as follows):
 - Employment support guidance;
 - Academic/educational training;

¹ See *The Bangkok Declaration*, adopted by the United Nations on the occasion of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice. It declares, "we recognize the role of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in contributing to the prevention of and the fight against crime and terrorism" (paragraph 9).

- Specific treatment for developing basic skills other than academic/educational training;
 - Measures for securing accommodation after release;
 - Others;
- (d) Measures for strengthening community reintegration factors during the community-based treatment or aftercare programmes (examples of concrete topics are as follows):
- Employment support guidance;
 - Specific treatment for developing basic skills;
 - Measures for securing stable accommodation;
 - Others;
- (e) Current situations and problems in co-operating with agencies, organizations and individuals in both the public and private sectors and community involvement at the above stages of criminal justice proceedings:
- (2) Examining ways of strengthening community reintegration factors effectively at all stages of criminal justice proceedings:
- (a) Ways of strengthening community reintegration factors during investigation, prosecution and diversion at the pre-adjudication stages, etc.;
- (b) Ways of strengthening community reintegration factors at the adjudication stage;
- (c) Ways of strengthening community reintegration factors effectively during institutional corrections (examples of concrete topics are as follows):
- Employment support guidance;
 - Academic/educational training;
 - Specific treatment for developing basic skills other than academic/educational training;
 - Measures to secure accommodation after release;
 - Others;
- (d) Measures for strengthening community reintegration factors during community-based treatment or aftercare programmes (examples of concrete topics are as follows):
- Employment support guidance;
 - Specific treatment for developing basic skills;
 - Measures to secure stable accommodation;
 - Others;
- (e) Effective ways of establishing co-operation with agencies, organizations and individuals in both the public and private sectors and community involvement at the above stages of criminal justice proceedings.

ADMINISTRATIVE NEWS

Overseas Trips by Staff

Professor Junichi Watanabe and Mr. Kazuyuki Nagata (Staff) visited Perth, Australia from 14 to 21 November 2009 to attend the 29th Asian and Pacific Conference of Correctional Administrators.

Director Masaki Sasaki, Deputy Director Haruhiko Ukawa, Mr. Naoyuki Harada (Professor), Ms. Yoshiko Kawashima (Staff) and Mr. Ikuo Kosaka (Staff) went to Manila, the Philippines, to attend the Third Regional Seminar on Good Governance for Southeast Asian Countries, which was held from 9 to 12 December 2009. The topic of the Seminar was "Measures to Freeze, Confiscate and Recover Proceeds of Corruption, including Prevention of Money-Laundering". UNAFEI, the Department of Justice of the Republic of the Philippines and the UNODC Regional Centre for East Asia and the Pacific co-hosted the Seminar.

Mr. Naoyuki Harada (Professor) visited Hong Kong, China from 14 to 17 December 2009 to attend the Fourth ICAC Symposium co-hosted by the Independent Commission against Corruption (ICAC) and the European Anti-Fraud Office (OLAF).

Mr. Jun Oshino (Professor) visited Courmayeur, Italy, from 9 to 14 December 2009 to attend the annual Co-ordination Meeting of the Programme Network Institutes.

Ms. Ayako Sakonji (Professor), Mr. Toru Kawaharada (Professor), and Mr. Kenichiro Koiwa (Staff) visited Manila and Cavite, the Philippines, from 10 to 16 January 2010 to attend the "Monitoring, Evaluation and Interaction Workshop" held by the Parole and Probation Administration of the Philippines.

FACULTY AND STAFF OF UNAFEI

Faculty:

Mr. Masaki Sasaki	Director
Mr. Haruhiko Ukawa	Deputy Director
Mr. Motoo Noguchi	Professor
Mr. Naoyuki Harada	Professor
Ms. Fumiko Akahane	Professor
Mr. Jun Oshino	Professor, Chief of Training Division, 144th Seminar Programming Officer
Mr. Haruhiko Higuchi	Professor
Mr. Toru Kawaharada	Professor, Chief of Information and Library Service Division
Mr. Tetsuya Sugano	Professor, Chief of Research Division
Ms. Ayako Sakonji	Professor
Mr. Junichi Watanabe	Professor, 144th Seminar Deputy Programming Officer
Ms. Grace Lord	Linguistic Adviser

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Mr. Masato Fujiwara	Co-Deputy Chief of Secretariat
Mr. Koji Kobayashi	Co-Deputy Chief of Secretariat

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Mr. Masaaki Kojitani	Chief
Mr. Kei Saito	Officer
Mr. Yuichi Shirakawa	Officer
Ms. Kayoko Ono	Officer

Training and Hostel Management Affairs Section:

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Ms. Yoshiko Kawashima	Co-Chief
Mr. Ikuo Kosaka	Officer
Ms. Miki Usuki	Officer, 144th Seminar Assistant Programming Officer
Mr. Ryuichi Nishitani	Officer

International Research Affairs Section:

Mr. Hideo Takahashi	Chief
Ms. Naoko Iwakata	Librarian

Secretarial Staff:

Mr. Kazuyuki Nagata
Ms. Hisayo Yamada

Kitchen:

Ms. Sae Sakai	Chef
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144th Seminar JICA Co-ordinator:

Ms. Miki Yamamoto
