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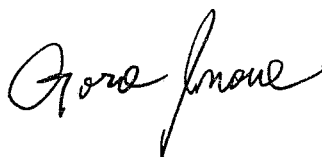
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PREFACE

Since the establishment of the Criminological Research Department within the Research and Training Institute of the Ministry of Justice in 1959, it has been one of the practices for the Institute to publish the results of its annual research activities with a view to contributing to the planning and formulation of social defense policy in Japan. The publication is entitled "Bulletin of the Criminological Research Department." The thirtieth issue of the Bulletin has been published lately.

Because of rather frequent inquiries from overseas researchers and criminologists regarding research projects completed or in progress at the Department, the Institute has proceeded with publishing a summary of the Bulletin in English from 1964, also in the hope that useful comments by overseas would enrich the research activities in Japan. The Bulletin of the Criminological Research Department No. 30 (1987) is a bulky and detailed document of over 239 pages covering all the research activities undertaken during the year of 1986 comprising final reports. The Summary in English contains 25 pages. To prepare a summary of this kind is not an easy task, particularly when it involves lengthy analytical process of voluminous data. The interests of readers might also vary from methodological particulars to conclusions with all the necessary qualifications. In some cases, I am afraid, clarity and accuracy might have been sacrificed for conciseness. We will continue to try our best to satisfy the interest of as many readers as possible and the dual requirements of this kind of publication, clarity and conciseness.

This English version of the Summary was prepared by the faculty staff of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI). I gratefully acknowledge their valuable contributions.



Goro Inoue
President
Research and Training Institute
Ministry of Justice
Japan

NCJRS

MAR 27 1988

ACQUISITIONS

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**The Change and Regional Disparities
in Sentencing Observed in Cases
of Homicide and Robbery Involving Death**

MOMOSE, Takeo
MATSUNAGA, Eiji
YASUMORI, Mikihiro
YOSHIDA, Hiroyuki
AOKI, Nobuto

1. According to the judicial proceedings of Japan, courts will principally impose a determinate sentence upon those who are found guilty. And, in determining the severity of such determinate sentences, the Supreme Court has shown a general principle in which it states: "The kind and severity of a punishment should be commensurate to the nature and gravity of relative offence, " and this principle has so far been followed in the practices of trial proceedings. In recent years, however, legal practitioners have raised some doubts that the sentencing in courts has shown an extremely lenient trend after World War II and the sentencing might not have been in proportion to the nature and gravity of an offence. Furthermore, they have pointed out that differences in sentencing have been widely recognized in sentencing throughout the country, and such spread of regional differences might have given to the public some feelings of unfairness. This research therefor, examines and verifies the validity of the doubts.

2. Based on criminal statistics materials, we examined the actual sentencing practices in district courts of first instance on death and life imprisonment sentences for every five years since 1950. It was found that the incidence of imposing the sentence of death penalty upon offenders of homicide and robbery involving death (the utmost penalty for these two offences are death penalty, and it may be reduced to a determinate sentence under extenuating circumstances.) showed the highest rate in the early 1950s, and followed a downward trend to the lowest rate in the early 1970s. It has been on a slightly upward trend since the late 1970s and in the early 1980s. It seems then, that as the result of the examination above, the lenient trend of sentencing practices which advanced until the early 1970s has been returning to the original pattern of sentencing principle.

3. In order to examine the differences in sentencing practices, we observed the actual sentencing practices of district courts attached to the eight high court regional jurisdictions throughout the country based on criminal statistics materials. We first observed the total numbers of those being found guilty on charges of homicide and robbery involving death for the eight year period from 1978 to 1985, and then respective observed distribution of the number of those found guilty who were sentenced to death penalty, life imprisonment or imprisonment for a fixed term. We then, compared these rates among the eight high court regional jurisdictions.

Among them, we selected the Tokyo and Osaka High Court Regional Jurisdictions as the subjects for this summary report, to verify the differences of sentencing, since they have a greater number of those being found guilty on charges of homicide and robbery involving death than other jurisdictions. First, the Tokyo High Court Regional Jurisdiction has higher rates of sentencing death penalty and life imprisonment both for homicide and robbery involving death than the Osaka Jurisdiction, and secondly, the rate of imposing sentence in conformity with statutory penalty is higher in the Tokyo Jurisdiction rather than in the Osaka Jurisdiction.

These differences might be caused by the diverse understandings of value or the inhabitants' feelings in the region, and it will be rather difficult to find the grounds for such differences at the present stage.

4. We observed the change of sentencing from among the document of decisions in every ten years' span since the 1950s, and found the following results.

- (1) The lenient trend of sentencing is obviously observed in a case of robbery causing death, and it is only slightly observed in a case of homicide.
- (2) In a case where the victim of killing is one in number, the death penalty might not be imposed as a general trend.
- (3) In Sentencing, the sympathetic or unhappy life of offenders have been considered as favourable factors for them in many cases.
- (4) It is generally observed that the objective facts such as inhumane or brutal killing have been lightly considered with less emphasis in sentencing.

To sum up, the evaluating elements or factors in sentencing might have been changed to put an emphasis upon an offender rather than upon a victim, and these trends have worked favourably for an offender, and caused the lenient trend of sentencing practices.

Follow-Up of Young Offenders Released from Juvenile Training Schools Second Report

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The first report of our study, published in the Bulletin of the Criminological Research Department, No. 29, in 1986, was to present the results of the follow-up study as of 1 February 1985 with regard to a total of 4,000 young offenders released from juvenile training schools from 1 January to 31 December 1980. Major findings of the study were: 1) Offenders without committing any further offences after the release from juvenile training schools numbered 1,276 (31.9%); 2) Offenders who were re-arrested after the release but not re-committed to correctional institutions numbered 1,398 (35.0%); 3) Offenders who were re-arrested and re-committed to correctional institutions of either juvenile training schools or prisons, numbered 1,326 (33.2%); and 4) Among these 1,326 offenders, 852 offenders (21.3%) were in fact sent to prisons.

Among such 852 youthful prisoners, 188 offenders (184 males and 4 females) who were confined in prisons as of 1 October 1985, were selected and subjected to the research on their consciousness in order to find out some of the factors related to their recidivism. The present report, the second report of our study, was to present some of the major findings with regard to these youthful recidivists.

1. Socio-Criminogenic Characteristics

With regard to education, 69.2% were junior-high school graduates among a total of 184 male youthful recidivists. In terms of offences committed after the release from juvenile training schools, 38.6% committed offences against property and 22.3% committed offences related to stimulant drugs. Among them, 48.4% were members of organized gangster groups or bōryokudan, and 38.2% jointed bōryokudan at the age of nineteen or twenty. They joined bōryokudan because they were enticed by their play-mates (38.2%) or by other bōryokudan members (38.2%). In terms of the experience of drug abuse, those offenders affiliated with bōryokudan groups showed a significantly higher rate of abuse of stimulant drugs (84.3%) than those who were not affiliated with

bōryokudan (48.4%). It was also found that only 30.4% of these youthful recidivists had some specific vocational skills, knowledge or certificates.

2. Opinions on the Life in Juvenile Training School

Among them, 22.3% were of the opinion that "I had the will to rehabilitate myself while I was confined in a juvenile training school, but from time to time I lost the will". Also, 16.8% answered that "I gradually began to get the will for my rehabilitation". They were motivated for rehabilitation because they realized that they had to rehabilitate themselves by their own efforts (35.0%), or because they wished to be released earlier from juvenile training schools (29.8%). On the contrary, some of them answered that they lost the will for rehabilitation, because they easily got accustomed to the life in juvenile training schools (25.6%), or because they failed in works or in studies assigned to them in juvenile training schools (17.4%). As to their anticipations after the release from juvenile training schools, some of them were afraid about whether they could be successfully employed in the society or not (35.3%), and others were afraid whether or not they could be accepted again by their family members (29.3%) or by their community people (27.7%).

3. Life and Employment Right after the Release from Juvenile Training School

Most of the youthful offenders (73.9%) answered that their parents were sympathetic when they returned to their homes; but at the same time, more than half of them answered that they could not settle smoothly in their residences, because they felt embarrassed or because they could not somehow get on so well as before.

With regard to their employment after the release from juvenile training schools, approximately two thirds of them (65.8%) were somehow employed when they returned to the society. Among these employed ex-offenders, 34.7% were employed in civil engineering and construction, 30.6% in manufacturing factories, and 14.9% in restaurants. However, most of them could not continue their jobs and easily changed their workplaces. On the average, they changed their jobs 3.8 times after the release.

4. View of Life

View of life of these youthful recidivists was studied in comparison with that of the general youths population of their counterpart, which was studied by the Youth Affairs Administration, Management and Coordination Agency, Prime Minister's Office. One of the notable differences between youthful recidivists and general youths was found in terms of the way they get rid of "stress". Those young offenders attempted

to do so by driving or by wandering around amusement quarters in downtown; while on the other hand, general youths attempted to do so by hearing music or by chattering with friends.

5. View of Vocation

View of vocation of these youthful recidivists was studied in comparison with that of the general young labourers of their counterpart which was studied in 1984 by the National Institute of Employment and Vocational Research. It indicated that these young recidivists showed poorer adjustment in their occupation than the general young workers; and that young ex-offenders did not yet find their appropriate occupation.

6. Factor Analysis by Quantificating the Data

"Prediction" or "prognosis" of recidivism was attempted on the basis of the quantified data and findings obtained in this follow-up study. Although no major breakthrough was found, the following four factors were considered to be most closely related to recidivism among the youthful offenders released from juvenile training schools:

- a) joining bōryokudan after the release from juvenile training schools;
- b) lack of vocational knowledge and lack of sincere attitude toward works;
- c) lack of the will to strengthen the ties with parents and with the community people;
and
- d) lack of the motivation for rehabilitation while confined in juvenile training schools.

**Research on the Behavioural Characteristics of the Inmates Committed to
the Juvenile Detention and Classification Homes — The First Report —
Putting an Emphasis upon Evaluation Method of Their Behaviours**

TAKEDA, Ryoji
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KONDO, Hideo

The first report is to analyze and observe the correlations between the results of evaluation conducted through observing the behaviours of, and the personal and environmental problems of 1,024 juvenile subjects who were committed to the Juvenile Detention and Classification Homes throughout the country in October and November 1986. The evaluation items of their behaviours are: (A) Adaptability to live of the Home; (B) Co-operativeness; (C) Dominant attitude (or Subordinative attitude); (D) Observance of the regulations and instructions imposed; (E) Repentant attitude; (F) Behaviours akin to delinquent groups; and (G) Problematic behaviours in the Homes. Among them, the evaluation of A to E items were rated into five scales, and that of F was done into three scales, and that of G was based on nineteen types of problematic behaviours. The main results of the behavioural evaluation based on such rating system of these items are as follows.

1. Among five rate scales of evaluation items of A to E, those who belonged to the third and were evaluated as ordinary were 40 to 60 percent out of all subjects. Those who were observed of behaviours akin to delinquent groups were 8 percent, and those who were observed of any problematic behaviours in the Home were 27 percent.
2. The teaching staff serving in smaller Homes are given more chances to observe the behaviours of inmates rather than those in larger Homes, and the teaching staff working in dormitory areas are also given more chances to conduct closer observation of their behaviours rather than those working in other areas. It was found then that those who have rare accesses to direct observation of their behaviours are apt to evaluate their behaviours as ordinary, which is rated at middle scale of behavioural evaluation, because they have less chances to observe the behaviours akin to delinquent groups, and problematic behaviours of inmates in the Homes.

3. As to the personal and environmental problems or difficulties, we observed and evaluated the correlations between twelve evaluation items such as IQ test, personality test, educational record, vocational record and the observation results of juveniles' behaviours at each scale of evaluation items. It was found then that each scale showed to have rather closer correlations with five to nine evaluation items.

4. Among the items in which the staff in charge of classification admitted the causative advancement of delinquency, it was revealed that the eleven evaluation items such as maladjustment in school had the strong correlations with the results of behavioural evaluation at each rate scale.

5. Among fourteen items which were admitted to have geared up the delinquency, it was also founded that there were close correlations among the age of first commitment of delinquency and the delinquency careers (runaway, shop-lifting, sniffing or abuse of thinner or drugs), and the results of behavioural evaluation.

Based on these findings, it was concluded that the problems of juvenile subjects were rather clearly reflected in the behaviours observed during the commitment to the Homes. The second report of this Research is to analyze and observe the correlations between the result of the research which was conducted through using the behavioural check-list and that of behavioural observation which was conducted through using the behavioural delineation method.

A Study on Regional Characteristics of Crime

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KASHIWAGI, Fumio
TERADO, Ryouji
ICHIKAWA, Mamoru

I. Purpose

This study aims to compare the incidence of reported major offences to the population in the respective regions in Japan, to identify regional characteristics of crime in respective regions, to investigate factors which contribute to such characteristics and to file the result of this identification and investigation as fundamental material for further studies.

II. Method

In order to compare the incidence of reported major offences to the population of each prefecture, the Statistics of Crime prepared by the National Police Agency which contain the numbers of reported offences of each prefecture were used. Besides the prefectural comparison above, we divided the whole country into 16 groups as wider regional units and tried to observe the annual incidence of reported major offences to the population in each group. After these proceedings, we tried to find the factors which seemed to cause such regional differences of the incidence of reported major offences, and as a method, we selected firstly some materials of issued statistics of economic, social, cultural and meteorological, etc., and from among them, we picked up some factors which would be assumed to be influential to the incidence of reported major offences. Then, we observed the correlation between the incidence of reported major offences and the factors which were selected as "presumed contributory factors", and tried to select certain factors considered to be contributive to the incidence of reported major offences, by using statistical methods of the Stratified Double Regression Analysis or the Correlation Analysis.

III. Result

The result of this study can be summed up as follows.

The average nationwide incidence of reported homicide cases to the population ("The incidence of reported cases to the population" in this report is defined as the

number of cases cleared by police per a hundred thousand population.) are 2.77 in 1955-64, 2.02 in 1965-74, and 1.60 in 1975-84, which are on a downward trend. Prefectures which had the higher incidence of reported homicide cases in all of the said three decades are Fukuoka, Kohchi and Wakayama, all of which belong to the west region of Japan with a mild climate.

The average incidence of reported robbery cases are chronologically 5.30, 2.82 and 1.87 in the said three decades, which are on a remarkable downward trend. Prefectures which showed the higher incidence in all of the said three decades are Okinawa, Tokyo, Kanagawa and Osaka, which except Okinawa are heavily populated areas.

The average incidence of reported bodily injury cases are respectively 72.6, 49.6 and 24.0 in the said three decades, which are also on a remarkable downward trend. Prefectures which showed the higher incidence in all of the said three decades are Okinawa, Nagasaki, Tokyo and Fukuoka, which except Tokyo are located in Kyushu Island. On the other hand, the prefectures which showed the lower incidence in these decades are Gifu, Aichi and Shizuoka, all of which are located Tokai region, the central Pacific Coast area.

Compared with the above incidence, the average incidence of reported theft cases are respectively 1,112.3, 967.2 and 1,017.5 in the said three decades, which do not show a marked fluctuation. The prefectures which showed higher incidence in these three decades are Tokyo, Osaka, Hokkaido and Fukuoka, which are heavily populated areas.

As mentioned above, we divided 47 prefectures into 16 groups in considering the regional proximity as well as similarity of economic, cultural and climatic factors, then estimated the average incidence of the major crimes in the respective groups, and compared them in the said three decades. As the result, it was identified that, among 16 groups, the average incidence of reported 4 major crimes such as bodily injury, larceny, homicide and robbery showed a high correlation in respect of the regional characteristics in the said three decades. Therefore, the regions which showed higher incidence of reported 4 crimes in a certain previous decade might be assumed to have same higher incidence in the next decade, and on the contrary, the regions which showed such lower incidence might be anticipated to have same lower incidence in the next decade.

Then, for the identification of the regional factors which have caused the difference in the incidence of reported major offences among respective regions, we selected some presumed contributory factors from among the issued statistics such as economic, social, cultural and meteorological, and tried to find whether these factors were actually contributive to the incidence of reported major offences. The result of the investigation is as follows:

- (1) As to the correlations among economic factors (19 factors were selected as the presumed) and the incidence of crime, it was found through the Stratified Double Regression Analysis that the correlations between embezzlement cases and total amounts of debit balances of banks, between murder cases and the budget rate for livelihood assistance, between robbery, bodily injury and larceny cases and the population rate of the tertiary industry and between stimulant drug cases and the total number of houses under construction were strongly observed.
- (2) As to the correlations among social and cultural factors (13 factors were selected as the presumed) and the incidence of crime, it was found through the correlation analysis that the homicide, rape, arson, bodily injury and stimulant drug cases were mostly correlated with the ratio of divorce, and extortion, larceny and embezzlement cases were mostly correlated with the ratio of members of gangsters' groups to the population.
- (3) As to the correlations among meteorological factors (7 factors were selected as the presumed) and the incidence of crime, it became clear through the correlation Analysis that the strongest correlation between the homicide, robbery, rape and bodily injury cases and the high degree temperature was observed.

However, this study has not yet clarified the influencing mechanism of such factors on the incidence of crimes and it seems rare that a single factor can influence the incidence of a crime. Thus, for the achievement of the purpose of this study, the correlation between the incidence of respective crimes and the combination of certain factors will have to be cleared in the future.

Research on Relationship between Types of Criminal Behaviour and Characteristics of Perceptions of Theft Offenders

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KASHIWAGI, Fumio
ICHIKAWA, Mamoru

I. Introduction

As to the trend of the number of Criminal Law offences known to the police (except negligent offences committed by road traffic violators) after World War II, the number of offences except theft has generally been decreasing since 1955. However, the number of thefts has continuously been increasing since 1953. In fact, in 1985, 85.9 percent of Criminal Law offences were theft. In order to achieve effective results both in crime prevention and in the treatment of offenders, it is quite necessary to examine much more accurately the characteristics of theft offenders.

II. Purpose, Object and Methods of the Research

The purpose of the Research was to analyse the relationship between characteristics and perceptions of theft offenders and types of behaviour at the time of committing the offence from many aspects. The population was 764 prisoners serving at various prisons, and 373 juveniles staying at various juvenile training schools, who had committed theft. Methods taken were scrutinizing staff reports on the inmates' behaviour and filling out a questionnaire by inmates.

III. Result and Evaluation

Compared with other offenders, inmates who committed theft have special features. Namely, their education standard is generally low: the percentage of completion of compulsory education or below (70.1%); unemployment at the time of committing the offence (64.8%); not living with families (48.5%); committing theft without collaboration (67.8%); four times or more of imprisonment (38.5%). Theft offenders have more minus factors than the offenders who committed offences other than theft by rate of percentage.

As to the rate of collaboration of theft offence by sex, rate of male offenders is 29.8%, and female is 55.8%. There is a remarkable difference by sex. Teenagers are the most prevalent as to the rate of collaboration (64.2%). The older offenders are, the

lower the rate of collaboration is. Therefore, among offenders in forties or more, only 9.5% offenders of theft collaborated.

At the time of theft commission, the rate of alcohol influence was 26.6% for male and 12.3% for female. Especially, the rate of collaboration influenced with alcohol was 18.3%; on the other hand, the rate of single offenders influenced with alcohol was 28.0%.

In relation to "techniques of neutralization" (cited by Sykes and Matza), result of answers made by theft offenders corresponding to eight sentences which justify stealing at the time of committing or excusing their stealing behaviour indicates that 43.1% of them had such justification for their stealing.

At the same time, 25.0% of theft offenders admitted that victims were liable for their loss of property or for causes against such results. On the other hand, the result of the questionnaire in which theft offenders could choose appropriate answers for the question as to why theft has not been decreasing in such an affluent society shows that 43.6% of them chose the sentence, "the more affluent the society becomes, the more expansive the desire of human beings become", and 32.5% of them chose the sentence in which it states "Unfair feeling because of greater gap between the poor and the rich".

Consciousness of Gangsters Belonging to Criminal Organizations on their Crimes

KAYABA, Kaoru
YASUMORI, Mikihiko
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ICHIKAWA, Mamoru

The Research and Training Institute of the Ministry of Justice took up "The Crime Victims — Causes of their Involvement and their Countermeasures" as the main topic of the 1986 White Paper on Crime and made a consciousness survey of criminals on "why the victim was involved in the crime?".

The subjects of this consciousness survey were almost all the newly admitted criminals into correctional institutions in Japan from 1 October to 31 December 1985, and about one third of the juveniles committed to Juvenile Training Schools in Japan as of October 1985; the total number surveyed was 4,376 persons including 1,109 inmates in Juvenile Training Schools.

This research, based on the materials collected by the above-mentioned survey, focuses on the consciousness of gangsters who belong to criminal organizations, analyses their consciousness about victims of their own crimes, and aims to examine whether gangsters have a unique consciousness on crime; if so, what are its characteristics. 1,181 persons (27.0%) out of 4,376 subjects were gangsters.

The summary of the research results is as follows. Firstly, dividing crimes committed by gangsters into two categories according to victims, which means gangsters and non-gangsters including ordinary citizens, we found that considerable differences existed between gangsters' consciousness as a criminal in these two categories. Especially, in the case of crimes against the life or person of gangsters belonging to another criminal organization, gangsters mention among six factors for the selection of victims advocated by Professor Sparks of Rutgers University, USA, i.e., attractiveness, precipitation, facilitation, vulnerability, impunity and opportunity, "precipitation" and "opportunity" as their motives for having committed their crimes. This shows the fact that many gangsters attribute their crimes, to some extent, to victims when they are also gangsters. Thus the ratio of criminals who answered to the survey that "I do not feel sorry for the victim" or "I am not wrong at all" was much higher when they were gangsters compared to cases where criminals were non-gangsters.

For example, in bodily injury and assault cases, the ratio of criminals who answered

that "I am worse than the victim" was 68.0 percent when criminals were non-gangsters, while the ratio went down slightly to 59.9 percent when criminals were gangsters and victims were non-gangsters. The ratio, however, drastically dropped to 23.9 percent in cases where both criminals and victims were gangsters. While 85.3 percent of non-gangsters answered that "I feel very sorry for the victim", 77.2 percent of gangsters who committed their crimes against non-gangsters answered in the same way, and only 56.3 percent of gangsters answered likewise when victims were also gangsters.

In extortion cases, the ratio of criminals who answered that "I am worse than the victim" was 90.2 percent when criminals were non-gangsters, while the ration decreased to 65.0 percent when crimes were committed by gangsters against non-gangsters, and it further dropped to 22.2 percent when criminals and victims were both gangsters. While 91.6 percent of non-gangsters answered that "I feel very sorry for the victim, in cases where criminals were gangsters, 73.8 percent answered as such when victims were non-gangsters, and only 61.1 percent answered likewise when victims were also gangsters.

As for stimulant drugs cases, to the question, "Do you have a will to give up using stimulant drugs?", 80.2 percent of non-gangsters answered that "I will absolutely give up stimulants. I have a prospect to do so", while only 71.9 percent of gangsters answered in the same way. Moreover, a considerable number of gangsters answered rather negatively that; "I do not want to give up stimulants but I have to".

According to the results of this research, although it is feared that the number of subjects might not be sufficient, the following can be said to have become apparent. Generally speaking, gangsters are, compared to non-gangsters, inclined, whether victims are gangsters or not, to justify their own crimes and to attribute their imputation to victims. It does not seem too much to say that gangsters lack the feeling of both reflection on and atonement for their crimes and that selfishness or self-centeredness is considerably included in their consciousness as criminals.

Study on Parole and Rehabilitation Process of Long-Term Prisoners

Second Report: Analysis and Interpretation

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KAYABA, Kaoru
SAEKI, Masako
YOSHIDA, Hiroyuki
AOKI, Nobuto
GODA, Norio

I. Purpose

The purpose of this study was to contribute to more fair and positive implementation of parole for long-term prisoners (prisoners of life imprisonment or imprisonment of eight years and more) through the comprehensive study of their parole and rehabilitation process.

The handling or disposition for parole application from prisons, parole granting by regional parole boards and parole supervision after release were analyzed in the first report published last year. In this report, the attributes of prisoners which were deemed to be taken into consideration in the parole application and parole granting were examined and analyzed. Moreover, the relationship between respective attributes and the rehabilitation process was also examined.

II. Sample and Methodology

The sample consisted of 339 long-term prisoners who were released from prisons (both on parole and expiration of the term) throughout the country in 1981 excluding female prisoners and prisoners deported immediately after release.

With regard to the methodology, questionnaires were sent to prisons, regional parole boards and probation offices which were asked to answer the questions by referring to records kept by them. Furthermore, new crimes committed by the sample subjects after their release were checked by the criminal record computerized at the Ministry of Justice.

III. Results

1. New Crimes After Release

The percentage of those who committed a new crime within five years after their release among the subjects was the lowest for parolees of life-imprisonment (16.7%), followed by parolees of fixed-term imprisonment (34.5%) and prisoners released on expiration of their fixed-term imprisonment (45.3%).

2. Attributes of Prisoners Taken into Consideration in Selection of Parolees

Attributes of prisoners which were taken into consideration in the selection of parolees were analyzed with regard to prisoners of fixed-term imprisonment among the subjects through examining the parole application from prisons and parole granting by regional parole boards. The results revealed that the attributes showing the likelihood of recidivism after release were most emphasized in the selection of parolees. The attributes showing the possibility of resocialization were also very much considered.

3. Time of Parole Granting for Prisoners of Life-Imprisonment

Parolees of life-imprisonment were divided into two groups; parolees whose term of confinement in prisons was less than fifteen years and parolees confined in prisons for more than fifteen years, and these two groups were compared with regard to their attributes.

The results showed, of course, that parolees released from prisons less than fifteen years had attributes showing less likelihood of recidivism in their criminal records, behaviour in prisons, etc. They did not have any problem about their mental capacity and personality, and they were proved to also have attributes showing the possibility of resocialization with regard to the places where they were expected to return after release.

The comparison of social lives after release between parolees released from prisons less than fifteen years and parolees confined in prisons for more than fifteen years revealed that families and occupation were stable for the former although they were rather unstable for the latter.

4. Attributes of Parolees and Their Rehabilitation Process

After having conducted the statistical test of the relationship among attributes of parolees of two groups, the following were found as significant attributes for the failure of their rehabilitation process.

(1) Characteristics of parolees:

those with mental disorder, alcoholism or dependency to alcohol, or of bōryokudan members (gangsters), gamblers, etc.

(2) Treatment in prisons:

those classified in class B (advanced criminal tendency), or received many disciplinary punishments, etc.

(3) Parole examination by regional parole boards:

those imposed with special conditions as to their criminal behaviour and occupation because the board members took serious views of the life history of prisoners before their commitment to prisons

(4) Parole supervision:

whose age is young, whose guarantors are not parolees' wives, their employment term is short, etc.

The quantification analysis of the attributes which were proved to have close relationship with the rehabilitation process revealed that the attributes contributing strongly to the failure of rehabilitation were: drinking, gambling, mental disorder, etc. On the other hand, the attributes contributing to the rehabilitation were: guarantors who were parolees' wives, sympathetic attitudes of neighbours toward parolees' families. etc.

Study on Correlation between the Change of Attitudes of and the Treatment Measures for Juvenile Probationers – Second Report

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I. Purpose

In the first report, the following points had been clarified, at the initial stage of probationary supervision:

- (1) Juveniles' attitudes or consciousness toward probationary supervision are more closely reflected by their adaptability to life rather than by their attributes or existence or non-existence of problematic behaviours.
- (2) Voluntary probation officers (VPOs) have more doubtful or negative recognition toward juveniles' behaviours than their guardians.
- (3) The attitudes of VPOs responsible for treating juveniles are more closely reflected by their age, experience and job rather than by juveniles' attitudes toward them.

In this second report, at the stage that approximately one year had passed since this probationary supervision was imposed, we intend to analyze the following points:

1. How the juveniles' attitudes, and the recognitions of VPOs and guardians toward juveniles' attitudes were changed in comparison with those at the initial stage of probationary supervision: and,
2. How the change of juveniles' attitudes were related to attributes, existence or non-existence of problematic behaviours, adaptability to life of the juveniles concerned, attitudes of VPOs in treating such juveniles, treatment measures of probationary supervision and their outcomes.

II. Methods

We conducted a follow-up study of 361 juveniles who had been subjected to the sample for the first report.

At the stage that one year had passed since the probationary supervision was imposed, we sent a questionnaire Form II in succession to questionnaire Form I which was distributed within one month after the beginning of probationary supervision, to juveniles, probation officers in charge, VPOs and guardians concerned, to be completed.

From this survey population, the number of responses which all these four subject categories as a pair responded completely was 236, or the rate of collection was 65.4%. Therefore, these 236 juveniles were subjected to the sample for this study.

With regard to the reasons why these questionnaires were not completed and returned, they were as follows:

- (1) The number of juveniles who had moved to another place or had changes of voluntary probation officers in charge was 38, or the rate to the total 361 was 10.5%.
- (2) The number of juveniles who were detained at reform and training schools and the like was 33, or 9.1%.
- (3) The number of juveniles who concealed their whereabouts was 11, or 3.0%.
- (4) The number of juveniles who passed away was 1, or 0.3%.
- (5) The remainder was 42, or 11.6%.

Attention should be paid to the fact that, among them, juveniles in (2) and (3) categories mentioned above, or rate 12.2% as an aggregate rate, of the total were excluded as the non-equivalent subjects for the study because of failure of supervision.

III. Results and Conclusions

As a result of the study, the following points were made clear:

- (1) In order to estimate the juveniles' attitudes a year later since they were placed under probationary supervision, the attitude estimation point system has been devised, in which juveniles being positive to the supervision and showing progress will get high points. As to the juveniles' attitudes to the probationary supervision, those who obtained high attitude estimation points among 236 subject increased from 85.6% at the beginning of probationary supervision to 91.5% a year later; i.e., it shows the fact that the juveniles' attitudes became more positive during the process of probationary supervision.
- (2) A trend of the aforesaid (1) is more notably observed on the juveniles' attitudes to VPOs who maintain the personal relationships with them rather than to those who restrict their behaviours.
- (3) With regard to the differences of mutual recognition among juveniles, VPOs and guardians as to juveniles' attitudes to probationary supervision, we assume the hypothesis that such differences between juveniles and VPOs will certainly be diminished while the probationary supervision goes on, and also, those between juveniles and guardians may be diminished. However, the findings proved that such differences between VPOs and juveniles could be diminished, while those between guardians and juveniles could not be.

- (4) It was found that the juveniles' attitudes to probationary supervision had not been directly influenced by their attributes at its initial stage, but have some relations with sex and Intelligence Quotient (IQ) among their attributes a year later; i.e., female juveniles showed more favourable attitudes to probationary supervision than males, and, the juveniles with higher IQ abilities showed more favourable attitudes than those with lower IQ abilities.
- (5) No close relationship was found between the juveniles' attitudes to probationary supervision and their problematic behaviours in their first period (the first 4 months), but such a relationship was found in the latter 4 months after three-fourths of a year. It might be said therefore that the juveniles' attitudes in the latter part of probationary supervision are closely related to the existence or non-existence of problematic behaviours, and the juveniles in the latter category shall show more favourable adaptability to conditions imposed for probationary supervision. The categories of problematic behaviours are: abscondence, running away from home, instability for school or professional life, immoral intercourse with the other sex, family troubles, drug addiction, gambling and wasteful use of money, etc.
- (6) It was found after one year from the beginning of probationary supervision that the adaptability to life had a favourable relationship to the change of juveniles' attitudes. Therefore, it was recognized that those who showed a high adaptability to life in the passing of one year of probationary supervision might have a rather high possibility toward favourable attitudes.
- (7) No special meaningful correlation was found statistically between the attitudes of VPOs toward treatment and the change of juveniles' attitudes.
- (8) In order to find some correlation between the treatment measures of probationary supervision and the change of juveniles' attitudes, we tried to view the two sides of treatment by VPOs, i.e., the forms and substances of their treatment measures. Among the forms of their treatment, it was found that there was a close correlation between the visitations of VPOs to juveniles and the change of juveniles' attitudes; i.e., in the case of frequent visitations of VPOs to juveniles, and of juveniles to, there was a tendency toward a favourable turn of juveniles' attitudes. Then, as for the substance of treatment, it was also recognized that if the instructions and advice of VPOs to juveniles, advice of VPOs to juveniles' guardians and family members, activities of VPOs to school, workshop and other persons concerned, were positive, these items might give favourable turns to juveniles' attitudes.

- (9) What was reviewed here was the correlation between the result of probationary supervision and the change of juveniles' attitudes, and it was found that those showing the good result of probationary supervision had also the favourable change of their attitudes. Furthermore, those who did not cause further delinquency at the latter stage of probationary supervision (9 to 12 months after its beginning), could easily change their attitudes favourably.

Comprehensive Study on Female Offences — The Sixth Report: Historical Views of Female Offences after World War II

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I Purpose of the Study

This is the final report of a comprehensive study on female offences, which takes up the cases of female offences which occurred after World War II, arranges them in an chronicle order, and finds their interrelations in the context of social change or events, using our research materials which have not been reported so far.

II Methodology of the Study

We picked up the cases of female offences which had been reported in the nationwide newspapers from August 1945 to November 1986, and arranged them in an chronicle order in parallel with that of socially important events observed in several chronological tables of modern history, and tried to overview the interrelations between them.

III Findings of the Study

The following findings as to the interrelations between social change and female offences are those observed in every ten years' span.

1. Social Situation and Female Offences through 1945 to 1954

Regarding the characteristics of female offences in these years it might be said that almost all cases had been committed in order to sustain themselves or their families, i.e., because of poverty under the serial influence of social confusion and reconstruction of the nation, and they were rather minor cases. However, a Kotobuki Maternity Hospital case¹ or a Arakawa-River Barabara Case² had startled the world as the heinous crimes in those years. These cases were only rare ones, and almost all other cases were committed for self-sustaining in the difficult living situation, and the commission of suicide of mothers and children were often observed.

2. Social Situation and Female Offences through 1955 to 1964

In these years, the remarkable spread of motorcars had been achieved with the development of social stabilization and marvelous economic growth, and the number of professional (gross) negligence causing death or bodily injury had greatly increased under the influence of those social advancements. As for female offenders, the number of violators of traffic laws and regulations concerned was only 93 in 1950, while that in 1964 increased to 3,810. In these years, heinous crimes had also been committed by female offenders, and a Nihonkaku case committed for insurance money, a serial poisoning case in Kumamoto Prefecture, a murder case of a barber shop owner as the result of love and lust, might be listed as illustrative cases of such heinous offences. Beside these, prostitution and drug abuse cases had become prominent under the influence of a social trend to seek pleasure and amenities in these years.

3. Social Situation and Female Offences through 1965 to 1974

During a this period, the great growth of the Japanese economy was still being sustained with an ever-increasing Gross National Product (GNP), and the social trend to seek pleasure was still prominent within this economically prosperous background. In these years, the trends of living like hippies, vagrant behaviours of futen, and thinner-sniffing had been frequently observed. In parallel with these general trends to seek pleasure, the female offences had started to increase in number. However, one third of female offences were committed by juvenile delinquents, and almost all cases committed by those delinquents were shop-lifting in department stores or convenience markets, etc. Their main motives for the commission of such offences were to seek pleasure or thrilling experiences, and these trends were characteristic of the female offences in those years.

In relation with the increase of female juvenile delinquents, the number of teen-agers who gave birth to children or those who became mothers out of wedlock were on an upward trend, and cases of deserting or killing their children occurred serially. In this time period, the active female elements who belonged to radical student groups of the Federation Red Army (Rengo Sekigun) and participated in many murders committed through lynching among members, or illegal demonstrations or insurrection activities were markedly arrested. Beside these, the economic inflation caused by the shortage of oil supply which had a serious impact upon the daily lives of general people in Japan, namely the Oil Shock phenomenon, incited murder cases for the purpose of receiving insurance money.

4. Social Situation and Female Offences through 1975 to the Present

The society in these years might be caused the low growth period of economy. This time period presented politically and socially important issues such as the reform of Japanese governmental organs to activate their functions more effectively, the solution of trade friction between Japan and the United States of America or European countries, the action to promote higher morality of statesmen or other persons, and the trial of the scandalous Lockheed case charged on bribery and violation of the Foreign Exchange and Foreign Trade Control Act involving a former Japanese Prime Minister, high-ranking public officials, executive staff of a big company, etc. Furthermore, violent cases which occurred in schools or families had aroused the keen interest of the people in those days. As to the female offences, the problems of female juvenile delinquency started to show more serious aspects and the trends of sexual deviance or more violent behaviours among them became more obvious. The quarrels among heads of female delinquent groups, robbery cases, or murder cases caused through triangular love affairs were also committed by those female delinquents, and the gravity or disparity of delinquency committed by juvenile female offenders was almost equivalent to that committed by adult female offenders.

As regards the adult female offenders, they faced the worst economic depression of 1978 since World War II, and the number of people who borrowed so-called sarakin money from money lenders or usurers showed an upward trend, and the cases of committing suicide or joint suicides because of sarakin troubles occurred frequently, and the problems of sarakin drew the more grave concerns of the people. On the other hand, Japanese society transferred to one with many aged people, who could enjoy a longer life expectation, but the cases in which the aged incapable of walking were stangled, or the aged would be victimized by offences occurred successively.

IV Conclusion

We observed briefly the interrelation between the social change and female offences after World War II, and it seems to be that the female offences might be seemingly changed in their content to reflect the change of times. As a fact, at the present time in which a great number of females have advanced in the society, they have been exposed to great opportunities to commit offences, and therefore, it might be said that female offences will be changed in the coming years. Nevertheless, when we look into individual cases of female offence, we can see that a majority of them have happened because of the typical nature of females. For example, a female living in a difficult situation would be easily driven to the pessimistic imagination that she cannot avoid the commission of an offence

in order to solve such problems. Or, a female would be driven to the typical behavioural action mentioned above, in order to solve the trouble of love affairs. If we observe the nature of female offences precisely, we understand that female offences might have the psychologically, mentally and physically inherent characteristics given to females in their natures and cannot discover direct or strong inter- or causative relations between the female offence and the change of times principally.

Female offences have been recognized so far as the inherent outcomes of biological, psychological, or social factors as the settled sex role; in other words, females lack the creative abilities and are driven unsubstantially to the commission of offences under circumstantial influences. Even if we take the above view as to the grounds of female offences, we should continuously make efforts to evaluate the presumption in the coming years whether female offences could be reformed accordingly to the change of times, or there could be positive interrelations between the advancement into the world of females and the increase of female offences.

1. The husband and wife who were running the Kotobuki Maternity Hospital received many children from poor families and weakened them to death while getting various financial supports from social welfare or other voluntary organs to support them. The number of deaths of children reached to 170.
2. The Offender and the victim were the wife and the husband, the former being a teacher, the latter being a policeman. The wife and her mother jointly killed her husband who was a heavy drinker and violent, tore his body and threw it away in the Arakawa River.