Volunteer Probation Officers in Japan and ASEAN countries

UNAFEI
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Outline

1. Introduction
2. Community Corrections in Japan
3. Overview of the Japanese Volunteer Probation Officer (VPO) System
4. Advantages of VPOs
5. Recent Challenges and Responses
6. Community-based Treatment and Community Involvement in ASEAN countries
7. Conclusion
1. Introduction
United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI)

UNAFEI was established in 1962 by agreement between the United Nations and the Government of Japan with the aim of promoting the sound development of criminal justice systems and mutual cooperation in the Asia-Pacific Region.

Our missions are to provide training courses and seminars for personnel in crime prevention and criminal justice administration and to research and study crime prevention and the treatment of offenders.
Japan is excited to welcome you to

THE THIRD
WORLD CONGRESS
ON
PROBATION

Practitioners, academics and citizens involved in community-based treatment of offenders are invited to attend this World Congress. The Congress attendees, coming from all around the world, will share their knowledge and experience in the fields of probation, parole, pre-trial procedure, residential services, community corrections, juvenile justice, and so on, for the purpose of enhancing community-based treatment measures.

September 12-14, 2017
Shinagawa Prince Hotel
TOKYO
JAPAN

Hosted by
- Ministry of Justice
- Japan Rehabilitation Aid Association
- Japanese Association of Offenders Rehabilitation
- The National Federation of Volunteer Probation Officers
- The National Association of Offenders Rehabilitation Services
The Seminar on Promoting Community-based Treatment in the ASEAN Region (Sep. 2015)

Seminar at UNAFEI, Japan (Sep. 2015)  
- Community Involvement -
2. Community Corrections in Japan
Major Elements of the Japanese Community Corrections

- Police
- Prosecution
- Courts
- Corrections (Institutional)
- Rehabilitation (Community Corrections)

"Rehabilitation Services"
(1) Probation
(2) Parole
(3) Aftercare services for discharged offenders
(4) Pardons
(5) Crime prevention activities
Organization of Ministry of Justice

Ministry of Justice
- Civil Affairs Bureau
- Criminal Affairs Bureau
- Correction Bureau
- Rehabilitation Bureau
  - Regional Parole Boards (8)
  - Probation Offices (50)
    - Branch Probation Offices (3)
    - Local Probation Offices (29)
    - Volunteer Probation Officers Screening Commissions (50)
- Human Rights Bureau
- Litigation Bureau
- Immigration Bureau

National Offenders Rehabilitation Commission

(Institutional)

(Community-based)
The Offenders Rehabilitation Act (2007)
The Volunteer Probation Officers Act (1950)
Anti-Prostitution Act (1956)
Offenders Rehabilitation Services Act (1995)
Pardon Act (1947)
Penal Code (1907)
Juvenile Act (1948)

The Offenders Rehabilitation Act provides for:
(a) the organization of rehabilitation services
(b) categories of person under parole/probationary supervision; conditions; term
(c) measures and procedures; termination; application for review of dispositions
(d) aftercare for discharged offenders
(e) crime prevention activities.
Main Purpose and Standard of Operation of the Rehabilitation Services

1. Main Purpose
To protect society and enhance the welfare of individuals and the public by
(1) preventing offenders and juvenile delinquents from re-offending;
(2) assisting them to become self-reliant as sound members of society and
improve and rehabilitate themselves by treating them properly within
society;
(3) ensuring the suitable operation of pardons;
(4) promoting crime prevention activity, etc. (Art. 1, Offenders Rehabilitation Act).

2. Standard of Operation
Measures for supervision and support should be (a) within the limit of
necessity and (b) the appropriate way for the reformation and
rehabilitation of offenders. This limit should be determined based on the
needs and risks of each offender, e.g. character, age, career, mental and
physical condition, home and friends and other circumstances (Ibid,
Art.3).
Extensive Participation and Cooperation of Citizens in Probation

Minister of Justice

Rehabilitation Bureau

Regional Parole Board

Probation Offices

Volunteer Probation Officers (VPOs) (47,794)

Halfway Houses (103)

Women’s Association for Rehabilitation Aid (WARA) (165,775)

Big Brothers and Sisters Associations (BBS) (4,738)

Cooperative Employers (16,330)

(As of 1 April, 2016)
3. Overview of the Japanese Volunteer Probation Officer (VPO) System
Overview of the Volunteer Probation Officer (VPO) System in Japan

Working together

**Probation Officer (PO)**
- Intake interview
- Making treatment plans
- Interviewing
- Specialized treatment
- Revocation of parole
- Liaising with relevant agencies

**Volunteer Probation Officer (VPO)**
- Interviews on a regular basis
- Working with their families
- Helping them find jobs
- Liaising with local social resources

**Consultation**
- Expert knowledge

**Guidance**
- Monthly report

- Advantages as a local & private citizen
About 48,000 VPOs all over Japan
Overview of the Volunteer Probation Officer (VPO) System in Japan

Number of POs and VPOs and the total number of cases annually

Average caseload per year

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</table>
The VPO concept originated in the Meiji Era (in 1888).

In 1880, the first rehabilitation aid and instruction group was established by volunteers of the community, but it was abolished by law. **However, volunteers recognized that care was necessary for ex-prisoners.**

- **The starting point of community involvement (1888)**
  Community volunteers established a company which gave ex-prisoners care, they raised funds from community and asked community volunteers to counsel and support ex-prisoners.
  This company ran the first halfway house in Japan.
Who thought about the necessity of these facilities and companies?

An ex-prisoner: Kyoichiro KAWAMURA

“The circumstances of the jail were too vicious, so I would like to change them.”

...Later, he became the vice warden of a prison.

Later, he met a volunteer of the community who was an entrepreneur and became a partner and a patron to establish a company.

The entrepreneur: Meizen KI NBARA
In Japan, the VPOs and the movement for the inmate’s reintegration into the society were started by volunteers of the community.

The Japanese government adopted VPOs as an official system by legislation.

After WW II, laws and the administration system were changed drastically, but the VPO system has been sustained to compensate for a shortage of POs.

Currently, the rehabilitation system uses volunteers because the origin comes from civil society.

So, the number of POs is less than VPO.
Now, there are about 48,000 VPOs and 960 POs in Japan.

Is the treatment by non-professional VPO appropriate?

Yes. The treatment they provide is very important!

Because, there are several advantages of VPOs.

For example;

- Being able to take measures depending on the circumstances in the community.
- VPOs supervise offenders who live in the same community.
- POs and VPOs provide two unique perspectives on supervisees.
- It is easy for VPOs to learn new information about a supervisee.
There were **three big incidents** by two supervisees and a former one.

1. Nara pref: An ex-parolee killed a girl and abandoned the corpse (2004).

**After these incidents**, there were many criticisms against the probation/parole supervision system.

Probation officers had **depended on VPOs too much!**
Response to the Criticism

In 2007, the law on community-based treatment was amended, re-defining the roles of POs and VPOs.

- **POs concentrate and have involvement with supervisees who have some difficulties in rehabilitation.**
  
  Requires skills and specialized knowledge as a supervisor.

- **The strength of VPOs that they are community residents.**
  
  Voluntary spirit and the gateway to the community.

However, the number of PO is insufficient, even after the amendment.

These ideas have increased the importance of the VPO’s role.

POs rely on the support of VPOs to supervise probationers and parolees.

This allows **POs to concentrate on the supervisees who require specialized support.**
Like POs, VPOs also function as probation supervisors in Japan.
Recruitment of VPOs ①
Qualifications

(1) **Highly evaluated** in terms of character and conduct in the community

(2) **Enthusiastic** and has **enough time available** to accomplish the necessary duties

(3) **Financially stable**

(4) **Healthy** and **active**

(Art. 3, Volunteer Probation Officers Act)
Recruitment of VPOs ② Procedure

- Recruiting Leads Executives of VPOs Associations, etc.
- Preparing a list of VPO candidates by the Director of the Probation Office
- Screening by the VPOs Screening Commission
- Recommendation by the Director of the Probation Office
- Formal appointment by the Minister of Justice
VPO Legislative Framework

**Legal Status**
- Citizen volunteers commissioned by The Minister of Justice
- Status as a part-time government official

**Salary**
- No salary paid / VPOs may receive reimbursement for all or part of the expenses required for their duties.

**The Term of Office**
- Two years
- Re-appointment is possible under 76 years old
Why they became VPOs?

- Recommended by another VPOs: 71%
- Recommended by municipality: 16%
- Recommended by organization related to offender rehabilitation: 2%
- Recommended by another organization: 8%
- On their own initiative: 1%
- Others: 2%

2,240 VPOs (2004)
94% of VPOs are (or used to be) engaged **Other Volunteer Activities** (MOJ research, 2004)

E.g.
- Community Safety
- Offender Support
- Crime Prevention
- Education
- Youth Development
Other Characteristics
-Age, Gender-

Average Age 61.3 (1989) → 64.9 (2016)

Percentage Distribution of VPOs by Age

Female VPOs 26.1% (2016)
Main Activities of VPOs

(1) Supervise and assist probationers and parolees

(2) Pre-release Social assessment

(3) Promote Crime Prevention Activities
The Role of VPOs
Probation/Parole Supervision and Assistance

Working together

Probation Officer (PO)

- Making treatment plans
- Interviewing
- Delivering special treatment programmes
- Prob./Prl. violations
- Liaising with relevant agencies

Volunteer Probation Officer (VPO)

- Interviews on a regular basis
- Working with their families
- Helping them find jobs
- Liaising with local social resources

Expert knowledge

Guidance

Monthly report

Consultation

Advantages as a local & private citizen
The Role of VPOs ②
Pre-release Social Assessment

Penal institution / Juvenile training school

community

Pre-release Social Assessment

VPOs meet the inmates’ families or other guarantors regularly

→ Coordinates family relationships, residence, job placement, etc.
The Role of VPOs ③
Crime Prevention Activities
The Role of VPOs ③
Crime Prevention Activities
4. Advantages of VPOs
Advantages of the VPO System

- Local character
- Private character
- Continuous support
(1) Local Character

- Immediate contact
- “Neighbours” rather than “Representatives of government”
- Utilizing community resources
(2) Private character

- Personal interaction
- Genuine and warm concern
- Pro-social modelling
- Focus on offenders’ strengths
- Encourage offenders’ rehabilitation with patience and trust

Offenders regain self-esteem, responsibility, identity as law-abiding citizens
(3) Continuity of Activities

- Continuous contact with offenders and their family members since prison term
- Relationship continues as members of the same community
Impact of VPOs on Offenders
- Letter to deceased VPO from former juvenile parolee -

“I would like to repay you for all the help you've given to me. You always listened to me gently, trusted me and praised me from the bottom of your heart for every little thing I did.”

“Now I realize what you wanted to teach me most was to have the firmness of heart to trust people no matter what happens.”
“The first critical component of desistance is empowering relationships, . . . , that he or she is deserving of love and belonging. Being in this relationship gives people the confidence and courage to explore new roles and their attendant skills.” (Dr. Bonita Veysey)
5. **Recent Challenges and Responses**
5. Recent Challenges and Responses

1) Weaker Bonds of the Community

2) Offenders’ Complicated & Diversified Needs

3) Decreasing Number of VPOs
(Poll) “How often do you visit with your neighbours?”

<table>
<thead>
<tr>
<th>Year</th>
<th>Often</th>
<th>To Some Extent</th>
<th>Not Often</th>
<th>Rarely</th>
</tr>
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<tr>
<td>2000</td>
<td>13.9</td>
<td>40.7</td>
<td>23.1</td>
<td>18.4</td>
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<tr>
<td>2007</td>
<td>10.7</td>
<td>30.9</td>
<td>19.4</td>
<td>30.9</td>
</tr>
</tbody>
</table>

(VPOs) “It’s difficult to ask for others' cooperation because the bonds of the community have gotten weaker”

<table>
<thead>
<tr>
<th>Response</th>
<th>%</th>
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<tbody>
<tr>
<td>Yes</td>
<td>51.5</td>
</tr>
<tr>
<td>Unsure</td>
<td>19.0</td>
</tr>
<tr>
<td>No</td>
<td>29.5</td>
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</table>
Challenge (2) Offenders’ Complicated & Diversified Needs

Newly admitted Elderly Inmates

- Rate of Elderly inmates
  - First time
  - 2 - 5 times
  - 6 and more

Rate: 10.4%

Newly admitted Mentally disordered Inmates

- Newly admitted Mentally disordered Inmates

Rate: 12.2%

Chart showing the increase in newly admitted elderly and mentally disordered inmates from 1991 to 2014.
Challenge (3) Decreasing Number of VPOs

Number of VPOs and Capacity Rate

*(Persons)*


* The maximum number fixed by the VPOs Act: 52,500*
1. **Difficulty of Recruitment**
   3 out of 4 VPOs were declined when attempting to recruit new VPOs (2004)

2. **Early Retirement** (within 5 years)

◆ **Reasons for Decline or Early Resignation**
  * Not enough time
  * Psychological burden of working with offenders
    E.g., Lack of confidence, Burden of offenders’ visits, time commitment
  * Cannot gain the understanding of family members
When VPOs Feel Fulfillment or Burden?

VPOs feel a sense of **burden** when they feel...

- Offenders’ **dishonesty** (e.g., tell a lie, miss a visit to the VPO’s home)
- **Difficult to help offenders** rehabilitate themselves (e.g., recidivism)
- Difficulty in response to **complicated and various needs**

VPOs feel a sense of **fulfillment** when they recognize...

- **Positive changes** of probationers and their family members
- Offenders **rehabilitate** themselves
- Offenders’ **gratitude and smiles** when probation/parole supervision is completed successfully
Measures Taken by the Rehabilitation Bureau, MOJ

1. Clarification of the role of POs and VPOs
2. Rehabilitation Support Centre
   - Interviews with offenders
   - Case meetings among VPOs
   - Training for newly appointed VPOs
   - Enhancement of community networks
3. VPO candidate Information Meeting
4. Capacity building of VPOs
   - Assigned 2 VPOs to one case
   - Training for Probation Officers
5. Compensation for VPOs’ injuries or damages
6. Community Corrections and Community Involvement in ASEAN countries
Establishment
- Adopted by UN General Assembly (resolution 45/110, December 1990)
- First draft was developed by UNAFEI participants

Fundamental aims
- **Widest possible use of non-custodial measures**
- **Strengthening community involvement**
  - VII. Volunteers and other community resources
- Implementation in a fair and just manner
- Protecting the human rights of offenders
ASEAN (The Association of South East Nations)

<table>
<thead>
<tr>
<th>Population (thousands)</th>
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<tbody>
<tr>
<td>ASEAN (10 countries)</td>
<td>632,305</td>
</tr>
<tr>
<td>ASEAN + 3 (China, Japan, South Korea)</td>
<td>2,185,220</td>
</tr>
<tr>
<td>World</td>
<td>7,349,472</td>
</tr>
<tr>
<td>Country</td>
<td>Prison Population Rates per 100,000</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Brunei</td>
<td>134</td>
</tr>
<tr>
<td>Cambodia</td>
<td>116</td>
</tr>
<tr>
<td>Indonesia</td>
<td>69</td>
</tr>
<tr>
<td>Laos</td>
<td>119</td>
</tr>
<tr>
<td>Malaysia</td>
<td>172</td>
</tr>
<tr>
<td>Myanmar</td>
<td>113</td>
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<tr>
<td>Philippines</td>
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<td>Singapore</td>
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<tr>
<td>Thailand</td>
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<tr>
<td>Vietnam</td>
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<td>China</td>
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<td>Japan</td>
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<tr>
<td>Korea</td>
<td>107</td>
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</table>

Source: ICPF Website (As of 25 Sep.)
<table>
<thead>
<tr>
<th>Country</th>
<th>Year Est.</th>
<th>Responsible Organization(s)</th>
</tr>
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<tbody>
<tr>
<td>Brunei</td>
<td>2010</td>
<td>Ministry of Culture, Youth and Sports</td>
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<tr>
<td>Cambodia</td>
<td>-</td>
<td>(* Inter-Ministerial WG (2011)… Ministry of Justice, Ministry of Interior, Ministry of Social Affairs, Veteran and Youth Rehabilitation)</td>
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<tr>
<td>Indonesia</td>
<td>1967</td>
<td>Ministry of Law and Human Rights</td>
</tr>
<tr>
<td>Lao PDR</td>
<td>-</td>
<td>(・ Ministry of Justice , ・ Ministry of Public Secutiry)</td>
</tr>
<tr>
<td>Malaysia</td>
<td>2008</td>
<td>○ Ministry of Home Affairs ○ Ministry of Women, Family and Community Development</td>
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<td>Myanmar</td>
<td>1898</td>
<td>○ Ministry of Social Welfare, Relief and Resettlement ○ Ministry of Home Affairs</td>
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<td>○ Ministry of Social and Family Development (MSF) ○ Ministry of Home Affairs (SPS)</td>
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<td>Thailand</td>
<td>1979</td>
<td>Ministry of Justice</td>
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<tr>
<td>Viet Nam</td>
<td>1985</td>
<td>○ Criminal sentence enforcement agency of the district (district police) ○ Commune People’s Committee (CPC) • • • Local government</td>
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<td>Ministry of Justice</td>
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<tr>
<td>China</td>
<td>2011</td>
<td>○ Ministry of Justice ○ Justice departments of local governments</td>
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<td>1989</td>
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### Implementation of Certain Non-Custodial Measures in the ASEAN + 3 Countries

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<td>(✓)</td>
<td>(✓) (✓)</td>
<td>(✓) → Not in practice</td>
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<tr>
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<td>✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
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<td></td>
<td>✓</td>
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<tr>
<td>Lao PDR</td>
<td>(✓)</td>
<td>(✓) (✓) (✓)</td>
<td>(✓)</td>
<td>→ There is no formal probation system</td>
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<tr>
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<td>✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
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</table>

- ✓: Available
- (✓): Available

Note: Human rights information was obtained from the UN Office of the High Commissioner for Human Rights, data from the ASEAN 2011, and other sources.
Challenges of ASEAN Countries

- No Organization/Structure (Cambodia, Laos)
- No Specific Legislation (Indonesia, Myanmar)
- Lack of Supervision, Support of Offenders (Myanmar, Viet Nam)
- Lack of Resources (Many)
- Lack of Professional Skills and Knowledge (Brunei, Philippines)
- High Caseload (Philippines, Thailand)
- Lack of Evaluation (Brunei, Philippines, Singapore)
Development of Community-based Treatment Examples:

- **Cambodia**
  Inter-Ministerial Working Group (2011)

- **Indonesia**
  Juvenile Justice System Act (2012)
  → Implementation of Diversion & Restorative Justice

- **Malaysia**
  Parole (2008), Halfway Houses (2010)

- **Thailand**
  In the process of amending Penal Law

- **Viet Nam**
  Parole was introduced based on New Penal Code (2015)
Community Involvement in ASEAN countries
Volunteer Probation Officers and Other Similar Volunteers in the ASEAN + 3 Countries

<table>
<thead>
<tr>
<th>Country</th>
<th>Year Est.</th>
<th>Name</th>
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<tbody>
<tr>
<td>Japan</td>
<td>1950</td>
<td>Volunteer Probation Officer</td>
</tr>
<tr>
<td>Malaysia</td>
<td>1976</td>
<td>Child Welfare Committee</td>
</tr>
<tr>
<td>Singapore</td>
<td>1971</td>
<td>Volunteer Probation Officer</td>
</tr>
<tr>
<td>Philippines</td>
<td>1978</td>
<td>Volunteer Probation Assistant</td>
</tr>
<tr>
<td>Thailand</td>
<td>1985</td>
<td>Volunteer Probation Officer</td>
</tr>
<tr>
<td>South Korea</td>
<td>1996</td>
<td>Crime Prevention Committee Members</td>
</tr>
<tr>
<td>Myanmar</td>
<td>2002</td>
<td>Voluntary Social Welfare Officers</td>
</tr>
</tbody>
</table>

China...Social Volunteers are involved in Community Corrections
<table>
<thead>
<tr>
<th>Country</th>
<th>Caseload / year</th>
<th>Number of Probation Officers</th>
<th>Number of Volunteers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brunei</td>
<td>18</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Cambodia</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Indonesia</td>
<td>57,456</td>
<td>970</td>
<td>-</td>
</tr>
<tr>
<td>Lao PDR</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Malaysia</td>
<td>2,963</td>
<td>738</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>5,153</td>
<td>700</td>
<td>Approx. 1,400</td>
</tr>
<tr>
<td>Myanmar</td>
<td>211</td>
<td>32</td>
<td>126</td>
</tr>
<tr>
<td>Philippines</td>
<td>44,843</td>
<td>615</td>
<td>13,056</td>
</tr>
<tr>
<td>Singapore</td>
<td>1,500</td>
<td>200</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>2,238</td>
<td>89</td>
<td>250</td>
</tr>
<tr>
<td>Thailand</td>
<td>409,346</td>
<td>2,401</td>
<td>21,575</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>51,600</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>China</td>
<td>731,300</td>
<td>※</td>
<td>※</td>
</tr>
<tr>
<td>Japan</td>
<td>36,100</td>
<td>966</td>
<td>47,794</td>
</tr>
<tr>
<td>Korea</td>
<td>96,574</td>
<td>1,507</td>
<td>13,800</td>
</tr>
</tbody>
</table>

※China…81,340 social workers and 67,980 social volunteers are involved in community corrections work
The Roles of VPOs

- **Casework**
  - Pre-Sentence / Post-Sentence investigation
  - Supervising, Mentoring, Befriending, Counseling, Guidance

- **Group Activities**
  - Community Service
  - Therapeutic Community (Philippines)
  - Restorative Justice (Philippines)
  - Facilitation of Programme (Singapore)

- **Liaising with Related Agencies**
- **Financial Support**
  - Scholarship, Medical Support, Vocational Training (South Korea)

- **Crime Prevention Activities**
- **Enhancing Citizen Awareness**
Challenges

* **Secure Adequate VPOs** *(Aging, Early Retirement)*
  Recruitment of younger VPOs *(Korea, Thailand)*

* **Capacity building of VPOs**
  E-learning Training *(Singapore)*

* **Securing VPO’s Safety**
  Support Center for VPOs’ activities *(Japan)*

* **Reducing Financial/psychological Burden**
  VPOs’ Coordination Center, exempt from health service fee, TEAM model *(Thailand)*

* **Public Recognition**
  VPOs’ Day *(Thailand)*
Some countries are suffering from **overcrowding**

Community-based treatment is **still new**, and it has not been implemented yet in some countries.

ASEAN countries are **actively and continuously developing** systems and practices of community-based treatment.

Volunteers play a crucial role in community-based treatment in many ASEAN countries.

Learning from ASEAN countries is useful.
7. Conclusion
Conclusion

- In Japan, the effectiveness of Probation and Parole is maximized by cooperation of PPOs and VPOs.

- In line with social and cultural changes, VPOs are facing several challenges. The MOJ has implemented a number of measures.

- In many ASEAN countries, volunteers play a crucial role in offender rehabilitation.

- Learning from and comparing approaches of other countries are important steps.
Thank you very much for your attention!

See you at the Third World Congress on Probation in 2017!