

Penal Institutions in Japan

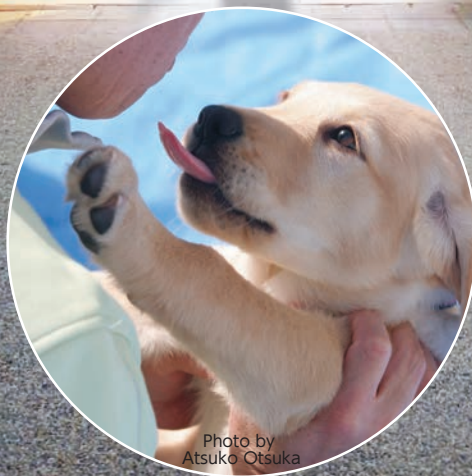


Photo by
Atsuko Otsuka



CORRECTION BUREAU, MINISTRY OF JUSTICE



The penal institution is responsible for realizing a society where people can live safely and securely by contributing to the smooth operation of the criminal justice procedure and preventing re-offending by released inmates through secure accommodation of inmates, treatment with due respect to the human rights of inmates and appropriate treatment of inmates according to their legal status.

Contents

1. General Outline of Penal Institutions in Japan	4
① Organization, Staff and Budget	4
② The Penal Institution Visiting Committee	5
③ Flow of the Criminal Justice System	5
④ Population Trends	6
2. Treatment of Inmates in Penal Institutions	7
① Daily Lives of Inmates	7
② Living Environment in Penal Institutions	8
③ Religious Acts and Volunteers Supporting Prisons	10
④ Access to Books and Other Reading Materials	10
⑤ Contact with the Outside World (Visits, Correspondence, and Communications by Telephone)	11
⑥ Maintenance of Order and Discipline	11
⑦ Disciplinary Punishment	12
⑧ Complaints Mechanisms	12
3. Implementation of Correctional Treatment of Sentenced Inmates	13
① Assessment for Treatment	13
② Group Formation	14
③ Treatment Guidelines	14
④ Prison Work	14
⑤ Guidance for Reform	15
⑥ Guidance in School Courses	16
⑦ Alleviation of Restrictions and Privilege Measures	16
⑧ Commuting to Outside Work, Day Leave and Furloughs	16
4. Prevention of Repeat Offenses	17
① Current Situation of Repeat Offenses and Recidivism Prevention Measures	17
② Improvement of Reintegration Support for Sentenced Inmates	17
5. PFI Prisons, etc.	18
6. International Transfer of Sentenced Persons	18
ANNEX Background History of Japanese Penal Institutions	19

1. General Outline of Penal Institutions in Japan

① Organization, Staff and Budget

Organization and Staff

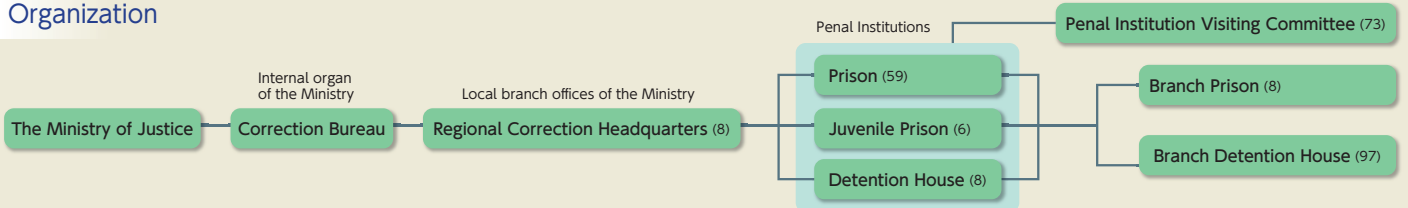
In Japan, the collective term "penal institutions" denotes prisons, juvenile prisons and detention houses.

Penal institutions are under the jurisdiction of the Ministry of Justice. The Correction Bureau, which is one of the inner organs of the Ministry of Justice, and the eight regional correction

headquarters, which are the field offices of the Ministry, serve a supervisory function over the penal institutions.

Inspectors designated by the Minister of Justice conduct on-the-spot inspections at each penal institution at least once a year.

Organization

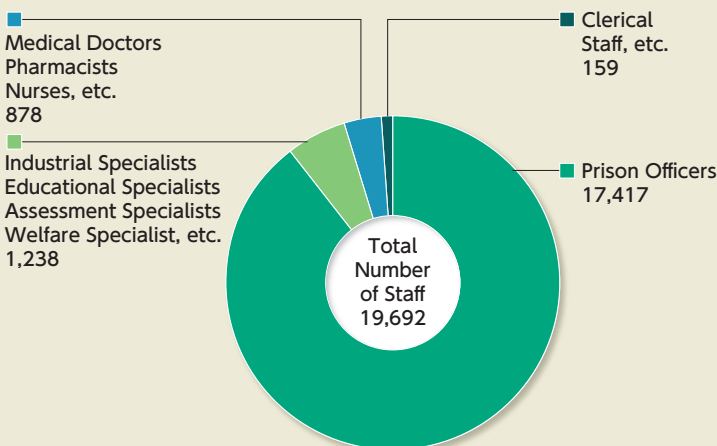


* Figures in parentheses show the number of organizations (as of April, 2022)

Organization of a Large-Scale Penal Institution



Staff Members of Penal Institutions (Fiscal Year 2022)



● Prison Officers

The prison officers provide guidance for daily life and vocational training for inmates as well as the security of penal institutions.

● Industrial Specialist

The industrial specialists provide guidance for prison work for sentenced inmates.

● Educational Specialist

The educational specialists provide guidance for reform (p. 15) and guidance in school courses (p. 16) for sentenced inmates.

● Assessment Specialist

The assessment specialists provide counseling and engage in the assessment of the personalities and circumstances of sentenced inmates.

● Welfare Specialist

The welfare specialists provide welfare support for inmates with difficulty in leading independent lives such as the elderly or disabled.

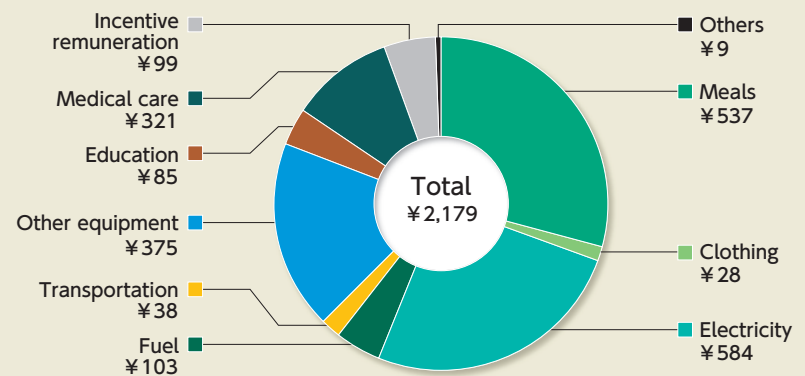
● Medical Doctors, Pharmacists, Nurses, etc.

The medical specialists including doctors, pharmacists, nurses, etc. ensure the hygiene of and provide medical care for inmates.

Budget

The government bears all costs necessary for clothing, food, and housing for inmates' daily lives. The budget for penal institutions for fiscal year 2022 was about 197.7 billion yen. The estimated daily expenses per inmate were approximately 2,179 yen.

Daily Inmate-Related Costs per Person by Type of Expenditure



The Penal Institution Visiting Committee

A Penal Institution Visiting Committee, consisting of third parties, is established in each penal institution.

The committee is composed of a maximum of 10 members appointed by the Minister of Justice from among persons of integrity and insight with a passionate interest in the improvement of the administration of penal institutions. The committee studies the circumstances of the administration of the penal institution by visiting the penal institution and holding interviews with inmates, and gives its opinions

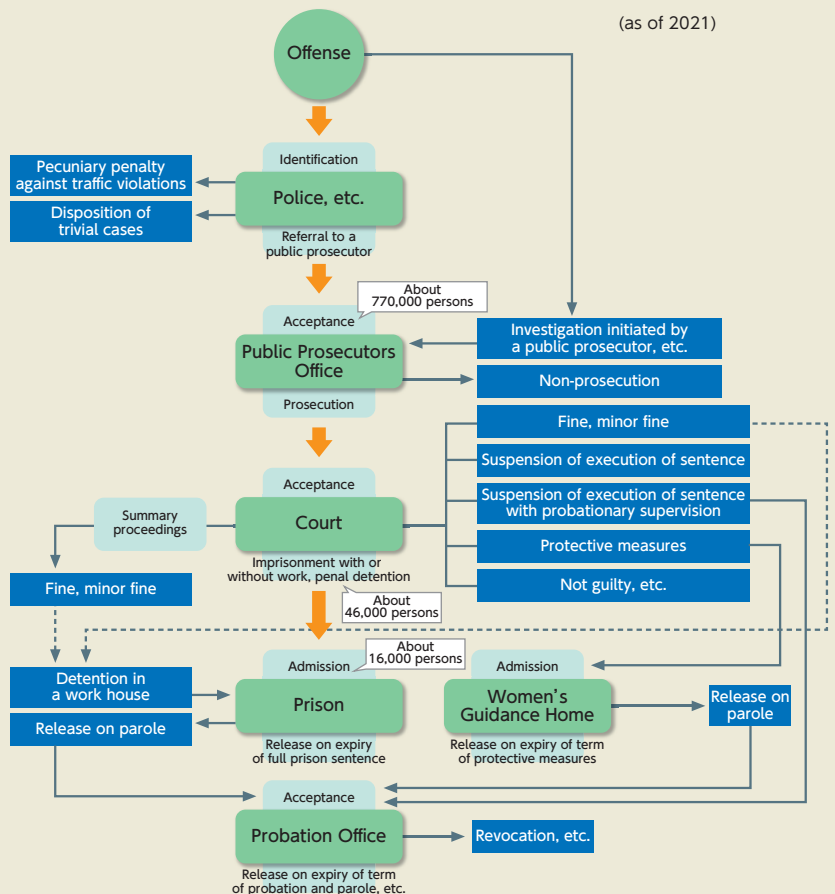
to the warden of the penal institution with regard to the penal institution's administration. This serves to ensure the transparency of administration of the penal institution, improve the administration of the penal institution, and enhance the partnership between the penal institutions and the community.

The Ministry of Justice posts a summary of both the opinions expressed by the committee to the warden of the penal institution and the measures taken by the warden of the penal institution responding to the opinions on its website.

Flow of the Criminal Justice System

The number of newly admitted sentenced inmates (who were newly committed to penal institutions after conviction) in 2021 was approximately 16,000. This number was only 2 percent of the cases public prosecutors offices handled in 2021 and a relatively small number of offenders are actually committed to the penal institutions.

Flow Chart of the Criminal Justice System



④ Population Trends

The average daily population for the total penal institutions has been decreasing year by year after peaking in 2007. The ratio of total number of inmates in penal institutions to the capacity thereof was 50.5 percent at the end of 2021.

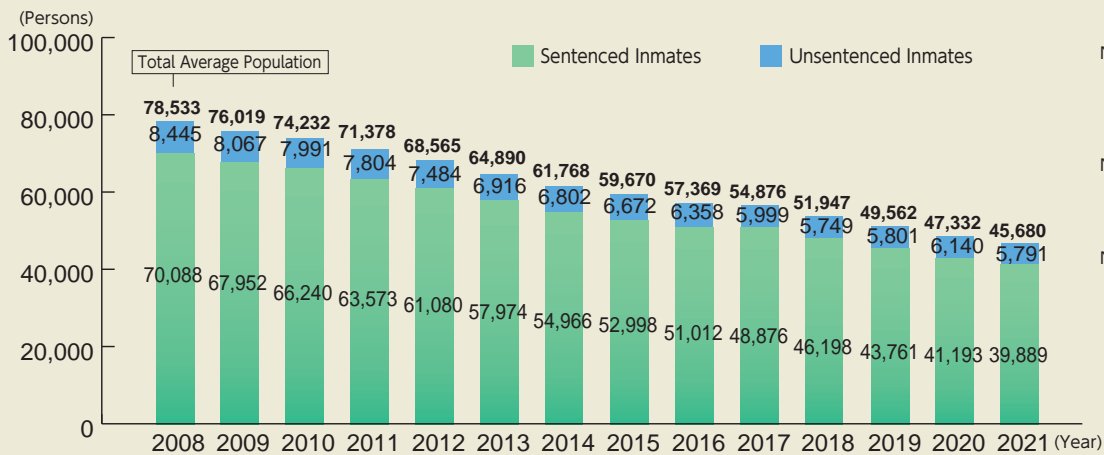
In 2021, the number of newly admitted inmates was 16,152 with re-offenders making up approximately 60 percent of all the inmates.

A number of first-timers had prior records such as protective

measure (14.5 percent) or suspension of execution of sentence (61.5 percent). Organized crime members accounted for 4.2 percent of all newly admitted inmates; and stimulant drug offenders accounted for 25.2 percent thereof.

One recent characteristic is the rising trend of both ratios of the elderly and female sentenced inmates to all the inmates respectively.

Average Daily Population in Penal Institutions and Its Breakdown

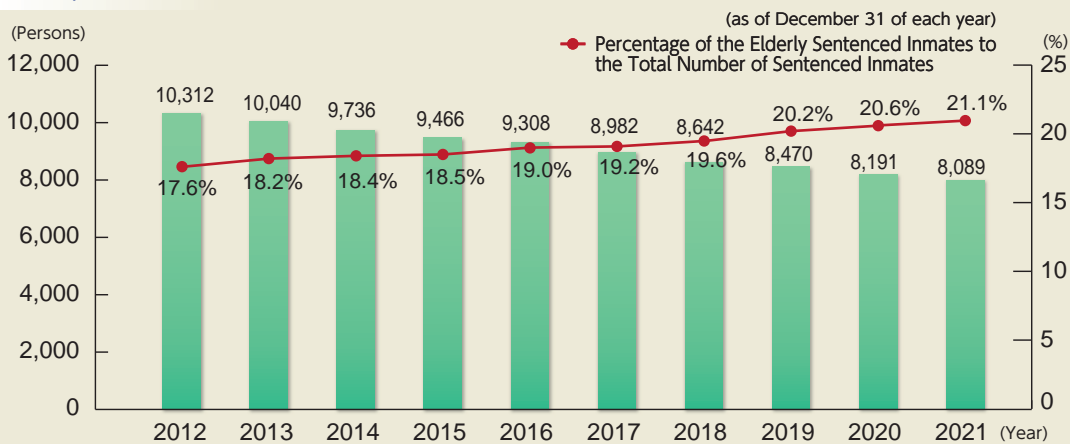


Note 1: "Sentenced Inmates" includes sentenced inmates, workhouse detainees and court-ordered confinement house detainees.

Note 2: "Unsented Inmates" includes suspects, defendants, inmates sentenced to death, etc.

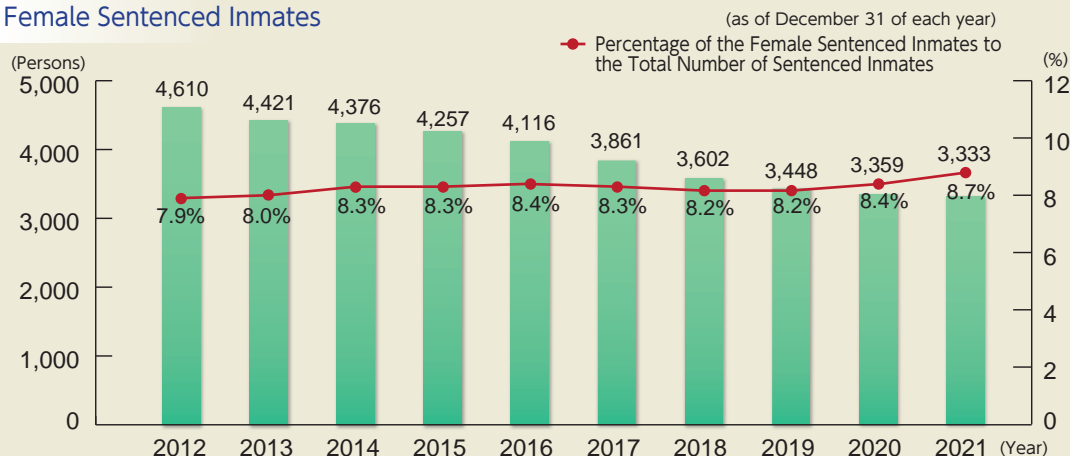
Note 3: "Average daily population" is obtained by dividing the aggregate number of persons accommodated in penal institutions by the number of days in the year and rounding digits below the unit. Therefore, the total figures are not necessarily equal to the total of the individual figures.

Elderly Sentenced Inmates



Note: "Elderly Sentenced Inmates" refers to sentenced inmates who are aged 60 or older.

Female Sentenced Inmates



2. Treatment of Inmates in Penal Institutions





① Daily Lives of Inmates

The following is the typical daily routine for sentenced inmates in penal institutions.

Although the daily routine of inmates other than sentenced inmates is almost the same as that of sentenced inmates, such

inmates are not obliged to work and on non-trial days spend their time preparing for their trial or reading.

Daily Lives of Sentenced Inmates

6:45 am	Rise	After washing their faces and using the bathroom, a morning roll call is taken.	
7:00 am	Roll call	The main purpose of the roll call is to confirm that no inmates have escaped. However, this also serves as a daily checkup of inmates' mental and physical health.	
	Breakfast		
	Move to workshops	On their way to the workshops, sentenced inmates change their clothes to work clothes. At this time, a body search is conducted to confirm that there has been no unlawful trafficking of property and to check the condition of their health.	
8:00 am	Start of work	Sentenced inmates take part in warm-ups and are notified of some basic rules of their work in order to ensure smooth proceedings for the day. After that, prison work begins.	
10:00–10:30 am	Exercise	During working hours, the sentenced inmates receive visitors, such as family members, and are provided with guidance for reform.	
12:00–12:40 pm	Lunch		
2:30–2:40 pm	Short breaks		
4:40 pm	End of work	A body search is conducted after the end of work.	
	Bathe	Working hours can be shortened according to bathing schedules.	
	Move to room		
5:00 pm	Roll call		
	Supper		
6:00–9:00 pm	Free time	Sentenced inmates may use this time to sleep, relax, watch TV or listen to the radio. Also, some sentenced inmates spend this period reading letters or writing letters to their family members, and meditating on themselves and their future life after release.	
9:00 pm	Lights out		

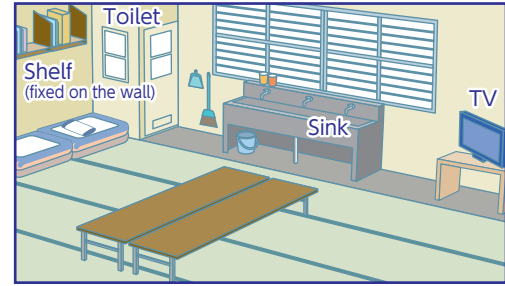
The above is the schedule for “persons sentenced to imprisonment with work” because most inmates in penal institutions are “persons sentenced to imprisonment with work.”

② Living Environment in Penal Institutions

Every inmate is provided with clothing and bedding suitable for seasonal weather changes. Inmates may use self-supplied clothing and bedding depending on their status. Self-supplied underwear and socks are available for all inmates.

Clothing and Bedding

Group Room



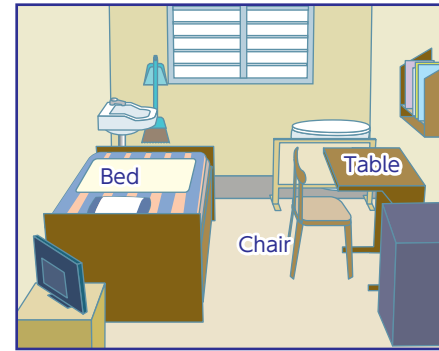
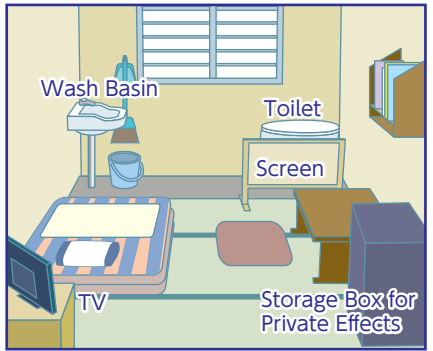
The rooms have proper sizes of windows and air vents for lighting and ventilation.

Further, the heating systems are equipped with consideration of regional characteristics.

Dormitory Building

Japanese-style Room

Western-style Room



Guidance for Reform/
Guidance in School Courses

The state provides meals for every inmate. Lunch is served in the dining room.



General Diet



Special Diet (Minced Meal)

Prison Work

Dining Room

Restroom

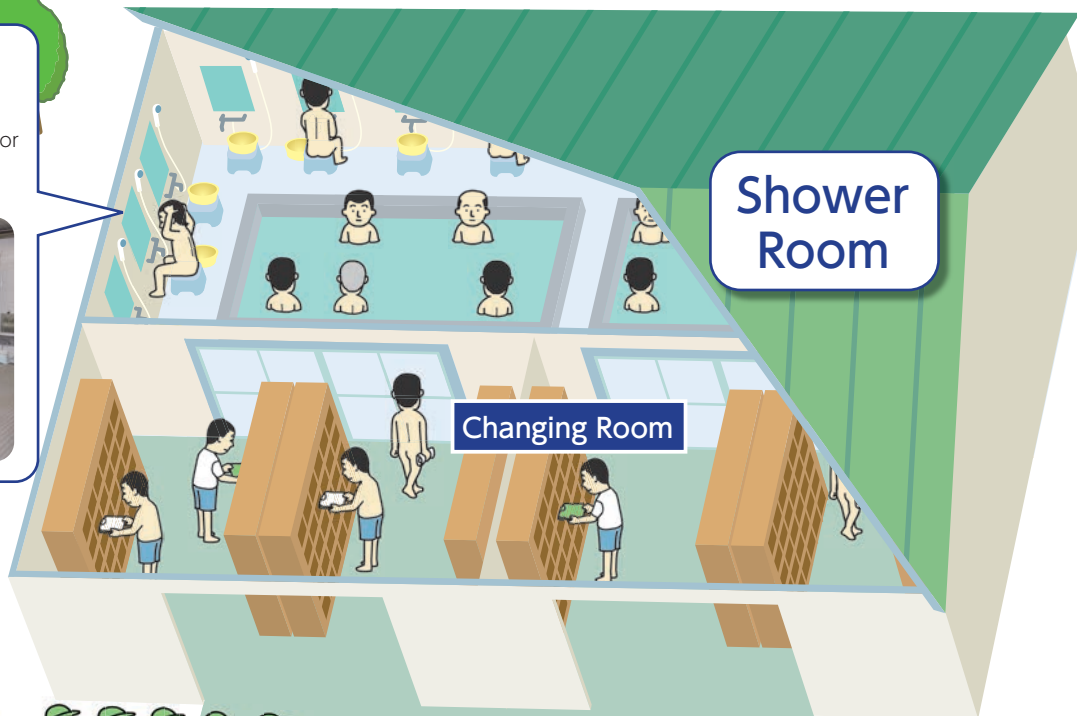
Haircut Room

Workshop/
Classroom

Sentenced inmates are required to select a given hairstyle in view of keeping better hygiene and work safety.

2. Treatment of Inmates in Penal Institutions

Inmates are allowed to bathe at least twice a week. The bathing time is 15 to 20 minutes on average. The frequency of bathing is increased for hygiene maintenance in the summer season.



Shower Room

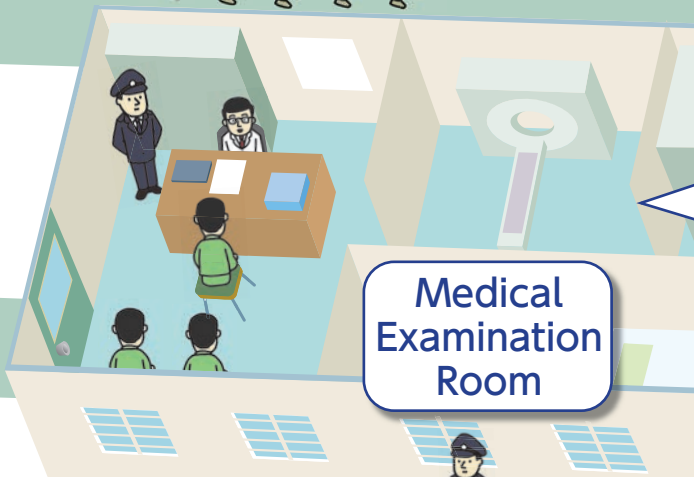
Changing Room

Some rooms are provided with beds and chairs for inmates who are physically challenged or foreign nationals.



Doctors, as the staff members of penal institutions, conduct medical treatment. Inmates are treated in a medical institution outside the penal institution when necessary.

The health examination after admission, regular health examinations, various cancer screenings, etc. are offered as well.



Medical Examination Room



CT Scanner

Meals that contain sufficient calories to suit gender, age and work assignment of each inmate.

Meals that take into consideration the particular conditions, customs and religions of each inmate are also provided as needed.



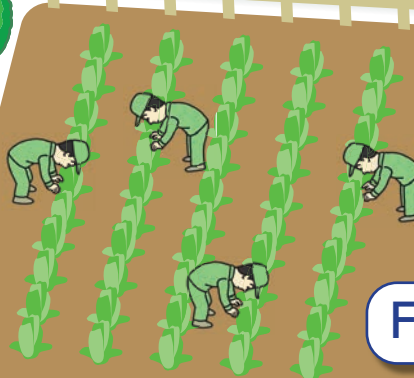
Exercise Yard

Inmates are provided with an opportunity to exercise in the open air for more than 30 minutes a day for maintaining mental and physical health.

Special light exercises such as stretching exercises, etc. are conducted depending on their physical strength.



Vocational Training



Farm

③ Religious Acts and Volunteers Supporting Prisons

Worship and other religious acts that an inmate performs unassisted are neither prohibited nor restricted if there is no risk of the inmate causing a hindrance to the maintenance of discipline and order by such acts as speaking loudly or defiling his or her room.

Since the Constitution of Japan prohibits the employment of penal institution chaplains as government officials because of the need to secure the separation of the state and religion, voluntary

chaplains are asked to come to each institution to ensure the freedom of religion of inmates. Voluntary chaplains provide inmates with religious guidance of their own religion upon the requests of inmates.

In addition to such religious services, upon inmates' requests, voluntary visitors have been offering inmates consultation and/or counseling services based upon their expertise and experience in line with the Voluntary Visitor System established in 1953.



Religious Guidance



Interviewing by a Voluntary Visitor



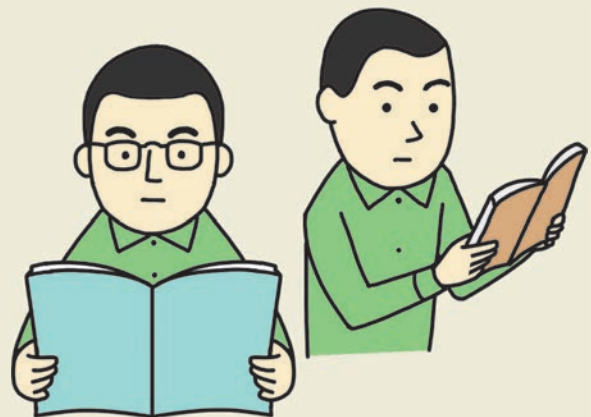
Club Activities Guided by a Voluntary Visitor

④ Access to Books and Other Reading Materials

Reading books and other materials are considered effective as a means of cultural enrichment and as a way for inmates to spend their free time in penal institutions. Access to self-supplied books and reading materials by inmates should not be prohibited nor restricted unless otherwise provided by the provisions of laws and regulations owing to the risk of hindering adequate pursuance of correctional treatment for sentenced inmates or the risk of causing destruction of evidence in unsentenced inmates' trials, as well as the risk of causing disruption to discipline and order in the penal institution.

For foreign inmates, books and other reading materials in their own languages are specially purchased by the penal institutions or are donated to penal institutions generously by nearby libraries and embassies. Foreign inmates may relieve their sense of isolation through contact with their native language.

In most of the institutions, the penal institution journals are edited and printed by inmates.



Inmates are allowed access to newspapers and books kept in the penal institutions, and self-supplied books and reading materials which they have purchased or which have been supplied by a person outside the penal institution. Furthermore, inmates work on self-directed learning by using teaching materials of correspondence courses, etc.

⑤ Contact with the Outside World (Visits, Correspondence, and Communications by Telephone)

● Sentenced Inmates

Appropriate contact with family members and employers is instrumental to their reform and rehabilitation, and to their smooth re-entry into society. On the other hand, some sentenced inmates have social relationships which provide the setting for their offenses such as association with members of organized crime groups. Such relationships should be cut off in order to allow adequate pursuance of correctional treatment. Therefore, there are some restrictions on visitors and the contents of sentenced inmates' visits and correspondence.

In addition to visits and correspondence, sentenced inmates fulfilling certain conditions may be permitted to engage in communication by telephone if it is deemed instrumental either for their reform and rehabilitation or for their smooth re-entry into society.

● Unsentenced Inmates

With regard to the visits and correspondence of unsentenced inmates, there are no restrictions from the viewpoint of correctional treatment for which sentenced inmates are under certain restrictions. However, the visits and correspondence may be restricted to prevent the destruction of evidence through contact with accomplices.



Communications by Telephone

⑥ Maintenance of Order and Discipline

Penal institutions house a wide spectrum of inmates whose characteristics and life histories vary considerably. In such a climate, it is indispensable to keep a safe penal institution environment. To realize such an objective, the order and discipline in the penal institutions should be maintained appropriately. Disturbances of discipline and order in penal institutions often result in intimidation by stronger inmates against the vulnerable, rampant rule violations, escape, assault, disturbances and riots which pose a great threat to society. Such incidents greatly harm the objectives of penal institutions.

It goes without saying that the various measures to keep order and discipline should not be unreasonably strict. Therefore, it is stipulated that measures for order and discipline shall be no more restrictive than is necessary to secure the custody of inmates and to maintain both adequate conditions for

treatment of inmates and a safe and peaceful community life. Requirements to confine an inmate to a protection room and to use handcuffs are stipulated by law.

Although prison officers are allowed to use handguns within the restrictions stipulated by law, they do not usually carry weapons and have not had to use weapons for about 60 years. This is probably due to the fact that the relationship between prison officers and inmates is built on mutual trust and prison officers do not need to protect themselves by using firearms to keep discipline and order.

Incidents in the Penal Institutions

Year	Types	Suicide	Assault on Inmates	Assault on Staff	Fire	Escape
2017		14	7	0	0	0
2018		3	8	0	0	1
2019		7	5	0	0	0
2020		12	3	0	0	0
2021		13	2	0	0	0

⑦ Disciplinary Punishment

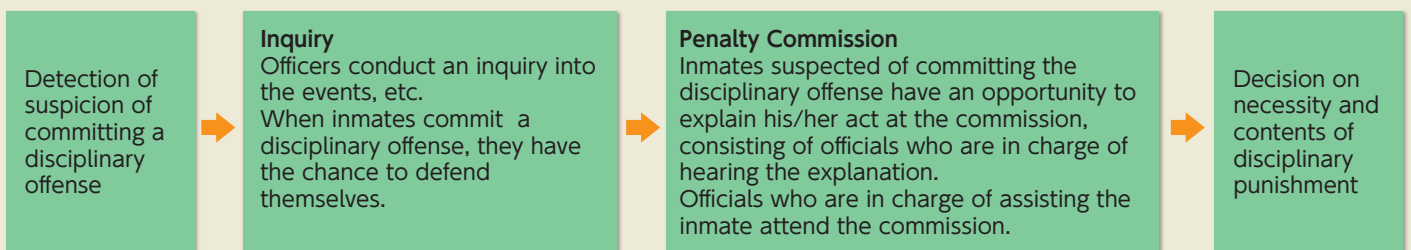
When an inmate commits disciplinary offenses such as violation of the compliance rules set by the warden of penal institutions and disobedience against the instruction of a staff member of the penal institution to maintain discipline and order in the penal institution, the warden may impose disciplinary punishment on the inmate.

The contents of disciplinary punishment include suspension from the use or consumption of self-supplied articles, suspension of access to books, etc., and confining the inmate to their room.

Inmates are informed that their behavior may result in disciplinary punishment when they are committed to the penal institution. They can also consult the compliance rules booklet distributed in their rooms.

Inmates can lodge complaints against the decision on disciplinary punishment through the various appeals mechanisms described below.

Flow Chart from Detection of Disciplinary Offense to Decision on Disciplinary Punishment



⑧ Complaints Mechanisms

Owing to the specific nature of penal institutions, inmates may have to endure certain restrictions on their behavior. However, their freedom and other right should not be restricted over the extent of necessary. Therefore, the following complaints mechanisms are provided for appropriate handling of complaints from inmates.

■ Petition for Review and Further Petition for Review

A person who is dissatisfied with the measures taken by the warden of the penal institution such as restrictions on correspondence and disciplinary punishments may file a petition for review with the Superintendent of the Regional Correction Headquarters. If the inmate is still dissatisfied with the decision made on the petition for review, he or she may file a further petition for review with the Minister of Justice.

■ Report of Cases

An inmate against whom a staff member of the penal institution has committed an illegal or unjust act such as physical assault may report the case to the Superintendent of the Regional Correction Headquarters. The Superintendent of the Regional Correction Headquarters confirms whether or not the incident occurred and notifies the results to the inmate. If dissatisfied with the contents of the notification, the inmate may report the case to the Minister of Justice.

■ Filing of Complaints

An inmate may file a complaint with the Minister of Justice, an inspector or the warden of the penal institution with regard to any treatment he or she has received.

The contents of the abovementioned complaints are kept secret from the staff members of the penal institution, and inmates are never treated adversely as a consequence of filing a complaint.

As for further petitions for review and reports of cases to the Minister of Justice, there is a system whereby the Minister consults the review conference with experts before he or she dismisses inmates' complaints, and fair and equitable handling is secured.

As is guaranteed for the general public, an inmate may take such legal action as civil or administrative lawsuits, or file complaints or accusations with the public prosecutors offices.

3. Implementation of Correctional Treatment of Sentenced Inmates

With regard to the treatment of sentenced inmates, the Act on Penal and Detention Facilities and the Treatment of Inmates and Detainees provides that treatment shall be implemented with the aim of stimulating motivation for reform and rehabilitation and developing adaptability to life in society by working on the inmate's sense of consciousness in accordance with his or her personality and circumstances.

Correctional treatment of sentenced inmates which consists

of three main components: work, guidance for reform, and guidance in school courses, is conducted to achieve the principle of treatment for sentenced inmates, after conducting assessment for treatment, placing the inmates into separate groups, and determining the treatment guidelines for each inmate. In addition to this, various measures such as alleviation of restrictions, privilege measures, commuting to outside work, and day leave and furloughs are provided.

Procedures of Correctional Treatment



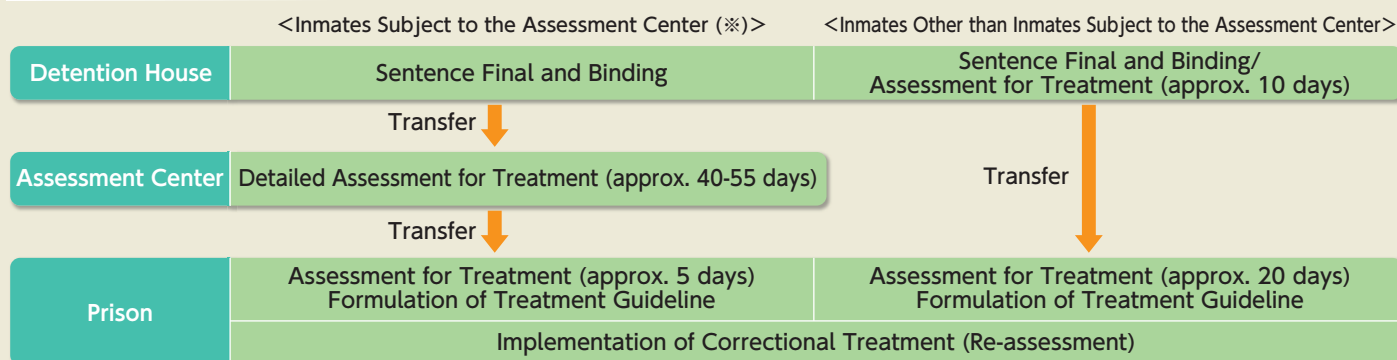
① Assessment for Treatment

With regard to inmates whose sentence has become final and binding, the penal institution which houses him or her (sentence institution) such as the detention house, conducts an assessment (assessment at the beginning of execution of the sentence) of him or her. This assessment looks into physical and mental conditions, life history, characteristics of criminal tendencies, family and life environment, life plans, etc. by applying medical, psychological, pedagogical and sociological techniques, and other expert knowledge and techniques, by methods such as interviews and clinical examination, and with

the assistance of a risk-assessment tool developed for inmates.

In addition, an assessment center, which conducts an assessment for treatment by applying advanced expert knowledge and techniques, is assigned to each jurisdiction of the Regional Correction Headquarters. The assessment center conducts, over a period of approximately two months, a detailed assessment of the following sentenced inmates whose sentence is final and binding and who fulfill the relevant requirements.

Procedures of Assessment for Treatment



※ Inmates Subject to the Assessment Center (Some may be excluded due to the term of imprisonment, etc.)

- ① Under 26 years old with no history of imprisonment
- ② Persons sentenced for the crime of committing an intentional criminal act that caused death to a victim, with no history of imprisonment (26 years of age or older and younger than 30 years)
- ③ Persons for whom it is deemed necessary to conduct assessment for sex offenders

② Group Formation

An index for a sentenced inmate which indicates the type and contents of correctional treatment to be administered to the inmate, category and criminal tendencies (a treatment index) is assigned to each sentenced inmate on the basis of the assessment. Each penal institution is assigned a classification which indicates the types of correctional treatment which can

be conducted in it and the categories and criminal tendencies of the sentenced inmates to be housed there (as treatment classification). The penal institution places inmates into separate groups in accordance with the treatment classification and conducts correctional treatment.

③ Treatment Guidelines

The penal institutions conducting the correctional treatment (treatment institution) conduct a more detailed assessment (assessment at the beginning of the execution of the sentence) on the basis of the assessment conducted by the sentence institution, and determine the treatment guidelines for him or her.

The treatment guidelines are determined for each sentenced inmate to provide the objective, the contents, and the methods

of correctional treatment. Every six months and on an as-needed basis, the warden of the penal institution evaluates the degree to which the purpose of the correctional treatment determined by the treatment guidelines of the sentenced inmate has been achieved. The treatment guidelines are revised if necessary on the basis of this periodical and necessary evaluation for treatment (re-evaluation).

④ Prison Work

Prison work imposed on sentenced inmates is organized as to enhance re-entry into society through not only providing inmates with vocational knowledge and skills, but also by enhancing mental and physical health and the will to work, and encouraging inmates to become more conscious of their role and responsibility in community life. Vocational training is one form of prison work that aims to encourage sentenced inmates to obtain vocational qualifications and licenses or to acquire

vocationally-useful knowledge and skills. Incentive remuneration is paid to the sentenced inmates who engage in work for the purpose of encouraging their work and providing them with funds for rehabilitation after being released from the penal institution.

Types of Prison Work

Production Work

Manufacture of goods and provision of labor service

- Furniture, print, dressmaking, metal leather work and farming, etc.



Woodwork Workshop



Printing Workshop

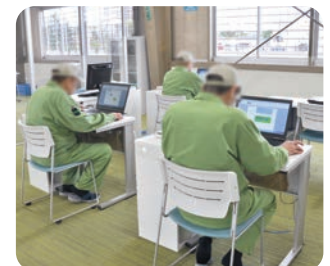
Vocational Training

Planned and organized training to help sentenced inmates to acquire or improve knowledge and skills necessary for an occupation

- Acquire a vocational knowledge and skills contributing to work after release
- Training, such as to become an automobile technician, care worker, or operator of vehicle type construction machine, through which inmates can obtain vocational licenses contributing to a job



Division of Care Welfare



Information Processing Technology Courses

Self Work

Household work such as cooking and laundry, and maintenance work such as repair of buildings, in penal institutions

- Cooking, laundry, haircutting, maintenance, etc.



Laundry Workshop

Social Contribution Work

Work contributing to inmates' reformation and rehabilitation and smooth re-integration into society, in which they may feel a sense of contribution to society

- Snow removal on school roads and weeding for vegetation conservation



Weeding

⑤ Guidance for Reform

Guidance for reform is provided in order to encourage sentenced inmates to take responsibility for their crime, and to acquire the knowledge and lifestyle necessary for adapting themselves to life in society. The guidance for reform consists of general guidance for all sentenced inmates and special guidance for sentenced inmates who are deemed to have special problems with reform and rehabilitation or smooth re-entry into society due to specific circumstances.

General Guidance for reform

General guidance for reform aims, through lectures and interviews: ① to make sentenced inmates understand the circumstances and feelings of crime victims and their families, and make him or her feel remorse for the crime, ② to have inmates develop a regular lifestyle, and a sound perspective and point of view, and ③ to have inmates understand information for life planning after release and develop a law-abiding spirit and behavior.

Special Guidance for reform

Special guidance for reform consists of guidance for overcoming drug addiction, guidance for withdrawal from organized crime groups, re-offending prevention guidance for sex offenders, education from the victim's viewpoint, traffic safety guidance, and job assistance guidance.

① Guidance for Overcoming Drug Addiction

The penal institution with private self-help groups for recovery from drug addiction, conducts guidance for sentenced inmates to acquire the knowledge and skills to prevent them from re-using drugs, and recognize the need to take continued treatment in society after their release from the institution.

② Guidance for Withdrawal from Organized Crime Groups

The penal institution conducts guidance for sentenced inmates to have them realize the antisocial nature of organized crime groups and develop the will to withdraw from the group.

③ Re-offending Prevention Guidance for Sex Offenders

The penal institution conducts guidance in line with a treatment program designed on the basis of the practices and experiences of similar programs abroad, in order to have the inmate consider the extensive factors leading to the sex crime, identify them, and learn concrete ways to prevent a relapse.

④ Education from the Victim's Viewpoint

The penal institution invites crime victims and others as instructors, and has sentenced inmates listen to feelings and opinions directly from them, in order to have the inmates face up to their crimes, respond to victims and the bereaved families sincerely, and become determined never again to commit a crime.

⑤ Traffic Safety Guidance

The penal institution conducts guidance for sentenced inmates who have caused traffic accidents with grave consequences for human life and personal safety or who have repeatedly committed serious traffic violations to acquire a sense of compliance and respect for human life by making them think about the causes of the traffic violations and accidents.

⑥ Job Assistance Guidance

The penal institution conducts guidance for sentenced inmates to have them develop an appropriate attitude in the workplace so that they can develop healthy human relationships in the workplace and work steadily.



Special Guidance for Reform

⑥ Guidance in School Courses

A considerable number of sentenced inmates have poor academic performance, including some dropouts from compulsory education or underachievers even if they have completed their education. The penal institution provides guidance in elementary school and junior high school course for sentenced inmates who are deemed to have problems with reform and rehabilitation or smooth re-entry into society due to a lack of an academic background fundamental to social life. The penal institution may provide guidance in high school courses, etc. for sentenced inmates whose progress in studies has been deemed conducive to his or her smooth re-entry into society.

Sentenced inmates may take a junior high school equivalency examination or a high school equivalency examination in the penal institution if he or she so wishes.

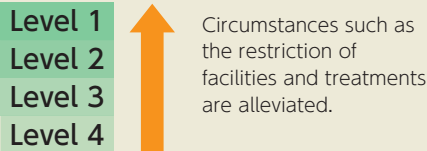
At Matsumoto Juvenile Prison (Matsumoto City, Nagano Prefecture), a branch of a municipal junior high school has been established which accepts eligible candidates from penal institutions all over Japan. If they successfully complete the courses, the main school presents them with graduation certificates. In addition, some juvenile prisons have set up correspondence courses for high school education with the assistance of local high schools in the area.

⑦ Alleviation of Restrictions and Privilege Measures

The alleviation of restrictions is a system in which restrictions of the lives and activities of inmates, which are required for the maintenance of discipline and order in the penal institution, are alleviated in phases by the restriction level as assigned in accordance with the development of their motivation for rehabilitation and their ability to adapt to social life, in order to cultivate the self-control and self-reliance of sentenced inmates.

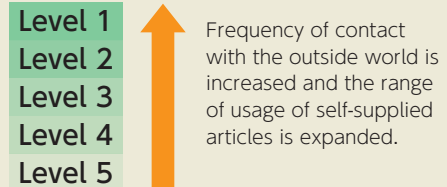
The privilege measures are a system in which the penal institution assigns sentenced inmate a privilege level in accordance with relatively short-term assessments of their attitude toward their sentence and gives privilege measures depending on the privilege level assigned in order to encourage willingness for rehabilitation of sentenced inmates.

Assignment of Restriction Level



For example, a sentenced inmate assigned to Restriction Level 1 is accommodated and treated in an open-type institution, etc.

Assignment of Privilege Level



⑧ Commuting to Outside Work, Day Leave and Furloughs

Commuting to outside work, day leave and furloughs are allowed in order to encourage sentenced inmates' reform and rehabilitation and smooth re-entry into society.

On the basis of these systems, if deemed necessary for smooth re-entry into society, sentenced inmates placed in open-type institutions which do not have some equipments or measures normally required to secure custody such as fences and bars, inmates whose parole has already been decided and other suitable inmates may commute to a business establishment outside the penal institution without being escorted by staff members of the penal institution and may engage in the work of an outside business establishment or undergo vocational training, or be permitted day leave or a furlough to settle important matters such as securing their residence and employment following their release and to visit people relevant to their rehabilitation.



Inmates who Commute to Outside Work



An Inmate who Engages in Outside Work (the person in the right)

4. Prevention of Repeat Offenses

① Current Situation of Repeat Offenses and Recidivism Prevention Measures

Due to the decrease in the number of the first-time offenders and inmates who were admitted to prisons for the first-time, in 2021, roughly half of offenders cleared for non-traffic Penal Code offenses were repeat offenders and the percentage of reimprisoned inmates among newly admitted sentenced inmates accounted for nearly 60 percent.

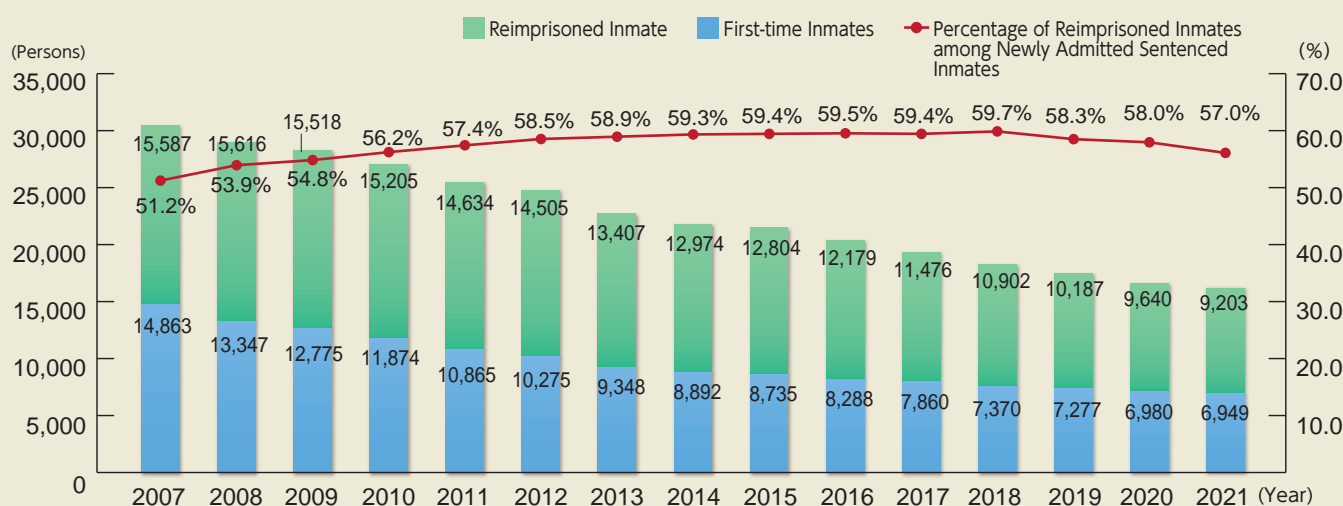
Thus, reducing repeat offenses is a major challenge in order to reduce crimes and construct a safe and peaceful society.

In this context, the Act for the Prevention of Recidivism was enacted in December 2016 and the First (five-year) Recidivism Prevention Plan was formulated by Cabinet Decision in December 2017. In accordance with the Act and the plan, while cooperating with relevant organizations, local governments, and private bodies, penal institutions have been working to promote the initiatives according to the major challenges in

the plan, i.e., ① securing employment and residence, ② promoting the use of health, medical and welfare services, ③ providing educational supports in collaboration with schools, ④ providing effective guidances responding to offender characteristics, ⑤ promoting the activities of supporters from private bodies, public relations and awareness-raising activities, ⑥ strengthening collaboration with local governments, and ⑦ establishing personnel and physical resources of relevant organizations.

Since the period of the First (five-year) Recidivism Prevention Plan is expired in March 2023, the Second (five-year) Recidivism Prevention Plan is going to be formulated by April 2023. According to the basic policies and the major challenges in the plan, the State, local governments, and private-sector organizations will work on various initiatives.

The Number and Percentage of Reimprisoned Inmates among Newly Admitted Sentenced Inmates (2007-2021)



② Improvement of Reintegration Support for Sentenced Inmates

In penal institutions, vocational training has been conducted effectively, based on the needs of labor markets, to secure sentenced inmates' employment following their release. Also, since 2006, penal institutions, in collaboration with the Rehabilitation Bureau of the Ministry of Justice and the Ministry of Health, Labour and Welfare (MHLW), have implemented Comprehensive Measures for Employment Support for Released Sentenced Persons, by providing vocational counseling by staff with professional qualifications such as career consultants and employment information by officials of the Public Employment Security Office.

The Employment Support Information Centers of Correction, which are placed in 8 cities is engaging in wide-area employment support, by collectively managing information such as residence after release and qualification of sentenced inmates across the country, and matching inmates with private companies which

seek employees.

Furthermore, for inmates who have difficulty in leading independent lives such as the elderly or disabled, coordination is made by penal institutions in which social workers are staffed, in cooperation with probation offices, the Regional Settlement Support Center, welfare organizations, etc. so that they can receive appropriate welfare services such as securing housing, nursing care, medical care and pensions immediately after their release.

National and local governments and the private sector need to provide long-term support, in collaboration with each other, for sentenced inmates while they are in penal institutions according to their characteristics so that the inmates can lead stable lives in their communities after their release.

5. PFI Prisons, etc.

The Private Finance Initiative (PFI) is a method of utilizing private capital and expertise in the construction, maintenance and operation of public institutions.

In Japan, there are two penal institutions: Mine Rehabilitation Program Center (Mine City, Yamaguchi Prefecture) and Shimane Asahi Rehabilitation Program Center (Hamada City, Shimane Prefecture) constructed and operated through joint cooperation between the public and private sectors using the PFI.

In addition, International Justice Center was newly established in Akishima, Tokyo in 2017, by relocation and consolidation of Hachioji Medical Prison (currently Medical Correction Center in East Japan), Training Institute for Correctional Personnel, etc. International Justice Center has consigned a part of its operation and maintenance to the private sector using the PFI.

Furthermore, aiming to establish "simple and efficient government," penal institutions have consigned a variety of services to the private sector in accordance with the Act on Reform of Public Services by Introduction of Competitive Bidding enacted under the recognition that introducing the principle of competition into national service encourages executing entities to promote their originality and ingenuity. Currently, some penal institutions consign their operation and food service for inmates to the private sector.

As described, the government is increasing transparency through public and private sector collaboration on the operation of institutions and building correctional institutions open to society.



Mine Rehabilitation Program Center: Vocational Training (Baker)



Shimane Asahi Rehabilitation Program Center: Guide Dog Puppy Raising Program



Harima Rehabilitation Program Center: Animal Assisted Activity



Kasamatsu Prison: Vocational Training (Manicurist)

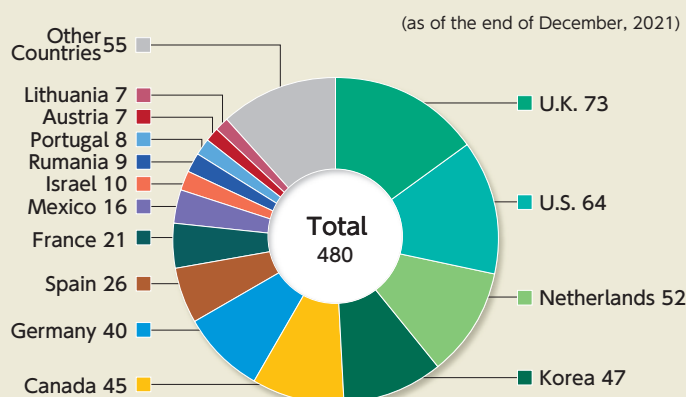
6. International Transfer of Sentenced Persons

The System for International Transfer of Sentenced Persons transfers sentenced persons, who were rendered a sentence in a foreign country, etc. and incarcerated serving the sentence in the prison, etc. of the country, etc., back to their home countries, etc. and allows them to complete their sentence there in order to encourage their reform, rehabilitation and smooth re-entry into society, and to enhance international cooperation in the criminal justice field.

In Japan, incoming transfer and outgoing transfer are implemented under the convention on the transfer of sentenced persons and other relevant treaties. "Incoming transfer" refers to the transfer of Japanese nationals serving sentences in state parties back to Japan to serve their sentence in Japanese penal institutions, while "Outgoing transfer" refers to the transfer of foreign nationals who are serving their sentences in Japan back to their home countries, etc. (state parties) to serve their sentences there.

As of the end of December 2021, penal institutions in Japan can transfer sentenced persons from or to 70 countries, etc. 10 cases of incoming transfer and 480 cases of outgoing transfer have been implemented.

The Number of Outgoing Transfer Cases



〈ANNEX〉 Background History of Japanese Penal Institutions

1868	Provisional Punishment Rules (Kakeiritsu)	The provisional punishment rules relaxed the cruel punishments that had been administered during the Edo era and introduced humane punishments.
1872	Rules and illustration of a penitentiary	The rules introduced a distinction between sentenced and unsentenced inmates, a distinction between first time offenders and recidivists from among unsentenced inmates, and the detention of juveniles in a reformatory. It also regulated the detention of severely handicapped, blind and terminally ill inmates in workhouses.
1881	The first amendment of the Prison (Penitentiary) Rules	Separate detention of inmates according to the offense, age, circumstances of the offense and the number of previous convictions was implemented in order to prevent penitentiaries from becoming a school of crime.
1889	The second amendment of the Prison (Penitentiary) Rules	Alleviation of the restrictions on unsentenced inmates such as allowing the buying of self-supplied food, etc. and a reward system for sentenced inmates was introduced.
1890	Establishment of a training school for penitentiary officers	A school was established for the training of penitentiary officers, which was later turned into the current Training Institute for Correctional Personnel and its seven branches.
1899	The third amendment of the Prison (Penitentiary) Rules	The whole budget of the penitentiary system was put under the government budget, and the treatment of inmates was standardized nationwide. Regulations on the treatment of foreign inmates was introduced as extra-territoriality was abolished.
1908	The Prison Act	The Prison Act was promulgated on March 28, 1908 and entered into effect on October 1 together with the Penal Code. It led the world and was innovative in the sense that the whole system of prisons was regulated under an independent code. Moreover, importance was given to individualized treatment while also achieving a balance between single confinement (Auburn system) and group confinement (Pennsylvania system).
1931	Regulations for examinations of release on parole	The regulations established the system of examining the personal circumstances of sentenced inmates in order to form a decision about their release on parole.
1933	Ordinance for the inmates' progressive stage treatment	The ordinance took the premise of the classification of sentenced inmates and introduced a purpose-oriented treatment system that is aimed at social adaptation by means of progressive rewards and responsibilities.
1946	Fundamental principles on application of the Prison Act	This set out the three principles of administration of penal institutions during the aftermath of confusion after World War II. The principles were the principle of respect for human rights, the principle of rehabilitation and the principle of self-supply.
1948	Guidelines for inmates' diagnoses and classification	In order to establish the most appropriate treatment and guidelines on training for sentenced inmates, scientific classification assessments and admission classifications were systemized.
1969	Establishment of an open institution	An open prison was established in order to house traffic-offense-related inmates in one place
1972	Regulation of inmates' classification	The regulations aimed for further individualized treatment by introducing an enriched system of inmates' classification. It encompassed a standardization of classification classes and classification criteria as well as establishment of classification centers under each regional correctional headquarters.
1976	Consulting the Legislative Council	The Minister of Justice asked the Legislative Council to study reform of the Prison Act.
1980	The report of the Legislative Council	The Legislative Council submitted an outline on the essential features of amendment of the Prison Act.
1982-1993	Submission of penal institution bills to the Diet	Penal institution bills were submitted to the Diet three times and were abolished each time due to dissolution of the House of Representatives.
2003	The recommendations of the Correctional Administration Reform Council	After the death and injuries of sentenced inmates in Nagoya Prison, the Correctional Administration Reform Council was established and various recommendations were put forward including revision of the Prison Act.
2005	The Act on Penal Institutions and the Treatment of Sentenced Inmates	The Act on Penal Institutions and the Treatment of Sentenced Inmates was promulgated on May 25, 2005 and entered into effect on May 24 of the following year. It changed the name of "prison" to "penal institution" and fully revised the provisions of the Prison Act on institutional items (on-the-spot inspections, the Penal Institution Visiting Committee, etc.) and treatment of sentenced inmates.
2006	The Act for Partial Revision of the Act on Penal Institutions and the Treatment of Sentenced Inmates	The Act for Partial Revision of the Act on Penal Institutions and the Treatment of Sentenced Inmates was promulgated on June 8, 2006, and entered into effect on June 1 of the following year. It revised the treatment of unsentenced inmates and detainees still regulated under the old Prison Act. It also changed the name of "The Act on Penal Institutions and the Treatment of Sentenced Inmates" to "Act on Penal Detention Facilities and the Treatment of Inmates and Detainees."
2022	The Act for Partial Revision of the Penal Code, etc.	The Act for Partial Revision of the Penal Code, etc. was promulgated on June 17, 2022. Related to penal institutions, the Act revised the Penal Code to abolish imprisonment with or without work and to create a new category of imprisonment, and established a system for hearing and conveying the feelings of victims in the Act on Penal Detention Facilities and the Treatment of Inmates and Detainees. The part related to the new imprisonment is scheduled to enter into effect by June 2025, and the rest by December 2023.



Tokyo Detention House



Fuchu Prison



Medical Correction Center East Japan



Mine Rehabilitation Program Center

1-1-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8977 Japan
CORRECTION BUREAU, MINISTRY OF JUSTICE