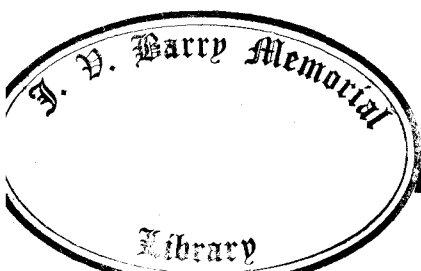# WHY IS IT SAFER
TO LIVE IN TOKYO?

An Exploratory Symposium

W. Clifford

Director
Australian Institute of Criminology

Australian Institute of Criminology · Canberra 1980

CONTENTS

INTRODUCTION

        In 1976 I published a book on Crime Control in
Japan which drew attention to the extraordinary success
which Japan had had in containing its crime.[1] For something
like 15 years the country had been successful in not merely
holding down the rising crime typical of industrialised and
urbanised societies, but in reducing the incidence of some
of its more serious crimes. This publication attracted a
good deal of attention and led, eventually, to the Australia/
Japan Foundation funding a selected group of administrators
from the criminal justice system in Australia to visit Japan
in order to study the methods being used and to see if there
were any lessons which Australia could learn or any ways in
which the links between Australia and Japan in criminal justice
could be strengthened so as to enable a better interflow of
information and ideas.

        The team eventually sent to Japan under my
leadership consisted of -

            Mr F.N. Albietz, Executive Officer, Legal Division,
                Department of Justice, Brisbane, Queensland -
                since promoted to position of Deputy Parliamentary
                Commissioner for Administrative Investigations.

            Mr K.S. Anderson, Stipendiary Magistrate, Sydney, N.S.W.

            Chief Superintendent D.A. Hunt, Police Headquarters,
                Adelaide, South Australia.

            Mr G. Johnson, Senior Social Worker and Supervisor
                of Classification, Department of Community
                Welfare Services, Melbourne,Victoria.

            Mr K.J. Stotter, Superintendent of Nyandi Centre
                for Adolescents, Western Australia.

        In April 1979 this group spent the whole month
studying crime control systems and techniques not only in
Tokyo but in some of the surrounding districts. The group
was received by the Minister of Justice and his Ministry
provided all the necessary facilities. The visit was
organised by the United Nations Asia and Far East Institute

for the Prevention of Crime and the Treatment of Offenders
at Fuchu, Japan, which is supported by the Ministry of
Justice and which takes trainees from Asian countries.
Professor Umemura of the Institute was appointed to be the
liaison officer for the group and provided the programme
and the arrangements for internal transportation and
interpretation.

Amongst the institutions and offices visited
were the following:-

> Fuchu Prison
> Supreme Court
> Tokyo Family Court and Tokyo Probation Office
> Hachioji Medical Prison
> Tama Juvenile Training School
> Kyoto District Public Prosecutors' Office
> Kyoto District Court
> Kyoto Juvenile Classification Home
> Kyoto Probation Office
> Naniwa Juvenile Training School, Osaka
> Rehabilitation Aid Hostel, Osaka
> Yamanashi Prefectural Police Headquarters, Kofu
> Kofu Prison
> Metropolitan Police Department, Tokyo
> Kitsuregawa Branch of Kurobane Prison
> Kitsuregawa Juvenile Training School
> Nakano Prison

On 1 July 1980 the Australian Institute of
Criminology decided to hold a one day seminar on the subject
of "Why Is It Safer to Live in Tokyo?" This was a seminar
specially designed to serve the interests of people in
Canberra, who had a concern with crime or some link with
Japan. The range of participants, therefore, included judges,
policemen, correctional workers, members of the diplomatic
corps and the Department of Foreign Affairs, academics, scholars
and members of the public.

Prior to the Symposium the members of the team, having now had more than one year to digest their Japanese experience, met together to determine which features of the Japanese experience were importable by Australia and which were peculiar to the Japanese culture and traditions. It was in the light of these discussions that the team members were able to present their papers to the Symposium. This report is a combined account of:

(a)   the meeting which took place before
      the Symposium to study the characteristics
      of the Japanese success, and

(b)   the papers and discussions of the
      Symposium itself.

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Notes

(1)   W. Clifford, Crime Control in Japan, Boston,
           D.C. Heath, Lexington Books, 1976.

THE CRIME SITUATION IN JAPAN

It has been shown that, by any standards, crime in Japan is not merely being controlled, but the serious forms of crime are actually being reduced.[1]

The situation in Japan vis-a-vis other countries and in Tokyo vis-a-vis other large cities, will be elaborated upon at a later stage by Dr. S. Mukherjee, Senior Criminologist of the Australian Institute of Criminology and Mr Shinichi Tsuchiya, Deputy Director of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders.

Whilst the trends are not entirely consistent and whilst there are aspects of crime in Japan which are still giving cause for concern, e.g. drugs, juvenile delinquency and women's crime, the general pattern of a falling rate of serious crime has continued to prevail and has been repeated in 1979 - the latest year for which figures are available as this goes to press. Throughout the past few decades the number of non traffic, penal code offenders investigated by the Japanese police has maintained a downward trend from the 1950 peak figure of 578,152. In 1978 there were 379,322 such offenders and though this figure was about 18,500 more than in the previous year, there was still a decrease in the number of persons actually prosecuted. As indicated this decline continued in 1979.[2]

This graphic picture of falling crime has to be seen against the background of Japan as a country which is without doubt the most highly industrialised, highly urbanised and, in relation to its natural resources, one of the most densely populated nations of the world.

Elsewhere in the world, industrialisation and urbanisation have been accompanied by a rise in crime rates and especially in serious crime rates. This has happened not only in Europe and North America but in Africa, South America and other Asian countries. The fact that this has not been happening to the same extent in Japan would itself be remarkable. That the trend is actually downwards is astonishing. Yet it is a statistical phenomenon reinforced by personal and public experience. Other studies have shown that people feel safer in Japan and foreigners often prefer to stay in Japan to rear their children rather than expose them to the permissiveness and drug scenes typical of large cities in the West. Providing even more weight to this striking divergence from the rising crime rate of the West, is the evidence that in Japan even traffic problems have been reduced over the years - and this despite a great increase in the number of cars and drivers. For example, Table 1 shows a fall in the figures for traffic accidents in Tokyo during the past 10 years and the national picture in given in Table 2.

From any viewpoint or angle therefore, the crime situation in Japan is quite exceptional; but this is not to suggest that Japan does not have some serious crime problems.

An article in the Financial Review[3] has described crime in Japan as being a growth industry. Working on the police statistics, the author tried to show that crime was developing rapidly. He drew special attention to the fact that according to the Police White Paper for 1978, Japan had no less than 2,500 gangs with about 110,000 members and an income of a billion yen. The writer compared this with 180,000 men in the Self Defence Force and 424,000 persons working for the railways. Unfortunately, the information referred to here does not seem to have been available to

TABLE 1

POPULATION, VEHICLES AND TRAFFIC ACCIDENTS IN TOKYO*

Year	Population of Tokyo	Motor Vehicles in Tokyo	Accidents Involving Casualties	Deaths in Traffic Accidents	Injuries in Traffic Accidents	Casualties per 100,000 population	Casualties per 1,000 Motor Vehicles
1970	11,400,596 (100)	2,196,921 (100)	65,178 (100)	824 (100)	87,582 (100)	775.5 (100)	40.2 (100)
1971	11,506,856 (101)	2,343,051 (107)	56,421 (87)	660 (80)	74,446 (85)	652.7 (84)	32.1 (80)
1972	11,575,141 (102)	2,485,422 (113)	48,042 (74)	551 (67)	62,092 (71)	540.0 (70)	25.2 (63)
1973	11,604,098 (102)	2,615,737 (119)	42,357 (65)	538 (65)	54,237 (62)	472.2 (61)	20.9 (52)
1974	11,612,066 (102)	2,652,473 (121)	35,868 (55)	434 (53)	45,406 (52)	395.2 (51)	17.3 (43)
1975	11,612,066 (102)	2,652,473 (121)	35,868 (54)	434 (46)	45,406 (50)	395.2 (49)	17.3 (40)
1976	11,675,852 (102)	2,741,555 (125)	34,131 (52)	350 (42)	42,287 (48)	365.2 (47)	15.6 (39)
1977	11,683,479 (102)	2,833,622 (129)	33,501 (51)	335 (41)	40,767 (47)	351.8 (45)	14.5 (36)
1978	11,688,186 (103)	2,949,622 (134)	31,881 (49)	294 (36)	38,680 (44)	333.4 (43)	13.3 (33)
1979	11,681,581 (102)	3,081,651 (140)	30,783 (47)	277 (34)	37,451 (43)	323.0 (42)	12.2 (30)

* Provided by a publicity publication of Tokyo Police Headquarters.

TABLE 2

NUMBER OF TRAFFIC ACCIDENTS

NUMBER OF KILLED AND INJURED

Year	Accidents	Killed			Injured		
		Actual Number	Per 100,000 Population	Per 10,000 Vehicles	Actual Number	Per 100,000 Population	Per 10,000 Vehicles
1974	490,452	11,432	10.3	4.1	651,420	589.1	235.1
1975	472,938	10,792	9.6	3.7	622,467	556.1	215.1
1976	471,041	9,734	8.6	3.2	613,957	542.9	198.7
1977	460,649	8,945	7.8	2.7	593,211	519.7	180.5
1978	464,037	8,783	7.6	2.5	594,116	515.8	169.7

N.B.

1. According to Statistics of Traffic Office of the National Police Agency.

2. Only persons who died within 24 hours of the accident are included.

the person who wrote the article. Thus the wrong
impression was given when he alleged that for the fifth
year in a row there had been an increase in the number of
serious crimes. Not only had the number of serious crimes
been declining, but even gang offences had been declining.
Such increases in absolute figures noted for the past five
years were not rates and could only have referred to minor
offences. Even the serious crime still giving trouble in
Japan is not quite the same in pattern or extent to that
in the West. Drug problems, for instance, are problems of
stimulant drugs in Japan rather than problems of heroin, cocaine
or other hard drugs. Nor are hallucinant drugs any great
problem.

However, the drug scene in Japan has changed over
the years and whenever it gets serious, there is a national
campaign to reduce the incidence with the result that
addiction and trafficking in Japan (unlike so many other
countries), are relatively well controlled, even though they
remain a matter for concern and vigorous counter-measures.

Like many other countries, Japan has juvenile
delinquency and this has been increasing in recent years,
but the difference between Japan and Western nations is
shown by the fact that most of the young people released from
juvenile institutions are released to their own families. More
and more, in Europe, America and Australia, such children
released cannot be sent back to their families either because
the families are no longer united, or else because the parents
or guardians do not want the child. Significant too is the
relationship between the juvenile delinquency and the
fiercely competitive educational system in Japan. This
examination-based education system is so exacting, so rigid
and so decisive for future careers, that a young person who
does not pass the necessary examinations for his higher
school or university studies frequently finds himself falling

outside the accepted society or group to which he not
only wants but needs to belong. The necessary reorientation
of his life, when failure occurs, is so drastic that some
cannot face it and commit suicide. Inevitably, there are
times when this experience of falling outside the system
leads to delinquent behaviour or to young people trying to
form alternative groups or special cultures of their own.

Notes

(1)   W. Clifford, Crime Control in Japan, Boston
            D.C. Heath, Lexington Books, 1976, and
            Hans-Heiner Kühne und Koichi Miyazawa,
            "Kriminalität und Kriminalitätsbekämpfung in Japan",
            Sonderband der BKA-Forschungsreihe, Wiesbaden, 1979.

(2)   Summary of the White Paper on Crime, 1979, Government
            of Japan, Tokyo, 1979: pp. 1-2.

(3)   Don Calman, Australian Financial Review, 15 October 1979.

CHAIRMAN'S INTRODUCTION

by

W. Clifford*

Your Excellency, Your Honours, Distinguished Guests, Ladies and Gentlemen.

Throughout the year it is my agreeable task to extend this Institute's warm welcome to a great variety of people who come from all over Australia to the national seminars and conferences which we hold in this room, on a wide range of criminal justice subjects. So, I find myself repeating over and over again those conventional expressions of courteous appreciation with which we have all become familiar. I am always saying what a privilege and an honour and a pleasure it is for us to be so favoured by this company. The words don't change very much because, rich as our language is, there are really very few options when it comes to describing our true feelings.

I can think of few occasions in the past four or five years however, when I have used such hackneyed and formal expressions with the sincerity that I can use them this evening. For this symposium is an occasion on which we are indeed favoured. For our discussion of Japan we are graced with the attendance of knowledgeable and prominent members of our community. With us on the panel we have

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* Director, Australian Institute of Criminology.

experience and distinction, not only from Australia
but from Japan itself. Above all, we have the honour of
an opening of the proceedings by His Excellency the Ambassador
of Japan, Mr Kuroda.

I am therefore a privileged chairman with an
interesting evening before me. I hope you will all enjoy it
as much as I intend to. I hope you will find the evening as
informative as we hope to make it.

However, for those of you who are with us for the
first time this evening I should perhaps explain that this
Institute is a federal/interstate statutory authority - the
only one of its kind in the world. As you know most institutes
of criminology are in universities or in government departments.
Here, at this Institute, we seek to get the best of both
worlds with a mixture of both academic and public service
experience; and our independence as an Institute flows from
the necessity in Australia of having a structure capable of
being an internationally recognised resource centre for
the universities as well as being capable of bringing state
and federal agencies together. Since, in Australia, the
States are responsible for most of the criminal justice
services, we who work here are frequently in the States to
do our research and training - or else we are bringing their
representatives here for consultation, training and research.
It has sometimes been said therefore that whilst we are
in Canberra, we are not of Canberra - and it has been said
that we do not do enough to provide for the interest which
the people of Canberra have in our work.

This symposium represents therefore, a new
departure for us. We have decided to experiment with evenings
of this type for those interested in learning more about
crime and its control not only here but across the world.
And what better country could we choose for our beginning than
Japan our distinguished neighbour, close trading partner and the
industrial giant of our Asian and Pacific region.

Being criminologists however, we are less concerned with Japan's economic progress and resilience than we are with its remarkable and demonstrated capacity for controlling crime. Naturally we are aware that concomitant economic and social factors may be linked by other common denominators. That is what we are here to discuss this evening.

I will present to you each speaker as his turn comes round and we are hoping that there will be ample time for discussion. If you have an aversion for taking notes these proceedings will be published by the Institute in due course. A buffet meal will be served in our library at about 6pm - to give you a break and an opportunity for informal discussions.

Again we are delighted (not merely formally honoured or pleased) to have you all with us: and it is now my genuine pleasure and very real privilege to invite His Excellency the Ambassador, Mr Kuroda, to launch us into our evenings proceedings.

Opening Address by His Excellency, The Ambassador of Japan

Mr Mizuo Kuroda

Mr Clifford, Mr Tsuchiya, Distinguished
Participants, Ladies and Gentlemen.

I am honoured and very pleased to have been
invited by the Australian Institute of Criminology to open
this Symposium this evening. I say this, not only because
of the flattering theme to be taken up - "Why is it Safer
to Live in Tokyo?" - but also because of the close
relations that the Institute and its Director, Mr Clifford,
have developed with my country.

The Australian Institute of Criminology has had
a strong co-operative relationship with the United Nations
Asia and Far East Institute for the Prevention of Crime
and Treatment of Offenders ever since its establishment in
Japan in 1960. Although the United Nations Institute
was set up at the city of Fuchu near Tokyo under an agreement
between the Japanese Government and the United Nations,
in recognition of strong Australian support for this
initiative, Dr. Norval Morris, a distinguished Australian
criminologist was appointed the first Director. Dr. Morris,
I am told, stayed for two years, and shortly afterwards,
Mr Clifford became United Nations Senior Adviser to the same
Institute.

From that time on Mr Clifford's association with
Japan has continued. As Director of the United Nations Crime
Prevention Programmes, he was responsible for supporting the
Institute and selecting experts to be stationed there.
He was in charge of negotiating the contract which in 1970
transferred responsibility for the Institute from the
United Nations to the Japanese Government. He was Executive

Secretary for the Fourth U.N. Conference on Criminology which
was held in Kyoto, Japan. Finally, as Director of the
Australian Institute of Criminology, he has continued to
provide support to the Fuchu Institute and was instrumental
in developing a sister relationship between the two Institutes
from which both, as I understand, greatly benefit.
Mr Clifford's book, "Crime Control in Japan" has become a
classic in the field and is often quoted. In short, I
cannot think of anyone better qualified to comment on crime
and its control in Japan and Australia, and in the world
at large.

I would also like to mention here the presence of
Mr Shinichi Tsuchiya, Deputy Director of the Institute, who
has come out specifically to attend this Symposium. I am
very happy to see him among the panel members tonight, as
he is one of the most respected authorities on criminology
in Japan.

"Why is it Safer to Live in Tokyo?" is, I assume,
an extremely interesting and useful subject from the
viewpoint of specialists and experts in criminology.
Furthermore, discussions on the subject will provide a
valuable insight into an aspect of the Japanese society, and
will help Australians to understand how Japan copes with one
of the main problems of a contemporary world. And an informed
knowledge of each other's society will be of increasing
importance for developing a mature and solid partnership between
our two countries in the 1980's.

I am going to be most interested to hear tonight
the expert opinions of Mr Clifford, Mr Tsuchiya and the other
distinguished panelists, about why it is considered to be
safer to live in Tokyo than in many other cities in the world.

Before that, however, and whilst I freely admit
that I am no expert on criminology, I would like to make
a few personal observations on the reasons for Japan's
low crime rate. I hope they are not entirely irrelevant.

Firstly, I would like to emphasize the importance
of the human factors for crime control in Japan, namely
the high professional standard of Japanese police officials.
In fact, many career police officials are graduates of top
Japanese universities, having passed the national public
service examinations with excellent grades.

Some of them who I know personally are men of
character and are whole-heartedly dedicated to their work.
They pay special attention to the maintenance and enhancement
of the morale of the police corps. For instance, a friend
of mine, who has recently retired, visited, while he was
Director-General of the Tokyo Metropolitan Police Board, all
the police stations and branches throughout the Municipality
of Tokyo, including the one in the Ogasawara Islands, 100
kilometres out in the Pacific Ocean. And he familiarized
himself with lower ranking police officers and constables by
having breakfast with them. His firm belief is that the vital
element needed to win the fight against crime is the
dedication and hard work of the rank and file police officers
and constables. Indeed, the untiring pursuit of criminal
offenders by Tokyo Metropolitan detectives is legendary.

Another factor which contributes to Japan's low
crime rate, in particular the low level of violent crime, is
the very strict ban on the possession of, and the control
of sales of, firearms in Japan.

Of course, such a system of control cannot attain
its objective without the fullest support of the community from
its grass roots level, so to say. In this sense, our Police

Corps is fortunate to have enjoyed a relatively high
level of co-operation from the general public. And in
order to secure such co-operation from the general public,
the Police Corps pays greatest attention to public relation
activities. It is extremely cautious to maintain its
good image in the mind of the public.

Unfortunately, however, it seems that there has
again been a new wave of gradual increase, though slight,
in the crime rate in Japan in recent years. And what is
more disturbing, crimes of violence such as bank robberies
and hostage abduction, are on the increase in large cities.
Perhaps this trend is to be attributed to a gradual decrease
in the effectiveness of our crime-preventive functions under
the pressures of urbanization, industrialization and so on.
But it does seem to point to the need to search for new
crime prevention policies which are in accord with changing
times.

And one interesting example of the new approach
to crime prevention being studied in Japan at the moment
is a survey which the National Police Agency is now undertaking.
The watchword for the survey is "To build a city where
crimes are difficult to commit rather than to pursue criminals
after crime has been committed". In other words, this
approach aims at reducing the occurrence of crimes by proper
town planning.

In view of this National Police Agency study,
it seems to me most appropriate that tonight's Symposium is being
held in Canberra, because, I would imagine that this beautiful
planned city is one of the safest of places to live in. Before my

wife arrived, I was sleeping all by myself in a big
ambassadorial residence, yet I had no concern at all
about my security. I know that there are many things
here which Japanese people in their crowded cities
would very much envy, and certainly there is much to be
learned from Canberra's experience as to the influence
of town planning on the urban environment.

Moreover, Australia as a whole has made many
achievements of which she can feel justifiably proud.
Australians have succeeded in building the most affluent
society in this part of the world. Their democracy is one
of the most stable in the world. Their society is a very
egalitarian one, though I should like to add that Japanese
society is another egalitarian society, on a different
basis. Australian students, I am told, cause little trouble,
when in many countries, including mine, how to deal with
students is a most difficult problem. The Australian society
has not produced a "Red Army" or a Baader-Meinhof group. In
this regard, one possible title for the next Symposium could
be "Why are Student Demonstrations Milder in Sydney?"!
Indeed, Japan and Australia have many topics of common
concern to discuss and many things to learn from each other.

This evening, panel discussions will provide,
I trust, one of those occasions on which Australian and
Japanese experts conduct mutually beneficial and fascinating
dialogues.

It is thus with great pleasure that I declare this
Symposium open.

Thank you.

Introduction to Dr. Satyanshu Mukherjee   (Mr Clifford)

        So now to the theme of our symposium.   And the
first thing for us to do this evening is to establish our
major premise - that it <u>is</u> in fact much safer to live in
Tokyo.   I am sure that you could not possibly have missed
the message conveyed by the coloured charts behind me.   In
fact they make our point dramatically - and conclusively
and they will be explained, in a few minutes, by Mr Tsuchiya
who brought them from Tokyo.

        We had a few concerns in presenting this symposium
however.   The first was the possibility that our figures
for previous years might suddenly be rendered doubtful by
an upturn in the very latest figures.   That is why
Mr Tsuchiya is here.   He has brought with him the most up
to date information as you can see.   Secondly, we were aware
that not everyone was as confident about Japan's falling
crime rate as we were.   In fact, an article in the Financial
Review based on the 1978 figures of the Japanese Police actually
maintained that crime like industry in Japan is growing.   Thirdly,
we were aware that all the comparative figures available did
not include Australia because as some of you may know we still
have problems with our total national figures for crime in
this country.

        To begin this proof of our major premise therefore
it seemed appropriate tonight that I should ask Dr. Satyanshu
Mukherjee to give you a swift but penetrating glance at
some comparative figures for crime between nations - including
Australia - which have not been published before.   Perhaps
I should warn you however, that in the figures referred to
it is necessary to bear in mind the different concepts
inherent in talking of "trends", "rates" and "volumes" of
crime.   There is room for some variety of interpretation in
these differences.   Moreover, Dr. Mukherjee will be dealing

with national figures rather than comparing particular
cities.

Dr. Mukherjee is one of the two Senior Criminologists
at this Institute. He has recently completed a major
study of crime in Australia from the year 1900 - which
information he has used to provide us with our snapshot
tonight: and may I add that Dr. Mukherjee has never been
hypnotised by the absolute figures for crime. He has read
our situation in Australia within its context of other
social indicators like population, health, education, economic
and social development or recession and against changes
within the criminal justice system itself - like changes
in the police, court systems, numbers of police and types
of corrections. With that kind of knowledge of Australia he
is in a unique position to show us not only where Japan stands
but where Australia stands in relation to Japan and other
countries.

PRELIMINARY SURVEY

by

Dr. S. Mukherjee

Dr. Satyanshu Mukherjee

     Your Excellency, Distinguished Guests, Ladies
and Gentlemen.

     I have been accorded only about seven or eight
minutes to provide you with a quick look at the available
information on crime trends. You will therefore excuse,
I hope, the fact that I do not elaborate very much on
the charts I will show you now by means of the overhead
projector.

     The first chart (Chart 1) I have to show you
demonstrates the dangers inherent in all international
comparisons. For some years now Interpol has been compiling
crime figures from material provided to it by the police
forces around the world. This is very rough information,
however, because cases and persons are not clearly distinguished
and we are never sure how the behaviour constituting the
offence for purposes of counting is differently interpreted
in the different countries. You can see that the line
representing total crime in Japan ascends far beyond the
lines showing total crime in other countries. Then very
suddenly there is a precipitous drop and the Japanese line
proceeds beneath the lines for the other countries. The
explanation is simple. Up to the point where the line
for Japan drops abruptly, the Japanese had been supplying
Interpol with its figures for total crime including all
the traffic offences. Japan then found out that other countries
were interpreting the figures differently and supplying
Interpol with figures for their total crime excluding
traffic offences. So Japan took out its own traffic cases and
as you can see Japan's crime fell to a level substantially
lower than that of other countries.

CHART 1

Figure 2. Crime rates per 100 000 population in selected countries: 1950 to 1974.
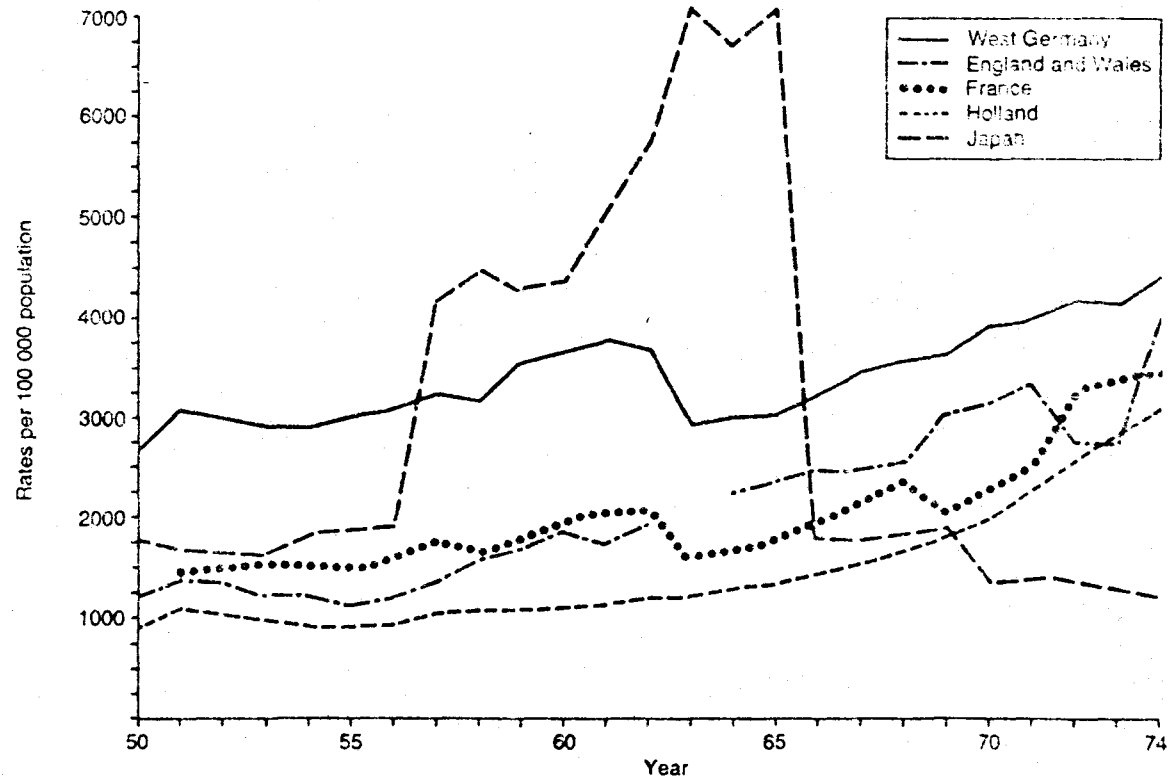
This is only one of the many difficulties encountered in cross-cultural comparison of crime statistics. Be that as it may, if the official crime statistics of any country are taken at face value there is no denying that Japan has not only been able to contain the level of crime during the post-second world war years but has managed to record a declining crime rate. This is quite evident in Chart 2. In each of the three offences, taking 1960 as base, Japan shows consistently declining trends. The trends that come closest to Japan are the trends in homicide in Australia and rape in West Germany. For the rest, all the countries, except Japan, show increasing trends. We may, however, caution that the above chart shows only trends and not the actual level of crimes.

The actual levels of crimes, based on rates per 100,000 population, are shown in Table 1. Here again there are some problems. The Japanese crime rates for homicide, rape and robbery are based on the population criminally liable, i.e. all those of 14 years and over, whereas for other countries they are based on total population. It is obvious therefore that the figures for Japanese crime rates will actually be substantially lower had the rates been calculated on the basis of total population. Even accounting for this discrepancy, the data on homicide and rape tend to contradict other information provided by the Japanese White Paper on Crime. It is necessary here to be clear about trends and rates as compared with the national significance of crime. For example, the United Kingdom shows consistently lower homicide and rape rates as compared with Japan. And looking back I must say in all fairness that, among all the civilized nations, the homicide rates in the United Kingdom have been one of the lowest for decades. The fact that as compared with Japan these United Kingdom rates are low does not allow us to ignore the fact that they are rising in the United Kingdom and falling in Japan.

CHART 2

TRENDS IN MAJOR CRIME RATES IN AUSTRALIA, AMERICA,
ENGLAND, WEST GERMANY, AND JAPAN, 1960-1975

(Index 1960=100)

HOMICIDE

West
Germany
England
America

Australia

Japan

Index

1960   1965   1970   1975

RAPE

America

Australia

England

West
Germany

Japan

Index

1960   1965   1970   1975

ROBBERY

England

Australia

America

West
Germany

Japan
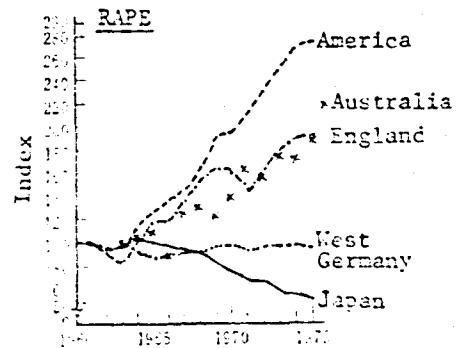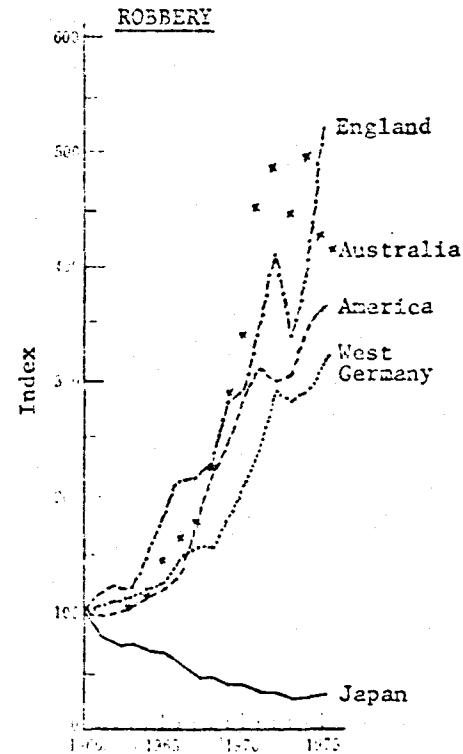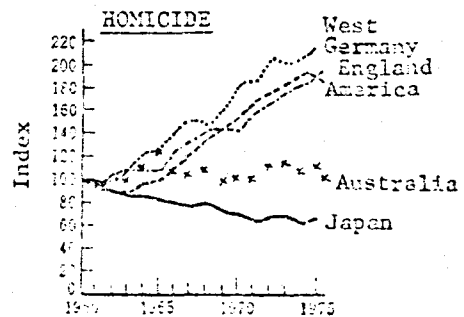
Index

1960   1965   1970   1975

TABLE 1

NUMBER OF OFFENCES REPORTED PER 100,000 TOTAL POPULATION FOR SELECTED COUNTRIES: 1963-1976

Year	Aust.	U.K.	Japan	U.S.A.	West Germany	Aust.	U.K.	Japan	U.S.A.	West Germany
			Homicide					Rape		
1963	3.7			4.6	2.3	3.0			9.4	11.4
1964	4.1			4.9	2.5	3.2			11.2	10.6
1965	4.6			5.1	2.6	3.3			12.1	10.0
1966	3.9		3.0	5.6	3.0	2.8		10.7	13.2	10.2
1967	3.9	0.7	2.9	6.2	3.2	3.7		10.3	14.0	10.4
1968	4.0	0.7	2.9	6.9	3.0	3.9		9.8	15.9	10.5
1969	3.6	0.7	2.9	7.3	3.3	3.8	1.8	8.6	13.5	11.1
1970	3.9	0.7	2.7	7.9	3.9	4.3	1.9	8.0	18.7	11.2
1971	3.7	0.3	2.6	8.6	4.0	4.9	1.5	7.2	20.5	10.7
1972	4.2	0.8	2.6	9.0	4.4	4.7	1.8	6.6	22.5	11.4
1973	4.3	0.8	2.5	9.4	4.3	5.5	2.1	5.7	24.5	11.3
1974	4.1	1.1	2.2	9.8	4.4	5.4	2.2	5.3	26.2	11.4
1975	4.4	0.9	2.5	9.6	4.7	5.7	2.1	4.7	26.3	11.1
1976	3.9	1.3	2.4	8.8	4.5	6.3	2.6	3.9	26.4	11.3
			Robbery					Burglary*		
1963	4.7			61.8	11.7	374.2	450.2		576.4	465.5
1964	5.3			68.2	12.4	409.3	480.6		624.7	514.0
1965	6.8			71.7	13.0	452.3	519.2		662.7	510.8
1966	7.7		5.0	80.8	15.1	486.9	566.9		721.0	668.4
1967	8.2		4.0	102.8	16.3	499.8	547.2		826.6	745.9
1968	10.8		3.8	131.8	16.2	577.6	589.8		932.3	765.1
1969	13.7	12.4	3.7	148.4	18.9	639.0	864.4		994.1	769.3
1970	16.5	12.9	3.5	172.1	21.5	750.4	886.4		1084.9	1050.8
1971	21.8	15.3	3.1	183.0	25.3	944.2	927.6		1163.5	1330.2
1972	23.3	18.3	2.9	180.7	30.5	948.0	901.3		1149.8	1472.1
1973	21.4	15.1	2.5	183.1	29.5	884.2	807.7		1222.5	1448.1
1974	24.1	17.8	2.5	209.3	30.6	919.6	993.9		1437.7	1581.0
1975	20.8	23.2	2.6	218.2	32.9	894.7	1072.0		1525.9	1689.4
1976	20.1	28.0	2.3	195.8	31.6	914.3	1230.0		1439.4	1716.3

Burglary data for Japan are not available and the robbery data present a major difficulty. In Australia, West Germany, the United Kingdom and the United States of America robbery includes stealing from the person; my discussion with Mr Tsuchiya revealed that this is not the case in Japan. Lastly, I may also say that while the volumes of homicide, rape and robbery have shown increasing trends in West Germany, the United Kingdom and the United States of America, Japan shows an opposite trend.

The lower Japanese crime rate is often explained by the social system, and effective informal as well as formal control mechanisms. It is unwise to be complacent however. The same social and control systems which have been able to contain and reduce crime, have also maintained a relatively high suicide rate. The Japanese suicide rates have held a position within the top quartile of the countries reporting suicides to international agencies. West Germany and some of the countries of East Europe and Scandinavia also show high suicide rates. But what is interesting is the ratio between homicides and suicides. In Japan this ratio ranges between one homicide for every eight suicides and one homicide for every ten suicides; this ratio is lower in other countries. This relationship can be examined in ascertaining punitiveness and aggression in a society. Like many other factors, these may enable us to measure safety in a place.

Introduction to Mr Shinichi Tsuchiya   (Mr Clifford)

            And now I realise that I cannot contain your
patience with these fascinating charts any longer. I
therefore introduce to you Mr Shinichi Tsuchiya, who
for 10 years has been a Public Prosecutor of the Ministry
of Justice in Japan in Tokyo, Kyoto and other places.
He was a distinguished researcher of that Ministry who
was concerned with one of its major research projects on
crime and development at the new port of Kashima during
the period of its growth. He was a Legal Counsellor to the
Minister of Justice. Mr Tsuchiya is currently the
Deputy Director of the United Nations Asia and Far East
Institute for the Prevention of Crime and the Treatment
of Offenders at Fuchu, west of Tokyo. He and I have
collaborated, not only in Japan but in Canada for the United
Nations.

            Mr Tsuchiya is a graduate of the Kyoto University,
studied in the United States for a period of one year, and
has attended the Diplomatic Conference on Armed Conflict
and the Geneva Conventions. He has also been a consultant
for the Pacific Trust Territory in Micronesia.

            I have long admired Mr Tsuchiya's work and
I believe we are very lucky to have him with us as a major
contributor to our symposium.

THE UP-TO-DATE FACTS AND FIGURES

by

Mr S. Tsuchiya

Mr Shinichi Tsuchiya

        Mr Chairman, Your Excellency Ambassador Kuroda,
Distinguished Guest Speakers and Ladies and Gentlemen.

        It is my great honour and privilege to be invited
to attend this symposium on "Why is it safer to live in
Tokyo?" and to make an informational presentation on the
crime situation and on the various crime prevention programmes
in Tokyo.

        Our Institute, the United Nations Asia and Far
East Institute for the Prevention of Crime and the Treatment
of Offenders (UNAFEI), is located at Fuchu in Tokyo. It
conducts three international training courses annually, and
a seminar for public officials who come mainly from the
Asian and the Pacific countries. We also invite world-famous
scholars and practitioners in the field of criminal justice
as visiting experts for our courses. These experts have
included Mr Clifford, Mr Bevan and His Honour Judge Connor
from Australia. During the period of these courses, not
only participants but also visiting experts have realized
that Tokyo is one of the safest cities in the world.
Dr. David H. Bayley, Professor of Police Science, the
University of Denver, U.S.A. says in his book entitled
"Forces of Order":

            "Americans who live for a while in Japan
            soon begin to experience a liberating sense
            of freedom; they forget to be afraid. They
            learn to walk through city streets by night
            as well as day and not fear the sound of
            a following step, and the sight of a lounging
            group of teenagers...Vandalism is rare;
            even graffiti is unobtrusive, at most
            pencilled mustaches on subway billboards.
            Public telephones show no sign of tampering.
            Every foreign visitor has a story of some
            surprising acts of individual honesty - money
            left untouched in hotel rooms, lost purses
            returned, currency found again in the
   pocket of a suit brought back from cleaners." [1]

In addition to this description one can find in open places and squares, at the front of almost all railway stations in Tokyo, any number of motor cycles and bicycles which are left unlocked all day, and even at night, by the commuters. Vending machines for beer, soft drink, cigarettes, etc. are installed without any destruction in many corners of our streets and at the front of our many stores.

The Research and Training Institute of the Ministry of Justice in Japan conducted a comparative study of crime in the large cities in Japan, such as Tokyo, Osaka and Yokohama, and the large cities of the West such as New York, London and Paris. As shown in Figure 1, the crime rates per 100,000 population with respect to theft, murder, robbery, and rape are very low in Tokyo, Osaka and Yokohama as compared with those of the Western cities.

Looking at the crime trends in these same cities, the trends of crime in these western cities have shown a sharp increase, while in Tokyo and Osaka there has been a downward trend from 1962 to 1973. (Figure 1a and Figure 2). For the past 10 years, there has been no significant fluctuation in the number of non-traffic penal code offences known to the police in Tokyo although a slight increase was observed in the past three years. With respect to the trends in specific categories of crime, violent crimes such as murder, robbery and rape and including bodily injury and assault have been decreasing in number, while property crimes have been increasing. However, the increase in property crimes is not serious and is attributable to a rise in such minor cases as bicycle stealing or shoplifting.
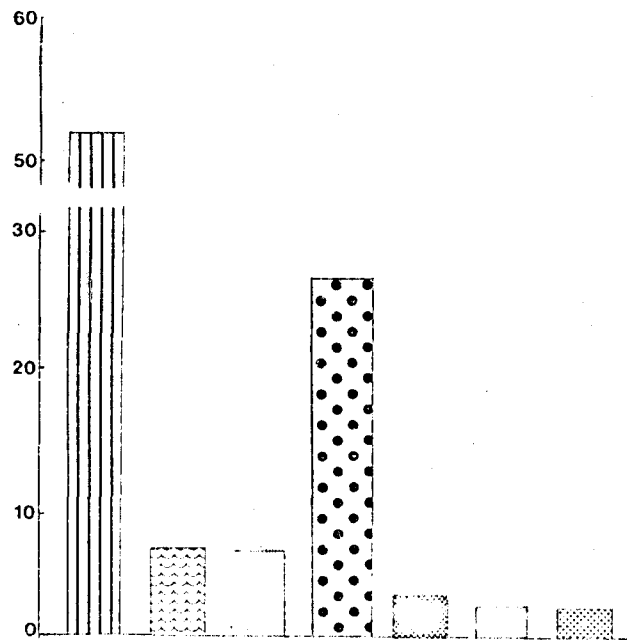
Fig.1 CRIME RATES IN LARGE CITIES, 1978

Murder
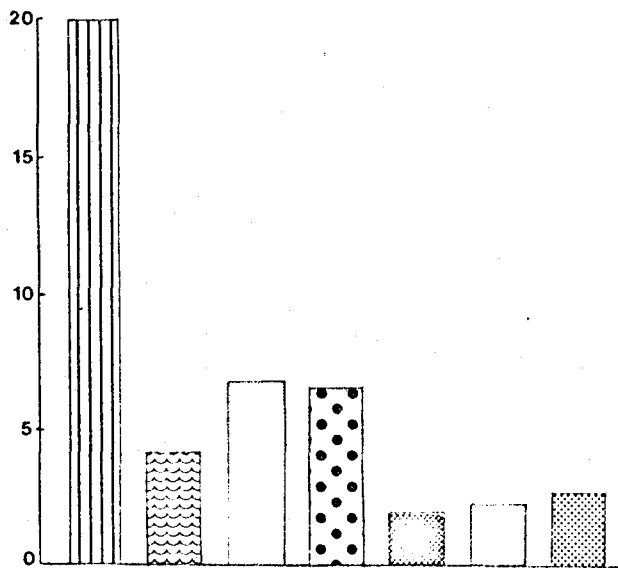
Robbery
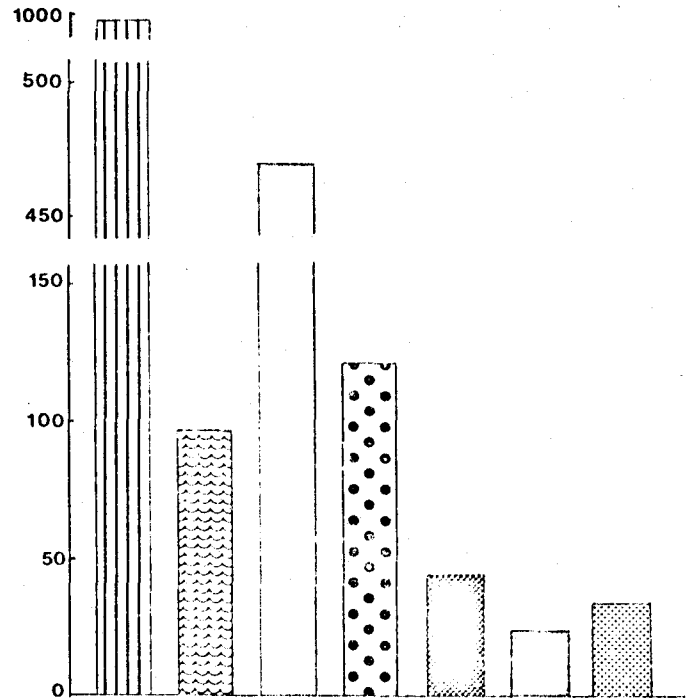
Rape

Theft
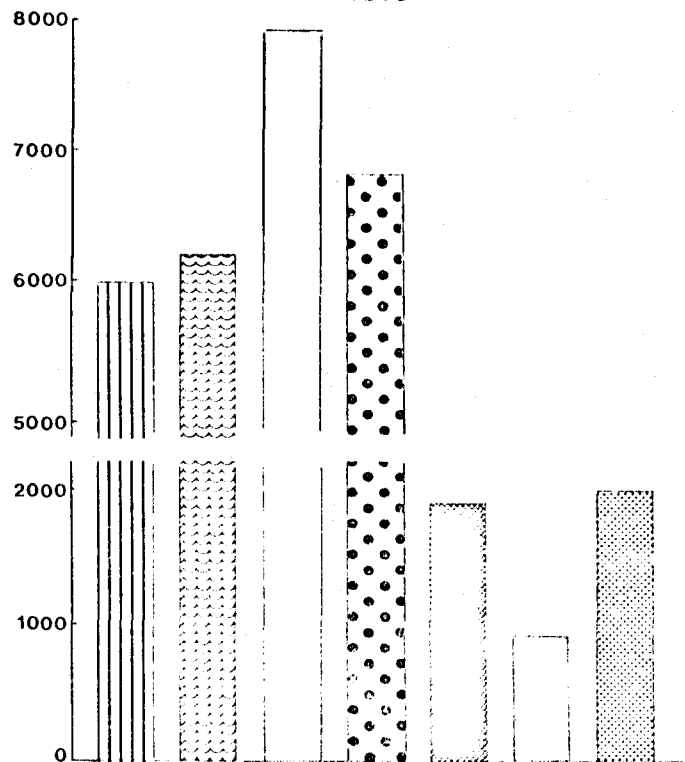
IIIIII NEW YORK   PARIS   TOKYO   OSAKA

LONDON   WRETCH?   YOKOHAMA   Rates per 100000 population

Fig.1a CRIME RATES IN LARGE CITIES

Theft
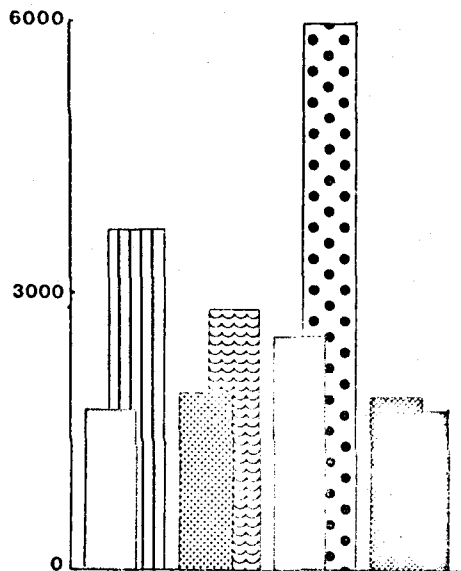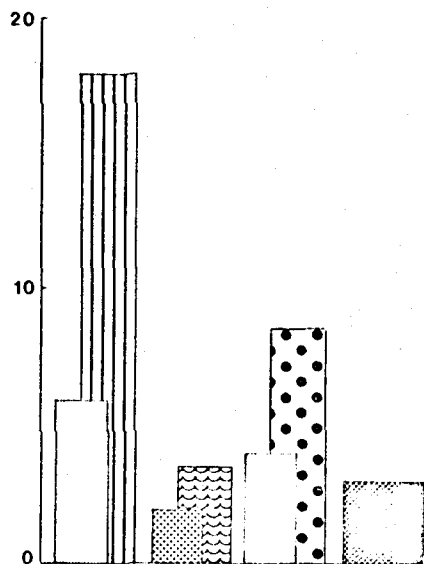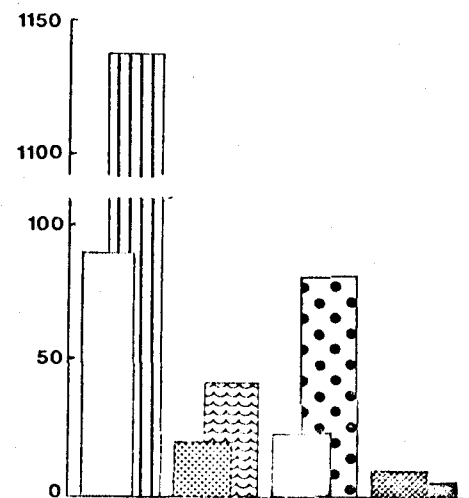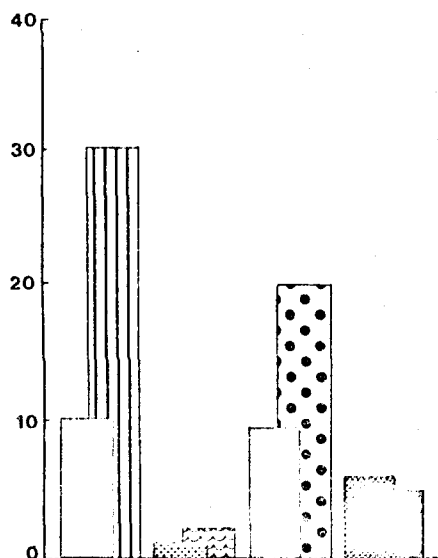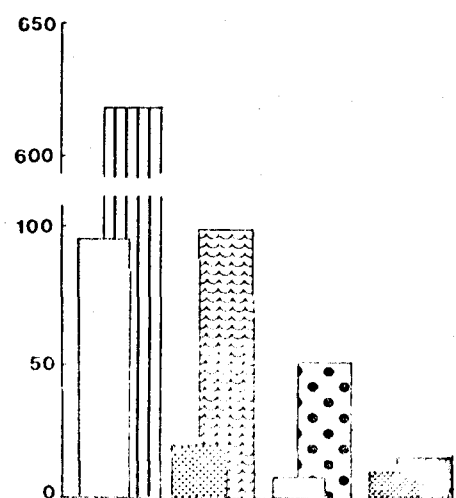
6000

3000

0

Murder

20

10

0

Robbery

1150

1100

100

50

0

Rape

40

30

20

10

0

Narcotics

650

600

100

50

0

1963   1963   1964   1963
NEW YORK   LONDON   W BERLIN   TOKYO
1971   1971   1972   1972

Rates per 100000 population

Fig. 2 PENAL CODE OFFENCE RATES
MAJOR WORLD CITIES
1963-1972

Source: Japanese White Paper on Crime 1973

Although crime does not constitute a serious
social problem in Tokyo or in the other large cities of Japan,
it is obvious that such large human settlements have some
crime which is beyond tolerable levels. There are some
problems which require proper consideration if they are to
be solved.

First, the number of juveniles committing
non-traffic penal code offences has been increasing in
recent years. The characteristics of these juvenile offenders
and their offences are as follows:

> an increase of offenders in the younger age
> groups and from the middle classes or from
> good cohesive families;
>
> a rise in offences committed by groups
> of juveniles looking for amusement or thrills.

However, as I have already indicated, we are fortunate that
even this rise in the number of juvenile offenders is mainly
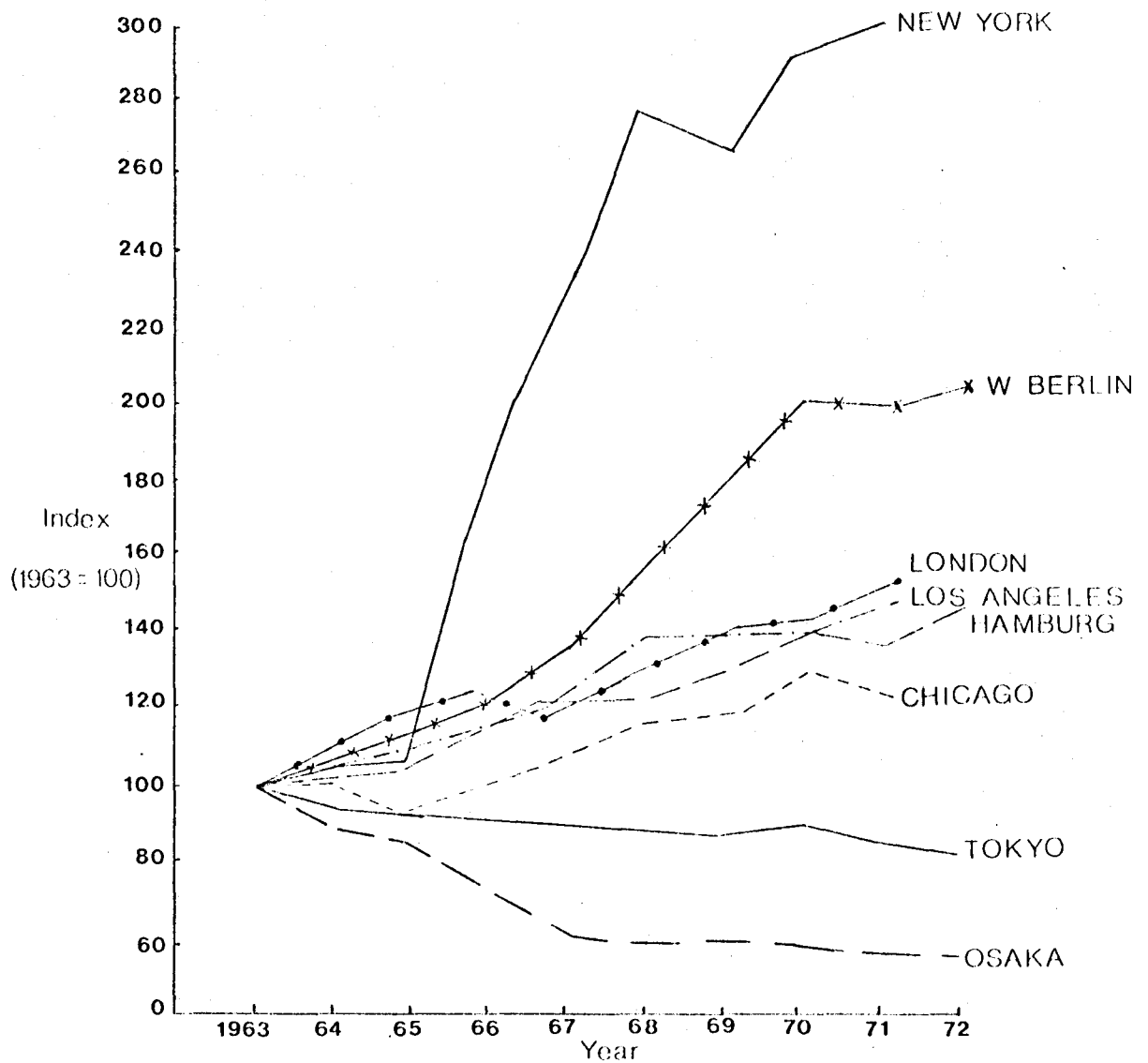due to an upsurge in minor thefts such as bicycle stealing
and shoplifting.

Secondly, in marked contrast to the decline in the
numbers of male offenders there has been an increase in the
numbers of female offenders committing property and violent
crimes. The increase in theft is attributed, of course, to
the proliferation of opportunities for women to commit
such crimes as occur in many supermarkets and departmental
stores to which women go more frequently than men. Similarly,
it seems that the increase in fraud and embezzlement is
partly due to the increasing involvement of women in the
community's economic activities. The rise in the incidence
of violent crime committed by females is still very small
as compared with the number of violent crimes committed by
males.

Thirdly, there has been a sharp rise in the number of
stimulant drug cases and this has continued for the past
ten years. Some stimulant drug addicts have committed serious

crimes such as murder, arson and bodily injury as a result
of their hallucinations. Most of the stimulant drugs used
in Japan are produced in neighbouring countries. They are
smuggled into the country and trafficked for profit by a
variety of gangster groups.

Fourthly, the crimes which are committed by gangster
groups are of great concern to the criminal justice agencies
and the general public. The police reported that as of the
end of 1979 there were 25,617 members of 109 gangster groups
(including small ones) in Tokyo. This means that they represent
0.2% of the total population of the city, and the proportion
of gangsters amongst the total offenders arrested by the police
was 11 per cent of all persons who committed non-traffic
penal code offences.

It is often said that rapid industrialization
and urbanization are associated with high and increasing rates
of crime. When industrialization and urbanization occur
without the implementation of appropriate social defence plans,
the mobility of people and disorganization of families
and local communities increase, and at the same time law
enforcement agencies tend to have difficulty in keeping pace
with these rapid social changes. The gap between the haves and
have-nots widens and those who cannot realize their aspirations
by legitimate means tend to seek them illegitimately. Thus
it is observed that rapid and capricious urbanization and
industrialization weaken the formal and informal crime
controls. There is an increase in opportunities for crimes,
less integrated social control of behaviour and therefore
an increase in the number of potential criminals.

Why, then, has this disruption not occurred to the
same extent in Japan as elsewhere? Why is crime stabilized
in Tokyo and other large cities in Japan, despite the rapid
and intense urbanization experienced by these cities during
the past two or three decades? The Japanese White Paper on
crime for 1977, seeking to answer this difficult question,
attributes the low rate and stable situation of crime to

economic growth, good living conditions, high levels of
education, a homogeneous society, effective law enforcement
activities and rather strong informal controls by families
and local communities.

Japan has enjoyed significant economic growth
since World War 11, although the recent world wide recession
has slowed down the pace of growth. The illiteracy rate
is only 0.1 per cent; 94 per cent of youths of the same age
graduate from senior high schools and 35 per cent of them
proceed on to universities. The nation consists of a single
race with the same culture and traditional backgrounds so
that there exists no racial problems and little in the way of
cultural conflict.

However, even in many developed countries which also
have good economic conditions, improved living conditions and
high levels of education, crime has been increasing in
number and rate. Therefore, it is necessary to look in more
depth into various factors conducive to crime in Japan.

In the first place, although many developed countries
have had good economic conditions as in Japan, the recent
unemployment rate in these countries has been much higher than
that in Japan. For instance during the past ten years the
unemployment rate in Japan has gone from 1.2% to 2.3%, whereas
in the U.S.A. it has gone from 4.9% to 8.5%. In England
unemployment has risen from 2.6% to 6.2% and in West Germany
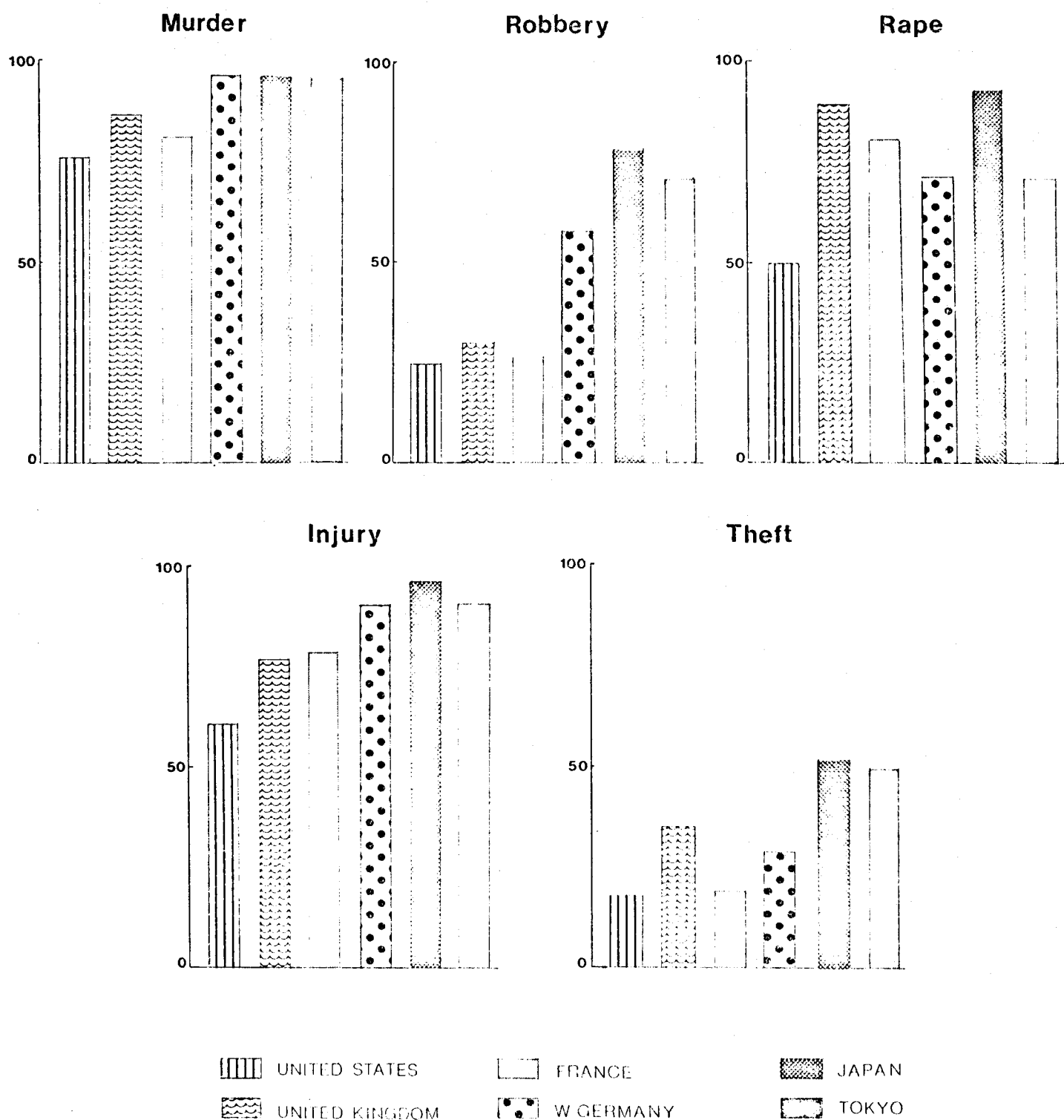it has gone from 0.7% to 4.5%.

In addition, Japan can claim that the wealth and
profits flowing from economic growth have been distributed
fairly equally among the people. Gini's coefficient for variances
for after-tax incomes in Japan was only 0.316 in 1969 which
shows a remarkably equal distribution of wealth.

Secondly, if the police clearance rate of crimes is an indication of the effectiveness of law enforcement activities then Japan has a creditable record. Even a fine penal code and a law carrying heavy punishments have little general deterrence effect on potential criminals; if many offenders are able to escape detection, all seek to evade the criminal sanctions. As shown in Figure 3, the police clearance rate of crime in Japan is much higher than that in other countries.

Thirdly, the controls of guns and drugs are very stringent in Japan. A person may possess a hunting gun or a sword with the permission of the public safety commission, but pistols or other hand guns are not allowed to any except policemen. This may account for the fact that cases involving guns are really very few in comparison with those in other countries. Although stimulant drugs are of serious concern, crimes concerning other hard drugs are almost negligible. For example, in 1978, 191 persons were arrested for violation of the Narcotics Control Law, 163 for violating the Opium Control Law, 1,318 for violating the Marijuana Control Law. But 28,189 persons were arrested for contravening the Stimulant Control Law.

Fourthly, even though the migration of people to urban areas continues and there has been a disorganization of families and local communities, there has been more preservation in Japan of strong informal behavioural controls by families and communities. Also public participation in the prevention of crime and the treatment of offenders has played an important role in the prevention of crime and the treatment of offenders. For example, among the wide variety of voluntary organisations there are no less than 8,000 crime prevention associations composed of 560,000 persons who give their time, and there are 50,000 Volunteer Probation Officers who under the guidance of professional probation officers are playing a significant role in the supervision of probationers.

Fig.3 CLEARANCE RATES OF CRIME, 1978

Murder

Robbery

Rape

Injury

Theft

|||||| UNITED STATES   [ ] FRANCE   [░░] JAPAN

[≈≈] UNITED KINGDOM   [•.•] W GERMANY   [□] TOKYO

These volunteers are essentially persons who have made a
great contribution to the maintainance of informal controls
and to the reorganization of local communities through
various activities relating to the prevention of crime and
the treatment of offenders.

So, to explain Japan's lower crime rate it is
necessary to consider not one but all of these interlocking
factors. Together they have been conducive to maintaining
the lower crime rates and together they have produced the
declining tendency to commit crime which is so clearly
evident in Tokyo and in other parts of Japan.[2]

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(1)   Bayley, D.H.   Forces of Order - Police
           Behaviour in Japan and the United States,
           University of California Press, Berkeley,
           1978: p.9.

(2)   Two additional diagrams (Figures 4 and 5) provided by
           Mr Tsuchiya but not referred to in the above paper
           are included, for information purposes,
           in this report.

Fig.4 CRIME RATES IN JAPANESE CITIES

Penal Code Offences

Heinous Crime

Violent Crime

Population

■ 500000 and over

▨ 400000 - 499999

▨ 300000 - 399999

≈ 200000 - 299999

▨ 100000 - 199999

|||| less than 100000
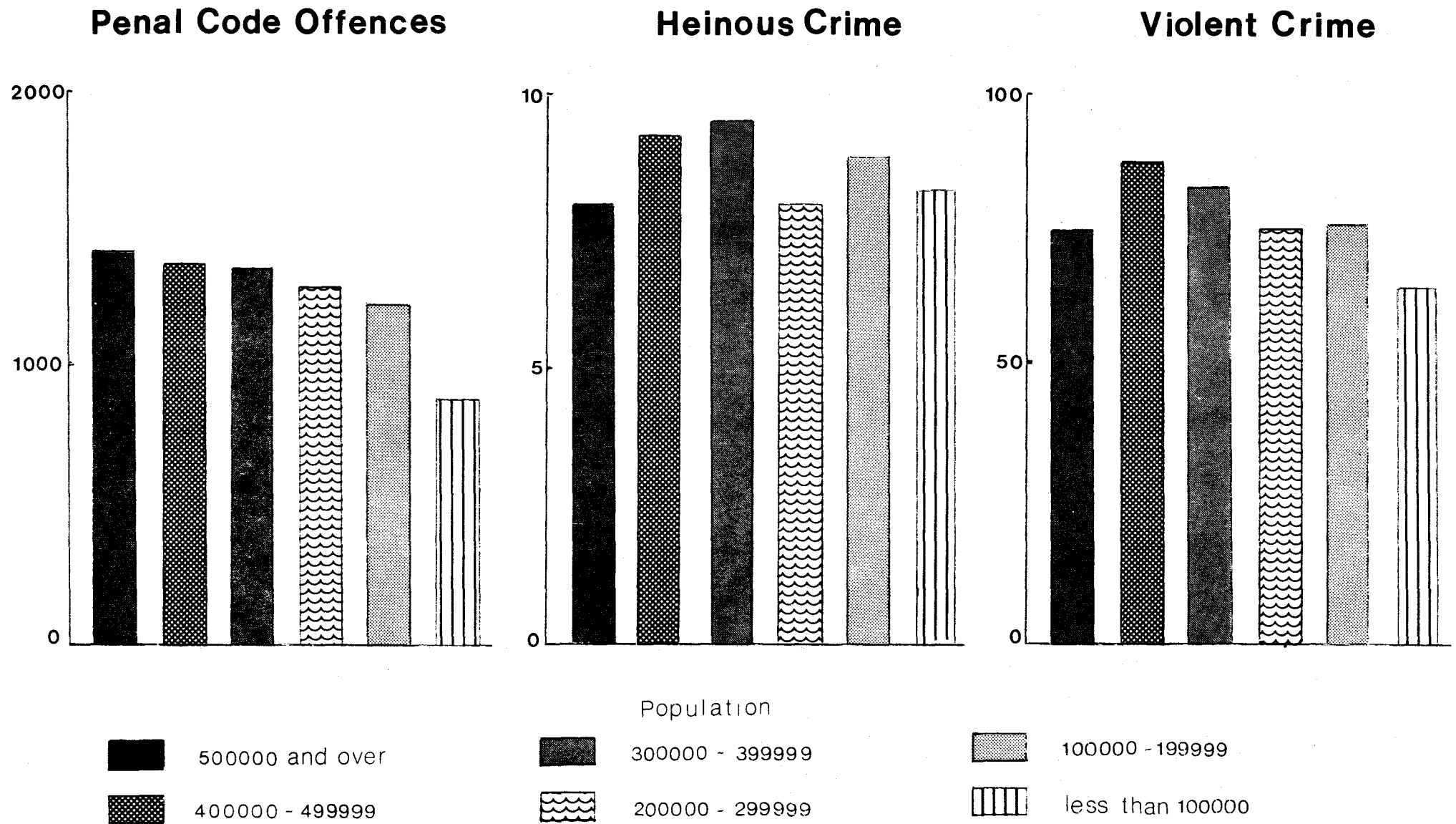
Rates per 100000 population

Fig.5 POPULATION PER POLICEMAN, 1978
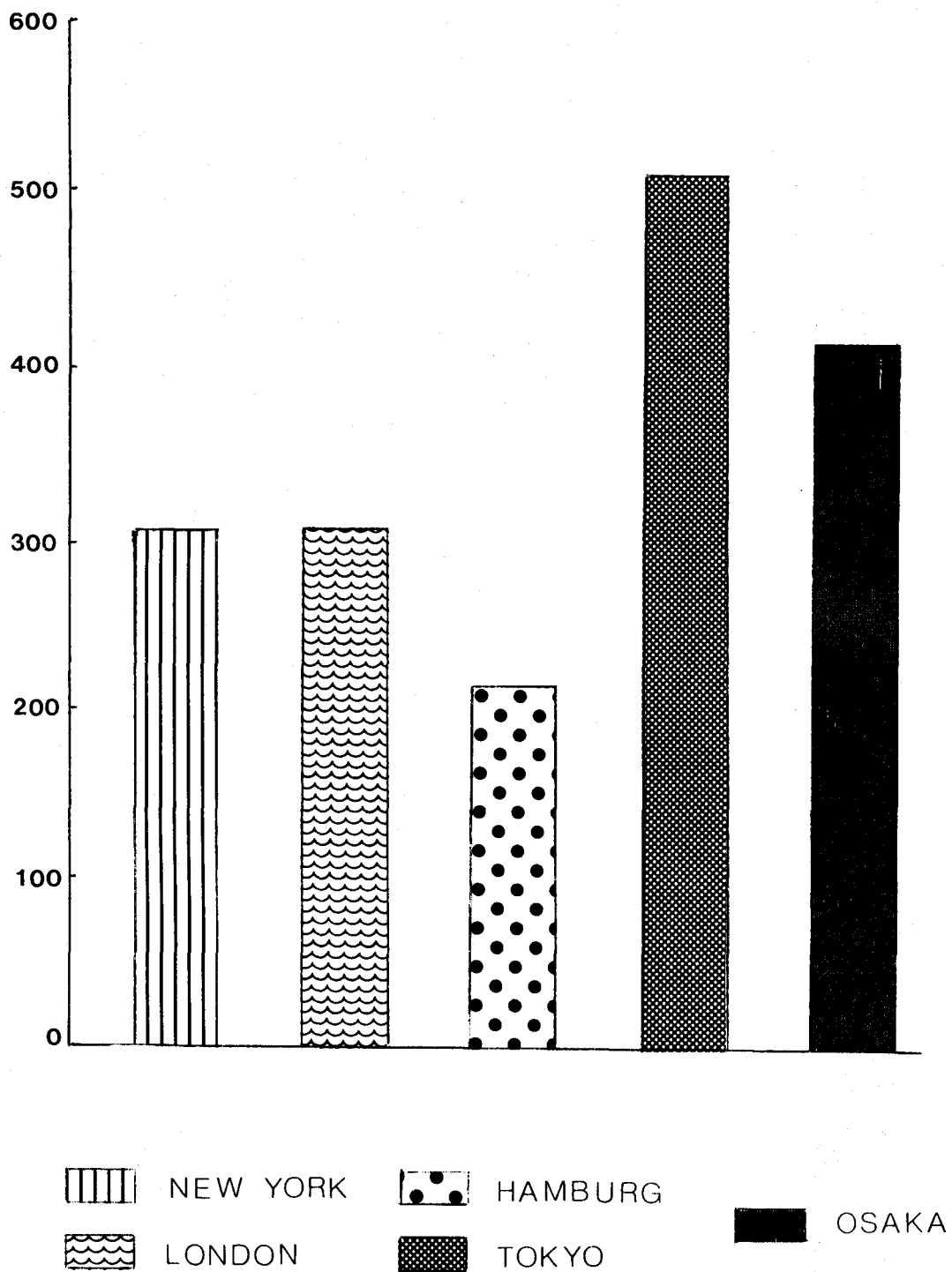
Introduction to Chief Superintendent David Hunt   (Mr Clifford)

        And now we come to our Australian members of
this panel - all of whom toured Japan with me in April
last year....all of whom have had a year to digest that
experience and to ponder its relevance for Australia in
the light of their local responsibilities. First, I
think we should begin with the police view which will
be presented to us by Chief Superintendent David Hunt
of the South Australian Police. Chief Superintendent
Hunt is not only the head of the South Australian Police
Planning and Research Unit but has had the opportunity
to take the most advanced courses in technology and
management as applied to modern policing. He has been to
Europe as well as Japan to glean the best for Australia:
and he has acted as Crime Director on a number of occasions.

        Chief Superintendent Hunt has decided to demonstrate
the value of his Japanese visit by concentrating on the
way the lessons he learned there (about co-operation between
the departments in the criminal justice system and co-operation
with the public) have been fed into the latest developments
within the South Australian police force.

THE POLICE ANGLE

by

Chief Superintendent D. Hunt

Chief Superintendent David Hunt

BACKGROUND

The incidence of crime has increased significantly in the last decade and recent studies of crime trends indicate that this level will be maintained in the 1980's.

The concern of the Police Department is primarily that of countering this increase in criminal activity. The question which has been perplexing criminologists and police alike for many years is how to counter the problem, which method delivers maximum effectiveness and is at the same time economically viable.

The layman's answer to the problem of increasing crime and also increasing sophistication in criminal techniques is to increase police strength. The belief that a solution to rising crime rates will be found in increasing manpower is based on the convention that policing consists of detection and apprehension of offenders, and that more efforts in this direction will constitute a greater deterrent to criminal activity. It is however, becoming increasingly apparent that a feasible increase in manpower may have little impact on the rate of crime.

The Police Department does have another vital function other than detection and apprehension and that is crime prevention. The point at issue here is what is the role of the Police Department in the running of crime prevention programs and how can these programs maximise effective use of resources.

DISCUSSION

When attempting to discuss crime prevention it is
important to establish what is meant by this much used
term. Crime prevention is often associated solely with
property loss, particularly thefts from business premises
and private residences. If the topic is to be approached in
total, covering the broadest spectrum of crime prevention,
programs should cover all preventable crimes.

A conference of all Australian Police Commissioners
in 1979, agreed that the following topics are conducive
to a program using crime prevention initiatives:

- property in the home
- beware of strangers,
- rape and hitchhiking,
- money and valuables,
- cars and trucks,
- shops and business houses.

These types of criminal activity were highlighted
at the 1979 conference and are still deserving of special
emphasis and attention. However, crime trends are a barometer
of our society and, like our society. are subject to change
without notice. An example of these changes is the
increasing emphasis on the so-called white collar crimes
such as computer crime and frauds. The Department must be
flexible in its crime prevention programs and allow for the
required amendments in these programs as the emphasis shifts.

Given that the South Australian Police Department has
embarked upon a program of identifying these types of criminal
activity which lend themselves to prevention initiatives,
it is now encumbent upon the Department to indicate what
form these preventive measures will take.

To do this the Department has developed a conceptual plan outlining the essential elements.

The concept proposed has two stages, the successful achievement of which will result in effective crime prevention through planned policy.

Stage one of our concept is crime deterrence or crime resistance. This involves programs designed to remove the opportunity to commit crime.

Crime is multi-faceted, and the only common denominator of most crimes is a level of opportunity that allows the criminal element a definite advantage over a potential victim. The stage of opportunity removal is the starting point for our current activities, aimed at making the community and the individual citizen aware that they must reduce the chances of their becoming victims. This lessening of criminal opportunity can be achieved by improved security measures and by increasing the level of surveillance on the part of the general public.

The second stage of the conceptual plan is crime prevention. When using the term prevention here, we do not infer the general meaning used by most authors on the subject and indeed throughout this paper. The general interpretation of crime prevention is crime resistance or deterrence, in conceptual terms, we refer to prevention as the removal of the motivation to commit crime.

Realistically the successful completion of this stage is unattainable as it would mean a total removal of all crime, however, it is important for the plan to acknowledge the requirements of this stage, and at least make an attempt at some reduction of criminal motivation. The total removal of motivation to commit crime would indicate that massive changes in not only social attitudes and morals had occurred but that changes in the economic environment had also taken place.

Traditionally the Police Department has accepted
almost sole liability for the instigation and running
of crime prevention programs.

The preventative approach, i.e. the recognition,
anticipation and appraisal of a crime risk and the initiation
of some action to remove or reduce the risk requires
more than police involvement alone. What is proposed is a
three-tier structure, the successful achievement of which
will result in the optimum approach to the problem of crime
prevention.

THE POLICE FORCE

The first tier, the foundation of the structure, is
the compositon of the Police Force itself. It has been
said that communities get the politicians they deserve. So
it is with Police Forces. South Australia is a liberal
democratic State, with a high level of education, a low level
of poverty, and, by world standards, an excellent standard of
living. The people of such a State expect, indeed demand,
that a Police Force will protect and preserve their democratic
rights as well as their persons and property. The general
high level of education provides the public with the ability
to articulate any grievances, be they real or perceived, which
they have with their Police Force. It is therefore imperative
that the Police Force must strive for a high degree of
excellence and expertise.

Members of the Force are chosen after going through
a program of thorough physical and psychological testing,
followed by an extensive training course dealing with the
day to day duties of police men and women. Throughout his/her
career, the officer is encouraged to attend courses geared
to increasing his efficiency as well as the effectiveness of
the Department as a whole. Without this basis, any proposal
aimed at reducing criminal activity would almost certainly
be doomed to failure.

THE JUSTICE SYSTEM

The second tier of the concept which is required
in order to work toward crime prevention   is the Justice
System.

The Justice System is valuable yet expensive for
any Government to maintain and it is therefore essential that
these departments co-ordinate in order to maintain efficiency.
An integrated approach to the problem of crime prevention
requires the establishment of co-operative administrative
arrangements between the various participating agencies
and a commitment by the agencies to meet the needs of crime
prevention.

In South Australia recently, a Government initiative
resulted in representatives from the Justice System meeting
to decide the feasibility of a computerized Justice Information
System. A positive response was achieved, with the result
that Government will consider the matter further.

Although this co-operation applied to the problem
of crime prevention is as yet in its early stages, an atmosphere
of co-operation between the groups concerned with the problems
of crime prevention has arisen. It is imperative that such
inter-departmental exchanges continue to be fostered.
Unfortunately the obvious advantages accrued from the entire
Justice System working in harmony with a well trained and
informed Police Department are still not enough.

THE PUBLIC

Public involvement is essential and this is the
third tier of the plan.

Crime is a social and economic problem which affects
every segment of society and it is becoming increasingly
obvious that traditional policing efforts alone are no

longer sufficient in reducing crime. The number of criminals and even greater number of targets for criminal activity, are simply too overwhelming for police manpower resources to effectively respond to all demands. The problem points to one strategy: the development of programs designed to bring the resources of the Justice System, the police as part of that system, and the public to bear in coping with crime related problems.

The vital point here is that police require active community involvement to reduce crime. Increasing manpower is no longer feasible.

The problem, once the need is recognized, is how to bring about community involvement. Every effort must be made to shake the public out of its apathy and instigate a more appropriate division of the responsibility for crime in our society.

The shifting of responsibility to the public is not a shirking of a police duty. It is simply facing the reality that alone the police cannot cope adequately with the crime problem.

The main responsibility the police should accept is the task of showing the need for, and assisting others in the planning and implementation of, such programs.

Ideally the community would eventually take control, with assistance provided by police upon request.

In the past, and even at present, a lack of public support has been shown through the failure of the public to report crimes, an unwillingness to testify in criminal cases as witnesses, or to act as jurors. In some quarters there is evidence of a lack of respect for law enforcement.

The public has an unrealistic conception of police, which is attributable to the media and even the police themselves. To get the public involved they should be provided with a true picture of the mechanisms of the Police Department and the police themselves.

STRATEGIES

Since the deteriorating partnership between the community and criminal justice did not occur over a short period of time, the task of changing public attitudes may prove to be long and arduous, and may need to be approached on many levels. That is local, state and national campaigns.

An example of the effects of values and moral attitudes on crime prevention can be seen in the Japanese experience. These types of attitudes are what we refer to in Stage 2 of our conceptual plan, i.e. the removal of the motivation to commit crimes.

In 1979 representatives of the Australian Criminal Justice System travelled to Japan to study that country's criminal justice system. The reason for particular attention to Japan is that its crime rate is the lowest of the industrialised western communities.

The Japanese culture has an ingrained sense of responsibility, courtesy, caring and a positive self image. These attributes coupled with values such as strong family ties, the social structure, and an ethic for hard work are the factors the police in Japan attribute to their low crime rate.

A positive community attitude alone is not responsible for the low crime rate in Japan. Other requirements include effective law enforcement, stable growth, low unemployment, a co-operative justice system and numerous other factors.

The South Australian Police Department has accepted the challenge of crime prevention not only in theory but in a practical sense by becoming actively involved in scientific, planned programs for crime resistance and public education for many years.

Plans for the future also actively cater for crime prevention.

A Crime Prevention Unit has been operating for approximately eight years within the South Australian Police Department. The Unit has a staff of four police officers who have been rigorously trained in the use of a wide variety of security devices.

The emphasis of the Unit is on teaching and advising the public regarding the most effective measures for securing business premises and private residences.

The Unit members deliver numerous addresses to a variety of community groups such as schools and service clubs. The school lectures are aimed at making young children aware of the dangers associated with accepting rides or conversing with strangers. The emphasis shifts for adult groups to topics such as child molesting and property loss.

The Unit has a permanent display in Police Headquarters and members offer expert advice to any member of the public who has a need. Members also visit the homes of those who have been victims or potential victims of housebreakers and will advise these householders concerning the security equipment most suited to their individual case.

The members of the Crime Prevention Unit together with many other Sections of the Department were actively involved in an intensive crime deterrence campaign run in Adelaide in 1979.

Feedback from the campaign confirmed that it was successful, at least in terms of public response. Only in the long term, and following subsequent campaigns throughout the metropolitan area, will their success or otherwise in affecting the incidence of crime be apparent.

The 'Crime Alert' plan involved a large number of uniformed police who door-knocked a pre-determined area in the eastern suburbs where there was a significant incidence of housebreaking. Members of the Crime Prevention Squad provided a display of security equipment and showed films in the campaign area.

Since police/community interface is an essential part of this type of campaign, a public meeting was held at the Norwood Town Hall at the joint invitation of the Deputy Commissioner and the Mayors of the campaign area.

During the five day period of the campaign, 4,553 dwellings were door-knocked in an area which houses a population 11,817 people. The film and display attendance totalled 2,400 people.

One important thing which emerged from this campaign was that the attitude of the people in the area was the best that could be expected. In general terms they accepted the principle that security consciousness reduces the chances of a breaking, that the police provide a worthwhile service and that the extensive close police/public contact was most welcome.

On the question of costs, statutory authorities and private organisations alike were eager to contribute to the preparation of pamphlets, posters and advertising generally. Additionally they have indicated that this sponsorship will be maintained.

STATE-WIDE STRATEGY

Continuing along the lines of 'Crime Alert' plans are presently being developed to extend the campaign to country centres.

It is envisaged that a pilot will be run in Port Lincoln for a period of one week. Police will canvass the entire town and involve the Mayor, Government Departments and Service groups on Crime Prevention Councils. It is hoped that with the initial direction and aid of the police the second stage of the program will be carried out and monitored by the town members.

The Community Affairs and Information Services Branch of the South Australian Police Department maintains liaison with various community bodies, this enables the Department to keep abreast with community attitudes and expectations. A derivative of this on-going community liaison is the initiation of numerous research projects aimed at assessing the needs of the community and subsequent police action.

A police staff of approximately 50 personnel are presently engaged in the research area. Our total Force strength is 3,413. The Department has a defined, structured policy for planning. It was recognised that our total planning initiatives needed to be proactive in nature so a corporate plan was developed in 1978. This plan includes numerous research projects which have been allocated priorities up to 1985, these projects aid the Department in fulfilling its objectives with the most productive use of resources.

This forward planning enables the Department to operate on a principal of scientific method rather than a haphazard disorganised approach to its future requirements.

Research aiding the Police Department in the fight to prevent crime falls within two categories:

    1. Directly related material, and

    2. Indirectly related research which acts as an information source.

Projects directly related to the problems of crime prevention aid in the development of initiatives and programs such as 'Crime Alert'.

Other projects include:

1. An examination of rape with an aim to developing a prevention campaign. This project includes data collection.

2. A demographic study of crime is presently being conducted throughout the metropolitan area. This study will enable the Department to predict future frequency and patterns of crime.

3. Preventive policing measurement and a cost/benefit analysis.

4. An assessment of the role of, and accountability for, the crime prevention function.

Projects indirectly related to crime prevention research include the following topics:

1. Manpower models.

2. Crime Statistics Systems.

3. Studies of various crimes such as drugs, female offenders and juvenile crime.

4. Prisoners on parole.

5. Police involvement in bail.

Numerous other aspects directly or indirectly associated with crime prevention are also being examined by the large and capable research staff. It is envisaged that more projects will be initiated as the need arises and the Department is open to any changes in its corporate plan.

SUMMARY

The South Australian Police Department has a policy
of active involvement in crime prevention not only in
routine policing, surveillance and apprehension of offenders.
The Department has also recognised that effective crime
prevention requires a deliberate policy which details
carefully planned programs.

These programs are aimed at the removal of the
opportunity to commit crimes by educating potential victims
to protect their property.

To cope with the crime problem a joint effort by
police, a united Justice System, and the public is required.

It is not possible to accurately predict the effects
of the South Australian Police Department's crime prevention
policy, however, it is important that the decision to implement
similar policies are not predicated upon the success or
failure of the one which is currently in operation.

Efforts to introduce further crime prevention
techniques should be encouraged, for they can only result in
a better relationship between the Police Force and the public,
who together may provide the solution to the ever increasing
problems associated with the growth of criminal activity.

Introduction to Mr. Fred Albietz (Mr. Clifford)

          Having considered the police approach, it is
important that we should now look at the next stage in the
criminal procedure in Japan, which is the role of the
public prosecutors. Japan, having adopted its system
from the Continent, imported the pattern of courts with
public prosecutors handling a great deal of what is
handled by the police in Anglo Saxon countries. This
aspect of the Japanese system was the special concern
of Mr. Albietz, who also looked at the probation system.
Mr. Albietz is now the Deputy Ombudsman for Queensland
but at the time was a Senior Officer of the Ministry of
Justice in that State. From its inception he was a
member of the Criminology Research Council, which is
serviced by this Institute and in rotation, served as
a member of the Board of Management for the Institute.
He was, therefore, very well acquainted with criminological
affairs and had previously been to Japan on a visit
when he was an Australian delegate to the Fifth United
Nations Congress on the Prevention of Crime and the
Treatment of Offenders which was held in Geneva in 1975.
As Deputy Ombudsman, he is now able to consider the
balance between social controls and human rights.

PROSECUTIONS AND PROBATION

by

Mr F. Albietz

Mr Fred Albietz

The main purpose of my study visit to Japan was twofold -

(1)   to look at the public prosecutor system; and
(2)   to look at the volunteer probation system.

PUBLIC PROSECUTOR SYSTEM

With the extension of legal aid in criminal matters and the consequence of lengthier trials, we in Australia look for ways to expedite court hearings.

Japan has a solution with its public prosecutor system. As an example, let us take the 1977 figures. The total offenders prosecuted in 1977 (and this included traffic offences) was 2,724,840. Of these, 2,377,524 were dealt with by summary procedure. A similar situation exists in respect of the more serious offences, called penal code offences. The total of these offences in 1977 was 429,873 of which 340,180 were dealt with by summary procedure.

The discretion to use the summary procedure lies with the public prosecutor, and he exercises this discretion where a suspected offender admits his offence or does not raise any objection to the procedure in his case which merits a fine of less than 200,000 yen ($900). As I understand the procedure, the public prosecutor discusses the case with the offender and recommends the fine. A summary court imposes the fine through a review of documents referred to it by the prosecutor's office, and invariably the fine recommended by the public prosecutor is imposed.

The summary procedure does not deprive the offender
of his right to demand a formal trial in court. The offender
may apply for a formal trial within 14 days of receiving
a notification of the summary order. I might add that the
transformation of summary procedure to formal trial takes
place very infrequently.

So that in effect it is the prosecutor who determines
the guilt of the offender and the amount of the fine in the
summary procedure. Because of the tremendous respect for
the impartiality and fairness of the exercise of discretion
by a public prosecutor, the system is acceptable to the
Japanese people.

However, it is difficult to see how this system
could work in Australia with this discretion being taken from
the impartial and independent court and given to prosecutors
who for the most part are police officers.

The formal public trial in Japan seems to have a
different emphasis from that in Australia. In Japan defence
counsel and the public prosecutor endeavour to settle
on as many issues as possible and so narrow down the limits
of conflict. For example, they may agree on the actual acts
or omission but disagree on the intent. In the Australian
criminal courts, it seems that a "not guilty" plea means
that the conflict is on with defence counsel putting the
prosecution to strict proof on all issues. It may be that
we should use our Japanese experience to advantage and adopt
more of our civil processes in the criminal cases to narrow
the conflict as much as possible and so expedite the case.
I appreciate the problem inherit in this suggestion.

VOLUNTEER PROBATION SYSTEM

In contrast to the heavy professionalism of probation and parole services in most of Australia, the Japanese system is characterised by the extensive use of volunteers.

The Volunteer Probation Officers Law came into effect in 1950, primarily because the professional officer had enormous case loads which made it impossible to personally supervise, or contact with reasonable frequency, the probationers and parolees assigned to him.

The same is true today in Japan. With less than 500 professional officers at 31st December, 1977, there were 47,035 offenders released on probation or parole. It is interesting to compare the number of probationers and parolees with the number of volunteers, totalling at 31st December, 1977, 46,323 - one for one!

Persons placed on probation or parole attend an initial interview which sets the framework for their supervision and the professional officer endeavours to arrange a proper matching between a volunteer and the probationer or parolee. This matching is made usually according to an area base, as volunteers are assigned to an area and cannot operate beyond that area.

Within this limitation, the officer tries to make a better matching with a volunteer according to the circumstances. A girl probationer or parolee, for example, will be assigned to a female volunteer, a traffic offender to a volunteer who has acquired the knowledge and technique of safe driving, a probationer or parolee who has some personal or family problems is assigned to a counselling oriented volunteer and probationer or parolee who has some problems relating to

jobs or friends to a service oriented volunteer.

In essence, the main function of the professional
appears to be directed to the overall co-ordination and
supervision of the services rendered by volunteers. Subject
to supervisory control and direction, a volunteer is permitted
to use his own talents to perform his own functions and
utilize community resources in the most practical and beneficial
way.

The system has been operating now for 30 years and
appears to be accepted by the authorities now as well as when
it was first implemented.

Apart from Victoria, there appears to be a limited
use of volunteers in this country. My State, Queensland,
has indeed made limited use of volunteers and the reason I
advance for this is that in such a widespread State an effort
has first to be made to decentralize the professional officers
who, of necessity, need to be located in reasonably close
proximity to control and supervise the volunteers. It is of
interest to mention that in each aboriginal community in
Queensland, there is an aboriginal volunteer officer.

There is no doubt that the "close family ties"
in Japan are responsible for the success of the volunteer
system and I believe this idea is also responsible for the
commencement of the volunteer aboriginal system in
Queensland.

In conclusion, may I say I am deeply indebted to
the Australia-Japan Foundation, the staff of the Institute
in Japan and Mr Clifford for the valuable opportunity to
travel to Japan to study aspects of their criminal justice
system and to view some aspects of the Japanese culture and way
of life. It was a most rewarding experience.

Introduction to Mr Grant Johnson   (Mr Clifford)

        Mr Johnson is Supervisor of Classification
for the Community Welfare Services Department of Victoria.
He is responsible for the placement, programming and
treatment planning of all adult prisoners held in
Victorian gaols.

        Prior to his present position, Mr Johnson was
a senior social worker in Victoria and Western Australia's
Department of Corrections. He has also acted as Deputy
Director of Correctional Service in Victoria, on the
programming side.

THE PRISONS

by

Mr G. Johnson

Mr Grant Johnson
<u>Mr Grant Johnson</u>

        I might start off by saying that I am sure that
you can all appreciate the tremendous asset Mr Clifford
was to us to be part of the team, because Mr Clifford has
lived in Japan for quite a number of years, and I personally
found it very rewarding every morning at breakfast to meet
up with Bill over our rice and raw eggs and things like
that and to get his knowledge. It was really very, very
fascinating. I think when I first went to Japan I was
basically fairly naive because I didn't really know what
I was in for, and to be honest I guess I was disappointed
because I was going to look at courts and police and other
areas of the justice system in which I was not particularly
interested. But it didn't take me long to realise that for
me to understand the nature of the prison system in Japan, I
would have to understand the nature of the whole criminal
justice system, because one of the greatest assets is that all
facets of the justice system seem to mesh in together and work
very well in harmony. So in fact, in the four weeks that
we were there we visited five prisons which certainly gave
me a good overview of the prison system and I was able to
see how the prison system related to the rest of the justice
system.

        Just generally on the nature of the prisons themselves.
I guess, to be honest, I didn't learn much about prison
architecture, cells and such like - because prisons are
basically the same the world over. Most of the Japanese prisons -
the ones that we saw anyway - are, fairly old;
and they reminded me of Parramatta, Long Bay, Pentridge,
Fremantle and all the others in Australia. Similarly the
open camp prisons we saw were very similar, though they were
probably more rewarding in terms of industries within the
prisons.

<u>Mr Grant Johnson</u>

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prisons.

One of the first things I realised in Japan was that
the Japanese have effectively resolved the debate which is
going on in many States in Australia now, certainly in my
own State of Victoria. In Victoria there has been debate
now for many years - in fact since 1960, when we had the
penal and gaols department amalgamated with the children's
welfare department, the former social welfare department. In
Victoria therefore, the prison system is deliberately
identified with the welfare system, rather than the criminal
justice system. This follows the trend of the 1950's and 1960's
to regard the prison work as primarily social and rehabilitative.
In Japan the prison system is very definitely identified with the
criminal justice system and not with the welfare system. In fact
the rehabilitation bureau is within the Ministry of Justice
which also deals with probation and parole. They have also
very clearly resolved the debate about whether the prisons are
trying to achieve security or rehabilitation, and they have
resolved it in a very effective way by aiming towards the
achievement of both of those aims, and that is very good
indeed.

I very well remember the first prison that we went
to was Fuchu and we asked the chief warder there what the
escape rate was. He scratched his head and looked very
puzzled and surprised and he said:

"I will have to go back to our records,
but we haven't had an escape for at least
ten years."

And everywhere we went that was the sort of story we got. So
they have certainly achieved a security record. And
certainly in terms of rehabilitation they have been putting
in a lot of very good work.

I've already mentioned that the Japanese have
identified their prison system very closely with the
criminal justice system. They have a very unified Ministry of
Justice in Japan and that includes a number of things which
are in areas which I would have thought to be fairly diverse.
Things such as the immigration bureau, the civil liberties
bureau, the litigation bureau, the public prosecutors section
and the correctional bureau were all part of this very large
Ministry of Justice. And the Correctional Bureau itself
is a part of this vast Ministry, responsible to the Minister
of Justice, whom we had the privilege to meet while we were
there.

By all these different areas of responsibility being
in one department there is a facilitation of communication and
co-operation, which I think is missing in some aspects of
our justice system in Australia. The Correctional Bureau
was most impressive and in my spare time I was able to go
along and meet some of the people there and learn a lot more
of the details of the operations of the Bureau. The
Correctional Bureau includes responsibility not just for adult
prisoners, but also for juvenile reform and training schools,
juvenile detention and classification centres, women's guidance
(I don't think we would like to call them that here or we
would be in trouble) and detention houses as well as probation
and parole.

We have talked a fair bit today about cultural factors
and my basic professional training is in social work. So
the cultural factors and the effect of the family in society
were subjects I found most fascinating. I found that family
life was probably one of the most significant aspects of the
whole trip. Certainly family life in Japan is, I think,
a combination of relationships which are much more close
than are those we associate with Australian family life, and
much more supportive. The family is a very strong teacher
to the individual, not just when he is growing up, not just
when he is a child but throughout his life. For the duration
of his life the individual will relate and identify very

closely with his family. The individual's responsibility to
his family and his community is stressed all the time, rather than
the individual's responsibility to himself. There is
tremendous respect for the family. I think we have all noticed
the respect which you can see when you meet Japanese
people. Even with the extended family ties it was not uncommon,
in some of the more traditional areas, to see whole extended
families still living together - something which is becoming
more and more rare in western communities. So families were
very influential in developing this feeling of conformity,
respect and social control and I believe that that has a
very great effect on the crime rate in Japan.

In terms of implications for prison management,
whenever someone does offend in Japan and does end up in prison
the family embarrassment and humiliation is quite extraordinary.
We were told that they were often unable to tell their
neighbours and friends that a family member was in prison, they
felt so badly about it. Certainly if crime continues over an
extended period of time virtual disownment of that family
member is not uncommon. So there is incredible family pressure
to conform. The tendency to conformity within the family,
within society is also echoed within the prison itself
where there is a lot of pressure on the individual to accept
his own responsibility within the prison, he is in prison
because of his own behaviour, he accepts that, he doesn't even
question that he has got to be in gaol, he is there that's all
there is about it. Prisoners generally seem to accept the blame
for their offence, they know that they have done wrong
and they don't get many opportunities to forget that they have
done wrong. The Japanese emphasise the idea of remorse far
more than Australians do, and certainly in regular group sessions
they are encouraged to think about their offence and the
implications of their offence, how the victim feels about
it, what that meant for the victim, and so on. Certainly,
because they accept those responsibilities, they would very

rarely escape and staff assaults are very rare indeed.
Compare that to our Australian setup where both escapes and
staff assaults are not unusual.

The prison, therefore, maintains in Japan, the
emphasis which starts way back in the early days of the family
and it emphasises the value of relationships with staff
within the prison, family and community. I think the remorse
aspect is very good indeed.

The prisons that we visited - and I don't want to have
to go through each one individually because they probably
won't mean much to you anyway, but we went to the two maximum
security prisons about 30 miles outside Tokyo, to the
Hachioji Medical Prison which is a prison hospital built about
ten years ago, to Kofu which is a fair way out of Tokyo, and which
is a medium security prison, to Kitsuregawa a medium security
prison and also Nakano where we mainly had a look at the
classification system.

The cultural factors and attitudes are directly
mirrored in the administration of prisons. I think the most
significant difference between Australia and Japan is
the Japanese emphasis on individual responsibility, over and
above any question of individual rights. Now there is no way
that I would decry the call in Australia for individual rights
and the position of the Ombudsman, but the Ombudsman is there
to protect the individual rights of people within Australia,
including prisoners. The Victorian Ombudsman gets more
complaints from prisoners than from any other segment of the
population. But I think Australia might be going too far
and that we might need to reassess whether we are in danger
of forgetting to stress the individual's responsibility to the
community, you know instead of pushing the individual's rights
all the time we need also to look at what he needs to give
back to the community.

The word introspection in Japan, the introspection
and retrospection came to us all the time everywhere we
went. And I was telling Bill Clifford this morning just one
thing that I've done since I've got back and that is to
talk to prisoners a lot more about their offence. The other
day I had the job of telling a "Governor's Pleasure Prisoner",
who has done about six or seven years, (he's in for a double
murder and has since tried to kill two others in prison)
that the parole board had decided that he wouldn't be released
for at least another five years and that they would review
this decision in five years'time. I then went on to say:

> "How do you feel about your offence now?
> What do you think about the reason that
> you are here?"

He looked at me as if he couldn't believe that I was asking
that question. He said:

> "You know you are the first one in six
> years to ever ask me anything about my
> offence."

And remember he was in there for double murder.

Coupled with self-responsibility the Japanese
prison system works very much on the earning principle. If you
don't accept your responsibilities, if you don't pull your
weight, or do the right thing then you will get nothing out
of the system. Everything is basically rewarded, and it
seems to operate very well but you have to see that effectiveness
in the total spectrum of their system i.e. with the family
support, society's expectations, and so on. They don't give
any remissions for good behaviour, if the judge gives ten
years then it means ten years. It doesn't mean ten years
less one third. However, if that prisoner misbehaves he
doesn't get access to television or books or education or
welfare or visits or anything like this. As he progresses
up the scale he gets promoted and his promotions are, in some

prisons, outwardly demonstrated by different coloured badges
which signify what level he is at, by various little markings
on the arm and all kinds of other external indicators of
status. It is not just a sign to the staff but also to the other
prisoners that this person is doing the right thing, he's
striving and he is aiming for something. Japanese prisoners
have respect for themselves and they will even look up to
another prisoner who is doing the right thing.

The Japanese emphasise industry, and they have some
very good industries indeed. We saw them making all sorts
of electronic gadgets and magnificent jewellery and very
complex things which, I am afraid to say in Australian prisons
I suspect would be sabotaged very rapidly indeed. The involvement
of private industry within the prison system is very considerable.
I've forgotten the extent but it is something like 90 million
American dollars a year. Some prisoners are paid full award
wages because they are undertaking full duties within an
industry. Industries tend to operate with very little staff
supervision, because prisoners know that if they misbehave they
get nothing in return, so once again they are taught their
responsibilities and the expectations. Prisoners would rarely
not work. Sure they have that right not to work, but if they
opt not to work the option as far as the prison administrator
is concerned is very simple: you get locked in your cell, if
you decide to work you come out, if you don't work you get
locked in. It is a rather effective type of prison management.

Programs within the Japanese prisons are fairly
minimal. There is not much going on in terms of after hours
activities. Lock up means lock up. In many of our Australian
prisons we lock up at four o'clock for a meal and then we
let prisoners out at 6.30pm. Welfare staff per se are
basically non existent in the Japanese system. I found a
few psychologists around, but I didn't find any social workers
who were working as prison officers. In one prison I met

the prison officer who was in charge of prisoners running
the laundry who was a qualified social worker, and that
is how they run their welfare programs. Similarly the
teachers within the prison system are also qualified prison
officers and they are all uniformed staff. Any prisoner
who wishes to do any educational course in Japan must do it
outside normal working hours. He is there to be taught an
industry, he is there to learn, to get what he can to
accept his responsibility and to learn to go back to the
community. And if he wants to do extra things like education,
sure that's encouraged but only after he has accepted his
initial responsibility.

Classification which is my own field of work in Victoria,
is very different indeed; and I guess that basically I didn't
get that much knowledge about classification in Japan because
of the different system. They make extensive use of psychological
testing, which we in Australia ceased using many years ago.
They don't have any reclassification, the prisoner is
classified to a particular prison according to his age,
his sex, his health and his criminal propensity, as they word
it. They do have treatment committees and they are responsible
for planning work and education. They also have a very
strong emphasis on vocational pre-release and leadership
training, which seems to be much more effective than it is in
Australia.

I think overall comparisons with the Australian scene
are very difficult indeed due to the entirely different
cultural situation. They certainly do not have the
management or discipline problems within their prisons that
we have. That does not mean that their prisoners are any less
volatile to manage, I just think their system and culture
is very different. The Japanese family, social and community
structure actively affects prisoners in that country and
impresses upon them their responsibilities as individuals.

The over-riding philosophy within Japan is the individual's
responsibility to his family and community, not vice
versa, which often appears the case in the Western world.
I think Australia could most of all benefit by recognising
the value of the family and community responsibilities of
the individual, as well as the rights of that individual which
can at times tend to become over-balanced. Put another
way, individual obligations need attention and not just
individual rights.

In terms of internal management and discipline, Japan
has maintained strict control of its prisons with the only
liberties granted to prisoners within the institution being
those that are earned over a significant period. On the other
hand, Japan is very quick to withdraw such privileges if
they seem to be no longer warranted. In Australia our
experience is, of course, that if we give privileges and then
withdraw them we often have prison riots and divisions being
burned down. The firm reward and punishment philosophy in
Japan has contributed to the almost total abstinence of
institutional disturbances.

I think the dilemma for Japan in the future will be
whether to maintain its traditional cultural and family ties,
and community expectations and responsibilities, or go gradually
in the way of the Western world and virtually overstep in
the opposite direction. Of course, I think the dilemma for
Australia is whether we can monitor where we are going in the
future, and work out (if it is not too late) the ways in
which we can adopt some of those finer principles of the
Japanese culture.

Introduction to Mr Kim Stotter   (Mr Clifford)

        Mr Stotter is Superintendent of the Nyandi
Treatment and Research Centre for Girls in Perth
Western Australia. He is a qualified Social Worker
who has studied the application of the principles of
the behavioural treatment of juvenile delinquents.

THE TREATMENT OF JUVENILES

by

Mr K. Stotter

Mr Kim Stotter

JUVENILE CENTRES

It is difficult to make comparisons between the
juvenile centres of Japan and other western countries as the
differences are not particularly great. It is possible to
criticize many aspects of juvenile institutions in Japan
but in so doing, one would also have to criticize their
western counterparts. I will, however, comment on some
of the features which stood out during the observation
visits, and compare them to the Western Australian system.

The same Department, The Ministry of Justice, is
responsible for running both the prisons and the juvenile
institutions. As such, interchange of staff between the two
is common. Superintendents of juvenile institutions are
usually eventually promoted to higher ranking positions in
prisons. This is unlike many other western systems where the
administration of juvenile laws and facilities are carried
out by a separate Department - such as in Western Australia.

The juvenile institutions in Japan are divided into
two main categories - Classification Centres and Treatment
Centres. This is a division common in most western countries.
The period a child spends in a Classification Centre is
approximately one month which again is the norm in most
westernized countries. The average period of stay in the
Treatment Centre however, is longer than in Western Australia
although again, it may not be so different to other States
or countries. A short-term stay in a Japanese Centre would
be regarded as six months (e.g. Aiko Juvenile Training School
for Girls), whereas in Western Australia it would be 1 - 2
months. Similarly, Tama Juvenile Training School would be
an example of a longer stay institution where most children stay
for 12 - 18 months, compared to say - six months which would
be regarded as a long-term stay in Western Australia.

The institutions in Japan tend to be large with capacities of well over 100 children. Whilst this may be similar to many other western countries, it is unlike Western Australia where the only boys' maximum security centre has a capacity of 45 and the girls' a capacity of 20.

The escape rate, similar to the prison system, could only be described as incredible by western standards. For example, Nanima Juvenile Training School which has a capacity of well over 100 (116 in residence when we visited) has, according to the Superintendent, had only 3 - 4 escapes or abscondings in the last 10 years. In the past year he stated that no-one had escaped or absconded. This was similar to wherever we went.

The juvenile institutions in Japan do not have any After-care service attached specifically to them. Whilst again this is probably common with most other westernized countries, it is again different to the Western Australian system. In Western Australia the treatment institutions are regarded as only part of an overall integrated system which also includes hostels, and an After-care service. A child is referred to the total system rather than to the institution and usually remains under the supervision of that system until he is no longer a child under law.

The staff often live in separate accommodation on the premises. In comparison, there is a growing tendency in Western Australia for staff not to live on the premises but rather in their private homes in the community. Staff are also generally highly qualified in Japan. Even those in everyday interaction and supervision of the children are often university graduates. This compares to Western Australia where there is a heavy emphasis on training and use of para-professional staff as the front-line workers - under the supervision of professionals.

        The classification procedures and the training
programmes in Japan would be regarded as fairly traditional
by western standards, although certainly not uncommon. There
is still a heavy reliance on psychological testing in the
classification procedure (e.g. T.A.T. Rorschark, sentence
completion, play therapy, etc.). The treatment programmes
have the traditional emphasis on academic and vocational
training with a great deal of attention being paid to recreational
and sporting activities. As well as this however, considerable
importance is also attached to Social Guidance. This
emphasis is not unlike the recent trend in some western
countries to the teaching of social skills. It is however,
less structured than most social skills training programmes
in that it relies on counselling from individual staff members
as compared to the more structured teaching of social
skills as we know them in this State.

        The overall approach in Japanese juvenile institutions
is still on self-reflection and introspection with a view
to changing the child's attitudes and hence his behaviour.
This contrasts to developments in the past 10 years in many
other westernized countries, particularly America, where
there has been a large swing to the use of behavioural
approaches.

        In general I was impressed with the concerned and
humane approach of those working in the juvenile institutions.·
They impressed as extremely well organized, perhaps
over-organized by our standards, with well planned and detailed
programmes. The Japanese are also very statistically minded
and are able to quote quantitative data to back up most
questions, although the analysis and interpretation of the
information is probably yet to reach the standard of their
western counterparts.

SYMPOSIUM DISCUSSION

Whilst there was some questioning of the figures which were provided by the Symposium, the general consensus was that they did reflect on the part of Japan an ability to deal with its crime effectively. Whatever the statistics indicated was confirmed by the experience of people who had lived in Japan and who were attending the Symposium. The extent to which they could depend on others in fulfiling their obligations was, in fact, an important part of the way in which the law was respected.

One participant referred to his long association with Japan since the days of the Occupation Army and the way in which he had been obliged to reverse most of his original ideas as he came to understand the extent to which individuals respected their obligations and at all levels reflected a sense of social responsibility. He considered that to understand the situation in Japan, it was necessary to look at the background of attitudes to authority and attitudes to the system which enabled many of the procedures that could not work elsewhere to work in a Japanese setting.

There was a plea by one participant to consider Japan as a whole, i.e. as an integrated phenomenon with history, tradition, character, race and economic and social experience enmeshed in such a way that it would be unwise to think of trying to export anything that they were doing to Australia. He made the point that Australia was a confrontational society, proud of its individualism and offering in many ways not only a contrast, but a balance to the situation in Japan. He pointed out that most of the figures given had been for conventional crimes of a violent nature and he wondered whether perhaps in white collar

crime, bribery and corruption, Japan might not be way ahead of Australia and it might be safer to live here. This invoked a response from the panel to the extent that the Japanese' own systems had been imported from many other countries, China and European countries particularly, and some of them from America. Therefore, the kinds of things considered for export by Japan were not unwestern and were not peculiar to the Japanese history. Unfortunately there are few accurate figures anywhere for white collar crime, bribery and corruption, but it is probably true that all the countries now being considered had levels of bribery and corruption which were at least similar to, if not exceeding, those in Japan. This was an area where it was impossible to be precise because no figures were available and no real work had been done. Conventional crime figures were being used only because these were the only ones available, but some of these did include prosecutions for fraud and it was interesting that the corruption and bribery in Japan were not hidden when discovered but prosecuted. On the other hand, it was clear that a great deal of bribery and corruption, as well as white collar crime was by definition hidden and would not be known unless there was some kind of scandal.

Another aspect raised by a participant was that of urbanisation and its meaning in Japan. In fact a good number of Tokyo suburbs could not really be regarded as urbanised in the Western sense and were very often centres of conservatism. This concept of urbanisation was extremely difficult to grasp in the discussion because, as pointed out by the Chairman, it had both objective and subjective elements. Urbanisation could be related to the amount of time spent in the towns, the number of generations brought up in the city or it could, in fact, be related to the mental attitude of people coming into the towns,

many of whom remained villagers, even though living in
a very large urban centre. Whilst one had to take into
account the extent to which conservative ideas had been
brought into the cities from the rural areas of Japan, it
was also true that there had been generations of people
brought up in a purely urban setting with very little
knowledge of the conservatism of the countryside. As
against the infiltration of conservative ideas on the one
hand, there was the fact that Tokyo and other large cities
were sometimes centres for student migration in search of
education and probably more than any other large cities in the
world, the Japanese large cities had thousands of students
living alone or in dormitories, away from their parents
and following courses of education in the universities or
the high schools. This tradition of sending young people
into the city alone had existed for a number of years and
provided a volatile group within any large urban area (and
particularly Tokyo) which would off-set the kind of
conservatism that might be introduced by rural/urban migration.
Again there were in the larger centres considerable
numbers of young people who were, in fact, excluded from the
system and provided the source of new sub-cultures sometimes
of a delinquent character.

The same participant made the point that the
so-called consensual Japanese society might discourage crime
but it had within itself large areas of conflict. This was
true and needed to be considered when any kind of explanations
were being advanced. On the other hand, it was observed
by the panel that conflict in Japan is largely institutionalised,
which means that conflict within a consensual society is
channelled in such a way that it can be less disturbing to
a society as a whole.

Finally, the same participant made the point that if Japan was, in fact, a group orientated society, this could mean that there were forms of group crime and in this respect the extent of juvenile delinquency could well be a response to the general pattern of conformity within the Japanese society. The panel readily acknowledged this and it was clear that gang crime, as well as terrorist groups, were forms of alternative group orientation. The possibility of juvenile delinquency being, however, a group response of a conformist society seem much less likely from the types and patterns of young people coming before the courts. Most of these young people were those who had not been able to make the grade and were, therefore, in some kind of difficulty, but, as already shown, they still had their families and were able to depend on family support when they had been sent to institutions. It was strikingly obvious that amongst prison populations, only 3% have any tertiary education so that the portrait of those going to prison tended to be the lower educated and those who had less chance of making a success in society outside by legitimate methods. Strikingly obvious too was the median age of the prisoners which tended to be rather higher than in Western countries -- indicating that Japan had been more successful in diverting younger people from prison experience and that it had less younger people causing trouble than elsewhere.

WHAT CAN BE LEARNED?

In discussions with the members of the panel
before the Symposium, it was decided that, whilst there were
cultural elements which could never be transposed from
Japan to other countries and whilst the Japanese experience
was, indeed, uniquely connected with the nation's own long
history and traditions, there were some obvious things which
the Japanese did well and which, as a matter of system, were
obviously repeatable in any other country. In fact, some
of this adoption of Japanese systems has already begun.
Pakistan and Malaysia, are examples of countries using
voluntary probation on the Japanese model; and the "Koban"
system of neighbourhood police boxes is also being adopted
by these countries.

In considering what is importable and what is not,
it must be remembered that the Japanese system of crime
control was itself imported. It was adopted from Western
patterns. Until 1868 the Japanese did not have a criminal
code of a European type. Its police force, its public
prosecutor system and its development of correctional
institutions were all borrowed from the West. Indeed, the
present operation of these systems is sometimes little more
than a Japanese interpretation of a distinctly Western
tradition. For example, the voluntary probation officer system
in Japan is really no more than the tradition of that ideal
of voluntary service which was very much a feature of
19th century industrialising England. As family self-sufficiency
declined there was a concurrent encouragement of widespread
philanthropy and of public involvement in social welfare.
When Japan imported its criminal justice system from the West
it imported this tradition of relying on voluntary work. Similarly
the public prosecutor system, which diverts so many offenders from
the worst consequences of the formal criminal justice
procedures, is a direct importation by Japan of the system
operating in most of the Continental countries, particularly
in France, Holland and Germany.

Therefore, what is at issue is why these systems
are apparently working better in Japan than in the countries
from which they were adopted. Whilst obviously there
are national and cultural factors involved, such as the
greater addiction of Asian countries to the idea of
obligations, the greater willingness of Japanese to accept
authority because of their long history and experience of
an hierarchical society and the immense respect which developed
over time for the impartial and reliable public prosecutor
system, there are a number of other factors which cannot
be considered peculiarly Japanese.

For example, the close relationship between the
police and the public in Japan is something that could well
be fostered in other nations. Whilst police/public relations
are stressed by those concerned with crime control all over
the world there are few countries which carry the principle
to the extent that it is carried in Japan.

The way in which the Japanese police will accept
public calls for assistance, even if these have nothing to do
with the routine functions of the police, is something which
might well be considered. This wide range of police interest
in social affairs lays a foundation for police/public
co-operation which is very effective when crimes are committed.
The whole range of voluntary committees which are set up
in Japanese factories, schools and neighbourhoods, to bring
the public into co-operation with the crime prevention work
of the police is based on voluntary initiative which the
Japanese originally adopted from the West. It is something
which a highly individualised West might now very well
consider re-adopting from the Japanese.

It may not be possible to imitate the diligence and
seriousness with which duties on these committees are taken by
Japanese members because this dedicated single-mindedness
is a characteristic of the Japanese nation. However, other

countries if they do not have the same have equally good
qualities which could, in fact, help to make those
committees eminently workable and even much more effective
in the support which they could offer to the police now.

A second extremely interesting aspect of the
criminal justice system in Japan which certainly seems to be
readily exportable to any other country is the way in which
the criminal justice system as a whole works in co-operation
and in co-ordination. There are differences between Ministries
of course, and there are familiar problems of bureaucratic
co-operation which give rise to divided loyalties from time
to time and serve to prevent effective co-operation: very
often the outlook of both bureaucrats and private firms
is a very narrow one. Nevertheless, the Japanese have developed
a formal means of establishing co-ordination when this is
necessary to meet a national crisis. They often do this by
providing funds for setting up task forces which ensure
inter-departmental co-ordination in a way which, although
known in other countries, is not nearly so effective in
operation outside Japan.

For example, when drugs or terrorism or youth
problems are conceived to be of national importance by the
Japanese, funds will be provided for a special task force
to be set up, perhaps within the Prime Minister's Department
to give it sufficient political weight. All Ministries will
be involved, but the funds are there in excess of normal
budgets to encourage the kind of co-ordination which would
not be possible otherwise. Five or ten year plans and
programmes will be devised and implemented through the various
departments, business interests and voluntary agencies. In
this way all kinds of national problems have been tackled
effectively in Japan, if not entirely resolved; usually
they are linked with well organised public campaigns which
seek to bring everyone into the action. The decline in the

accident figures, for instance, can be attributed partially
to this effort to co-ordinate projects for new roads,
vehicle design and the enforcement of traffic laws, as
well as to involve the public. Every year there is a traffic
accident prevention week in Japan, when collections are
made for the victims of traffic accidents and the public
mind is brought to bear on a national issue in a way in
which it is not easy to forget.

Another important area of possible consideration
by other countries from the Japanese experience concerns
legal procedures. Apart from the special position of
the public prosecutor in the Japanese system, which as indicated,
is an adaptation from countries elsewhere, there is an
arrangement whereby the Prosecutor and the Defense Counsel
will frequently negotiate (if the case is to go to court) on
those issues which are agreed so as to identify where disagreements
lie. This obviously saves the time of the court, but at the
same time it very quickly identifies the areas where there
could be a settlement of some kind or another. This is not
unknown in other countries and, indeed, it is a familiar
feature of the civil procedures in those countries which have
systems based on English Common Law. In these civil cases,
by means of pleadings, (i.e. written statements which are
exchanged before the court hearing,) the issues are clearly
defined and the areas of conflict and settlement identified.
For some reason in the Common Law countries "settlement"
approach has not been applied in criminal cases. The result
is that the general attitude towards criminal cases in
countries with an adversary system of litigation is one of
open conflict rather than any settlement in the interests of
the victim, the offender and the public at large.

Legal aid schemes tend to enhance this tendency
to fight rather than to agree and there is, of course, ample
opportunity for settlement of most cases if the attitudes
and intentions are structured in this way. It is very
important, therefore, that for the efficiency of the criminal

justice system as a whole, there should be a reconsideration
of the extent to which the procedure in civil cases could
be transferred at least partially to some of the criminal
hearings.

Many other factors which are involved are less
easy to consider for importation by other countries. The
level of police efficiency, for example, is not only related
to co-operation with the public and the high level of
sophistication of police methods, but also to peculiarities
within the Japanese character and traditions which make
policing different in Japan to policing elsewhere. An
example was given of a police chief in one area making quite
sure that he breakfasted with each of his officers in turn to
ensure that there was a clear understanding between them - and
a level of efficiency based upon understanding and mutual
respect. Offenders too seem more compliant and remorseful
when they are caught - and they can depend upon little support
from relatives or associates.

The control of arms was also mentioned in developing
the wider control of violent offending. In fact, the
licensing system for arms is very similar in Japan to elsewhere,
and the Japanese police carry arms, whereas police in some
other countries do not. It seems, therefore, that one would
have to relate the mechanism for controlling arms to the
general social system for obtaining a compliance with regulations
before it would be possible to identify exportable features.

It was significant that the police officer who
visited Japan with the panel was most impressed by the extent
of inter-communication between the different agencies within
the criminal justice system. He believed that the police
efficiency was closely related to the way in which the
Japanese police were able to work together with others in the

government machinery. He did not regard this as peculiarly
Japanese and thought other countries could benefit
from imitation of the inter-relationships in the system.

A P P E N D I X

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THE COST OF CRIMINAL JUSTICE IN JAPAN AND AUSTRALIA

by

J. Marjoram*

Due to time constraints it was not possible for those attending the Symposium to consider the cost crime control in Japan and elsewhere. Even if time had been available any discussion would have been considerably hampered by the paucity of information on, and research into, expenditure on criminal justice. Nevertheless it is appropriate to briefly examine such expenditure in Japan and to compare the admittedly limited available figures with those for Australia.[1]

Table 1 presents such a comparison but before considering the figures it is appropriate to make reference to the relevant sources. Expenditures on criminal justice services in Australia have been derived from publications of the Australian Bureau of Statistics[2] and, more particularly, from unpublished computer printouts provided by that authority. Expenditures on criminal justice in Japan have been derived from several sources. Those for 1972 were taken from the 1975 report of the Japanese Government to the Fifth United Nations Congress on the Prevention of Crime and Treatment of Offenders; those for 1976/77 were extracted from the 1978 edition of the Japanese Statistical

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EXPENDITURE ON CRIMINAL JUSTICE IN JAPAN AND AUSTRALIA

A PRELIMINARY COMPARATIVE STATEMENT

JAPAN		AUSTRALIA	
Criminal Justice Expenditure 1972 (includes police, courts, corrections, public prosecution and rehabilitation)	744,125 million yen ($US 2,516 million)	Criminal Justice Expenditure 1972 (includes police, courts and corrections, State Governments only)	$A 290 million ($US 370 million)
1972 Expenditure per capita	$US 23.44	1972 Expenditure per capita	$US 27.63
1972 Expenditure represented 3.6 per cent of State Budget (general account) plus budget for local governments.		1972 Expenditure represented 4.09 per cent of total outlay by State Governments.	
1972 breakdown of Criminal Justice expenditure:		1972 breakdown of Criminal Justice expenditure:	
Police 83.0 per cent Courts 6.8 per cent Corrections 6.4 per cent Other 3.8 per cent		Police 67.7 per cent Courts 15.0 per cent Corrections 17.3 per cent	

Between 1962 and 1972: (a) Criminal justice expenditure increased almost four-fold. (b) Police expenditure increased by 400 per cent. (c) Corrections expenditure increased by 260 per cent	Between 1962 and 1972: (a) Criminal justice expenditure increased three-fold. (b) Police expenditure (State Governments only) increased by almost 200 per cent. (c) Corrections expenditure (State Governments only) increased by 280 per cent.

JAPAN		AUSTRALIA	
Expenditure on "Justice, Police and Fire Protection" 1976/77	637,633 million yen ($US 2,178 million)	Expenditure on "Law, Order and Public Safety" 1976/77 (State Governments only)	$A 860 million ($US934 million)
1976/77 Expenditure per capita	$US 19.13	1976/77 Expenditure per capita (State Governments only)	$US 66.79
1976/77 Expenditure represented 2.17 per cent of total Central Government expenditure		1976/77 Expenditure represented 5.81 per cent of total outlay by State Governments.	
(Part) Criminal Justice Expenditure 1977/78 (includes Ministry of Justice, National Police Agency and Courts)	585,038 million yen ($US 2,438 million)	Criminal Justice Expenditure 1976/77 (includes police, courts and corrections. State Governments only).	$A 696 million ($US756 million)
1977/78 Expenditure per capita	$US 21.41	1976/77 Expenditure per capita (State Governments only)	$US 54.05
1977/78 Expenditure represented 2.06 per cent of total Central government expenditure		1976/77 Expenditure represented 4.19 per cent of total outlay by State governments.	

Yearbook; and the 1977/78 figures were kindly supplied
by the Australian Embassy in Tokyo. Unfortunately the more
recent Japanese expenditures are less comparable with those
for Australia than are the respective figures for 1972.

In Japan expenditure on criminal justice services
is mainly met by the Central Government while in Australia
such funding is largely the responsibility of the various
State Governments. Thus the figures in Table 1 must be
interpreted with the utmost caution.

It can be seen that in 1972 State Governments
in Australia spent slightly more on criminal justice per head
of population ($US27.63) than did the Central Government
in Japan ($US23.44). The distribution of expenditure
between criminal justice services differed markedly: the
Central Government in Japan allocated a higher proportion
of its criminal justice expenditure to police, while State
Governments in Australia allocated higher proportions of
expenditure to courts and corrections.

Changes in patterns of expenditure between 1962
and 1972 are also summarized in Table 1. While the increase
in expenditure on corrections during this period was similar
to both countries, police expenditure increased by 400 per
cent in Japan compared to 200 per cent in Australia.

During 1976/77 per capita expenditure on "law,
order and public safety" by State Governments in Australia
was much higher than per capita expenditure on "justice
police and fire protection" by the Central Government
in Japan, but again it should be noted that the figures for
this year are far less comparable than those for 1972. During
1977/78 the Central Government in Japan spent less per capita
on the Ministry of Justice, the National Police Agency and
the Courts than did the State Governments in Australia on
police, courts and corrections in 1976/77[3]. In both 1976/77

and 1977/78 the Central Government in Japan allocated a
smaller share of its total expenditure to criminal justice
services than did the State Governments in Australia
during 1976/77, but again the 1977/78 figures for Japan
are far less adequate for comparative purposes than those
for 1972.

Given that 1972 is the year for which the most
comparable data is currently available it would appear that
criminal justice expenditure in Japan is less than in
Australia when considered in terms of costs per head of
population, and represents a smaller share of the total
budget of the relevant level of government than is the case
in Australia.

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(1)   For a discussion of crime control expenditures
        in other countries, as well as Japan and Australia,
        see Clifford, W. and Marjoram, J. The Cost of
        Criminal Justice - A Preliminary International
        Survey, Australian Institute of Criminology,
        Canberra, 1980.

(2)   Australian Bureau of Statistics. Public Authority
        Finance - State and Local Authorities 1978 and
        Australian National Accounts - National Income and
        Expenditure 1978, Canberra, 1979.

(3)   Complete expenditure data for Australia during
        1977/78 are not yet available and thus the 1977/78
        figures for Japan have been compared with the
        1976/77 figures for Australia.