

# UNAFEI NEWSLETTER

UNAFEI

UNITED NATIONS ASIA AND FAR EAST  
INSTITUTE FOR THE PREVENTION OF CRIME  
AND THE TREATMENT OF OFFENDERS

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## LETTER FROM THE DIRECTOR

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It is my privilege to inform readers of the successful completion of the 173rd International Training Course on *Tackling Violence against Women and Children through Offender Treatment: Prevention of Reoffending*, which took place from 21 August to 20 September 2019. In this Course, we welcomed 5 Japanese participants and 17 overseas participants, including 1 course counsellor: 11 from Asia, 2 from Africa, 2 from Oceania, 1 from Central America and 1 from South America. The participants included judges, prosecutors, probation officers, police officers and other public officials involved in the field of crime prevention and criminal justice. As this newsletter demonstrates, the Course was extremely productive. It consisted of lectures by visiting experts, ad hoc lecturers, UNAFEI faculty members, individual presentations, visits to relevant criminal justice agencies, and group-workshop and plenary sessions.

The harm of sexual offending is devastating. No matter what kind of sexual offence is committed, such victimization causes serious and long-lasting mental and social damage to the victims in many cases. Therefore, in order to reduce victimization and reoffending, it is of vital importance to provide interventions focused on each offender's specific problems and needs when the VAWC offenders become involved in the criminal justice process. Eventually, effective interventions can prevent the commission of similar misconduct and mitigate escalation.

UNAFEI, as one of the institutes of the United Nations Crime Prevention and Criminal Justice Programme Network, held this Course to offer participants an opportunity to clarify and analyse the current situation of violence against women and children in each participating country and to explore more effective practices for doing so. Additionally, the participants were able to share experiences, gain knowledge, and build a human network of counterparts.

During the Course, the participants diligently and comprehensively examined the main theme, primarily through a comparative analysis. The participants shared their own experiences and knowledge of the issues and identified problems and areas in which improvements could be made. With the academic and practical input from the visiting experts, ad hoc lecturers and UNAFEI faculty—and the in-depth discussions they had with each other—the participants are now better equipped to enhance the policies and practices related to violence against women and children in their respective countries.

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

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

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

Finally, I would like to reiterate my best regards to the participants of the 173rd International Training Course. I hope that the experience they gained during the Course proves valuable in their daily work and that the bonds fostered among the participants, visiting experts and UNAFEI staff will continue to grow for many years to come.

September 2019

Handwritten signature in Japanese characters: 瀬戸 毅 (Seto Takeshi).

SETO Takeshi  
Director, UNAFEI

**THE 173RD INTERNATIONAL TRAINING COURSE*****TACKLING VIOLENCE AGAINST WOMEN AND CHILDREN: PREVENTION OF REOFFENDING***

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**Course Rationale**

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Violence against women and children (hereinafter, referred to as “VAWC”) involves various forms of crime, such as sexual offending, domestic violence, child abuse and stalking. This problem is recognized as a prominent risk and threat to society from the viewpoint of public safety.

Needless to say, the harm of sexual offending is devastating. Sexual offences consist of two different categories: one form includes physical contact with victims such as sexual molestation and rape; another form involves no physical contact, such as exhibitionism and voyeurism.<sup>1</sup> No matter what kind of sexual offence is committed, such victimization causes serious and long-lasting mental and social damage to the victims in many cases.

Regarding domestic violence, certain cultures or societies view violence against women as “discipline” or “rights of the husband/men,” and they are unaware of its criminality and the risk of long-term emotional and psychological harm. In fact, a large number of domestic violence cases remain unreported, because the incidents take place in private personal relationships, such as among family and intimate partners. Domestic violence cases are often committed against those who are socially and economically dependent on the offenders; thus, the victims are discouraged from reporting the crimes to the authorities. Continuation is also one of the problems of domestic violence. Chronic domestic violence cases without adequate interventions sometimes result in intense damage, such as death or serious physical and mental problems of the victims. In addition, chronic violence deprives victims of their sense of freedom and self-esteem, and therefore, the victims feel powerless.

Child abuse consists of a variety of categories such as physical abuse, mental abuse, sexual abuse and neglect, and many serious cases have taken place worldwide. Child abuse has some similarity to domestic violence. In fact, many child abuse cases happen in familial relationships, and these cases are unreported to the proper authorities because of the immaturity and vulnerability of the victimized children. The actual risk of child abuse is not only the harm caused to the victims at the time of the abuse. Recent studies point out the risk to the child’s development and mental health, in particular, the correlation between child abuse and the victim’s future anti-social behaviour, including commission of an offence, substance abuse and abuse against their own children.

Stalking can be also categorized as serious VAWC. Victims are occasionally in danger of losing their lives because the offenders frequently get increasingly aggressive towards the victim. Further, recent research shows the correlation between the stalker and mental disorders, including personality disorder in some specific cases, which demonstrates the difficulty of providing adequate intervention to prevent aggressive behaviours and escalation.

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<sup>1</sup> Mussack & Carich. (Eds.). (2014). Handbook of Sexual Abuser Assessment and Treatment.

Therefore, it is of vital importance to provide interventions focused on each offender's specific problems and needs when the VAWC offenders become involved in the criminal justice process. Eventually, effective interventions can prevent the commission of similar misconduct and mitigate escalation.

Given the seriousness of VAWC, the international community devotes special attention to deal with this problem. In particular, the United Nations General Assembly adopted "the 2030 Agenda for Sustainable Development" (or Sustainable Development Goals (SDGs))<sup>2</sup> in 2015, which establishes specific goals and targets that address this issue; in particular, Goal 5.2 seeks to "[e]liminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation", and Goal 16.2 focuses on "[e]nd[ing] abuse, exploitation, trafficking and all forms of violence against and torture of children". Also, the "Doha Declaration", adopted at the 13th Congress on Crime Prevention and Criminal Justice,<sup>3</sup> states that women and children issues should be considered particularly from the viewpoints of human rights and protecting them from all forms of violence. Further, regarding the international legal instruments relating to VAWC issues, the Convention on the Elimination of All Forms of Discrimination against Women<sup>4</sup> establishes a binding obligation on all signatories to eliminate all forms of discrimination against women and to implement certain policies and practices for gender equality.<sup>5</sup> Additionally, the Convention on the Rights of the Child<sup>6</sup> refers not only to child protection, but also to detailed measures to ensure children's human rights from the viewpoint of their sound development in society, and features of this Convention can be regarded as the foundational regulation against child abuse.<sup>7</sup> Further, as for practical guidelines against child abuse, the UNODC published a model strategy in 2015, which addresses child protection measures and treatment against perpetrators.<sup>8</sup>

However, it has been a challenge for criminal justice authorities to provide VAWC offenders with effective intervention and treatment, so as to prevent their reoffending, in particular, further VAWC. Criminal justice systems must routinely address the problem of persistent VAWC offenders. Their problematic behaviours occasionally become more serious. Therefore, in order to prevent their reoffending, it is necessary to identify the offenders' individual characteristics, including criminogenic needs, and to respond to them through intervention and treatment. However, some VAWC offenders are only able to desist from crime through non-custodial interventions at an early stage, such as appropriate police intervention, community supervision and other forms of community-based treatment. For such offenders, unnecessary incarceration and excessive levels of treatment may result in increasing their recidivism risks. Therefore, it is also necessary to select the appropriate level of intervention and treatment for each person involved in the criminal justice process.

On the other hand, the public perception against VAWC offenders differs from jurisdiction to jurisdiction, due to the diversity of each jurisdiction's social, historical and cultural background. This affects the response by the criminal justice authorities regarding the

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<sup>2</sup> General Assembly resolution 70/1 of 25 September 2015.

<sup>3</sup> General Assembly resolution 70/174 of 17 December 2015.

<sup>4</sup> General Assembly resolution 34/180 of 18 December 1979.

<sup>5</sup> See article 5 of the Convention on the Elimination of All Forms of Discrimination against Women.

<sup>6</sup> General Assembly resolution 44/25 of 20 November 1989.

<sup>7</sup> See article 19 of the Convention on the Rights of the Child.

<sup>8</sup> Introducing the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children (2015). UNODC.

approaches in their interventions; some countries take a rehabilitation-focused approach, whereas some take a punitive approach, putting public safety as their first priority. Punitive approaches often generate a challenge for the offenders' rehabilitation and reintegration into society, as they usually entail more stigmatization and intensive—sometimes excessive—level of control over the offenders. However, the rehabilitative approach in non-custodial measures does not work effectively if it is implemented without public support and understanding. Thus, it is important to consider the circumstances of each jurisdiction and to foster public support and understanding of criminal justice policies for dealing with VAWC issues.

Given such issues to be considered, Evidence-Based Practice (hereinafter, referred to as “EBP”), which involves empirical study-oriented implementation, is critical to ensure effective treatment of VAWC offenders. EBP has been developed with regard to the assessment, treatment and evaluation grounded in empirical studies since the 1980s, mainly initiated from the research targeting sexual offenders.

Certain characteristics of VAWC offenders have been identified from empirical studies. For instance, unstable human relationships, use of sex as a coping strategy, poor problem-solving skills, lack of concern for others, and negative emotionality are known as prominent changeable factors which should be targeted for sexual offenders.<sup>9</sup> It is reported that domestic violence offenders often seek dominance over someone by abuse of power, such as violence and threats, and in many domestic violence cases, child abuse has also been reported where domestic violence has been committed against adults.<sup>10</sup> As regards child abusers, triggering factors such as lack of self-confidence, reduced impulse control and deficiencies in empathy are pointed out as typical characteristics. In addition, past victimization of abusers, known as the victim to victimizer cycle, is also acknowledged as a characteristic of child abusers.<sup>11</sup> In terms of the risk of stalkers, stalkers who have a history of past violence or other types of crime are more likely to commit violence against their victims.<sup>12</sup>

Assessment is one of the key elements to administer EBP, in particular for incarcerated offenders. In order to prevent recidivism of VAWC offenders, appropriate assessment is crucial to providing effective intervention and treatment, and to some extent, in deciding the offender's penalty or other interventions. Particularly, assessment based on the Risk Need Responsivity (RNR) principle, which is composed of the following elements, is well known as one of the effective tools of EBP. The “risk principle” reveals offenders' risk levels in order to determine the degree of intervention necessary for recidivism prevention. The “need principle” diagnoses the target factors which are connected to offenders' recidivism. The “responsivity principle” specifies the most encouraging intervention with sufficient consideration about offenders' learning styles and other individual factors such as level of functioning, mental health needs, and so on.<sup>13</sup> Additionally, it is also essential to identify offenders' strengths for rehabilitation in the process of assessment. Awareness of these elements can facilitate the development a treatment approach to offenders' social reintegration.

In terms of treatment, with regard to sexual offenders, for instance, Cognitive

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<sup>9</sup> Mussack & Carich. (Eds.). op.cit.

<sup>10</sup> American Medical Association. (1992). Diagnostic and Treatment Guidelines on Domestic Violence.

<sup>11</sup> Santhosh. (2016). A Review on the Perpetrators of Child Abuse.

<sup>12</sup> Churcher & Nesca. (2013). Risk Factors for Violence in Stalking Perpetration: A Meta- Analysis.

<sup>13</sup> Association for The Treatment of Sexual Abusers. (2016). Sex Offender Treatment for Adult Males.

Behavioural Therapy (hereinafter, referred to as “CBT”) can effectively reduce reoffending,<sup>14</sup> and treatment has been evaluated as efficient if the content and delivery is matched to offenders’ risk levels.<sup>15</sup> Additionally, it is important to provide treatment in a warm, empathic and non-judgmental way.<sup>16</sup> Consistent support including aftercare programmes against sexual offenders is also reported as one of the effective measures throughout the process of incarceration and social reintegration.<sup>17</sup> Effective aftercare programmes promote offenders’ understanding on the meaning of treatment in prison and community settings, and they will be expected to maintain pro-social lifestyles without committing sexual offences.<sup>18</sup> Moreover, strength-based approaches are also recognized as effective at facilitating collaboration among treatment providers and offenders for producing a set of goals for a better future.<sup>19</sup> With regard to domestic violence offenders, CBT techniques are seen as successful treatment when focusing on issues empirically linked to acts of violence.<sup>20</sup> In addition, regarding the preventive intervention of child maltreatment, home visits and parent education are reported as effective measures.<sup>21</sup> Furthermore, as for stalking, given the correlation between the stalker and mental disorders, including personality disorders, some countries have introduced psychiatric or psychological approaches for de-escalation of offenders’ problematic behaviour and for recidivism prevention.

Based on the study-oriented findings, a number of countries have introduced RNR-based CBT and related educational interventions for VAWC offenders. On the other hand, in some jurisdictions, such RNR-based assessments, interventions and treatment are not necessarily easy to implement. This is due to several reasons. First, not all jurisdictions have the capacity to develop EBP tools adjusted to their own social and cultural backgrounds. Second, conducting assessments and specific interventions require a certain level of professional knowledge and experience. Third, well-trained correctional officers are necessary to implement and support the interventions.

Moreover, community-based approaches involving non-custodial interventions, such as fines, probation, community sentences and suspended sentences,<sup>22</sup> can be key elements for VAWC offenders, particularly for low-risk offenders. Such approaches are also important for offenders and ex-offenders who are released from prison to assist them in their rehabilitation and reintegration into society.

Furthermore, multi-agency cooperation is necessary at each phase of the criminal justice process in order to facilitate the effective implementation of interventions and treatment, as well as the social reintegration of the offenders. For example, in a domestic violence or child abuse case, criminal justice authorities should work together with child welfare organizations. Also, cooperation among criminal justice authorities, such as among the police and correctional authorities for the follow-up of released ex-offenders, and with relevant organizations dealing with the fields of psychiatry, sociology, psychology, social

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<sup>14</sup> New Zealand Government. (2016). Sex Offender Treatment for Adults.

<sup>15</sup> Yates. (2013). Treatment of Sexual Offenders: Research, Best Practices, and Emerging Models.

<sup>16</sup> Marshall. (2006). Treatment of Sexual Offenders and Its Effects. UNAFEI Resource Material No.72

<sup>17</sup> Mussack & Carich. (Eds.), op.cit.

<sup>18</sup> Pennsylvania Department of Corrections. (2001). Research in Review. Volume 4, Number 1.

<sup>19</sup> U.S. Department of Justice. (2015). The Effectiveness of Treatment for Adult Sexual Offenders.

<sup>20</sup> Corvo, Dutton & Chen. (2008). Toward Evidence-Based Practice with Domestic Violence Perpetrators.

<sup>21</sup> U.S. Department of Health and Human Services (Children’s Bureau). Intergenerational Patterns of Child Maltreatment: What the Evidence Shows.

<sup>22</sup> See the Tokyo Rules (United Nations Standard Minimum Rules for Non-Custodial Measures). General Assembly resolution 45/110 of 14 December 1990.



welfare, etc. is crucial to provide necessary interventions and treatment as well as support and aftercare for ex-offenders towards their social reintegration.

### **Main Theme**

The main theme of the programme was “Tackling Violence against Women and Children through Offender Treatment: Prevention of Reoffending”. The objective of the programme was to share good practices and explore effective measures of intervention and treatment for preventing reoffending, including evidence-based practices, in regard to offenders who committed crimes such as sex offences, domestic violence, child abuse, stalking, etc. This programme contributed to the achievement of the SDGs, in particular, Goals 5.2 and 16.2.

Through a variety of lectures and presentations, discussions, observation tours as well as intensive group workshops, participants learned the theories, underlying principles and practical experiences of other countries. The programme enabled participants to acquire new and different viewpoints on, and inspired them to revisit and consider, possible ways to improve their own systems and practices. The experience of gaining a multifaceted view and understanding by each participant of his or her own system and practices will eventually contribute to renewed or improved policy concerning the treatment of offenders who committed crime against women and children in their respective countries. Further, it will lead to enhanced rehabilitation of relevant offenders and their reintegration into the community and will ultimately contribute to the building of stable and peaceful societies based on core values such as human rights and the rule of law.

In addition, the programme promoted the formation of a personal and professional network among the participants, which will benefit each one of them and their respective countries in the future through the sharing of updated information, thus enhancing international cooperation in the field of crime prevention and criminal justice.

### **Key Topics of the Programme**

The following are key topics that were addressed during the programme:

- 1) Current circumstances of VAWC in each jurisdiction
  - Prevalent types of VAWC and its social, historical and cultural background
  - Types of measures and treatment available for VAWC offenders
- 2) Effective measures for recidivism prevention at each phase of the criminal justice process, and legal or practical challenges to their implementation
  - Non-custodial measures in criminal proceedings with rehabilitative interventions, including community supervision, probation, etc. and implementation challenges
  - Assessment of risk/needs factors for reoffending and protective factors to prevent reoffending with respect to VAWC offenders and implementation challenges
  - Interventions and treatment (e.g. CBT, psychiatric/psychological approaches, and other EBP) to prevent reoffending in institutional and community settings and implementation challenges
  - Preventing recidivism by VAWC offenders through multi-agency cooperation among relevant agencies or bodies, such as police, prisons, probation authorities, welfare organizations, etc., and implementation challenges

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## **Course Summary**

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### **Lectures**

During the Course, the participants attended 34 lectures, including 6 presented by the visiting experts, 5 by ad hoc lecturers and 3 by the faculty of UNAFEI. Three distinguished criminal justice practitioners served as UNAFEI's visiting experts. They lectured on issues relating to the main theme of the Course and contributed significantly beyond their lectures by encouraging discussions after their lectures, participating in the discussions of other programmes, and conversing with the participants on informal occasions. Additionally, the ad hoc lectures were delivered by a professor of a Japanese university and treatment practitioners affiliated with governmental entities and private treatment organizations. The lecturers and lecture topics are listed on pages 9 to 10.

### **Individual Presentations**

During the first three weeks of the course, all participants delivered individual presentations which introduced the situation, problems and future prospects of the participants' countries. These papers were compiled onto a USB memory stick and distributed to all the participants. The titles of these individual presentation papers are listed on pages 11 to 13.

### **Group Workshop Sessions**

Group workshop sessions provided the participants with the opportunity to further examine the sub-topics of the main theme. In order to conduct each session effectively, the UNAFEI faculty selected individuals to serve as group members for the sub-topics, based on their responses to a previously distributed questionnaire. Selected participants served as chairpersons, co-chairpersons, rapporteurs or co-rapporteurs, and faculty members served as advisers. Each group's primary responsibility was to explore and develop their designated topics in the group workshop sessions. The participants and UNAFEI faculty studied the topics and exchanged their views based on information obtained through personal experience, the individual presentations, lectures and so forth. After the group workshop sessions, reports were drafted based on the discussions in their groups. These reports were subsequently presented in the plenary report-back session, where they were endorsed as the reports of the Course. Brief summaries of the group workshop reports are provided on pages 14 to 16.

### **Visits and Special Events**

Visits to various agencies and institutions in Japan helped the participants obtain a more practical understanding of the Japanese criminal justice system. In addition to the academic agenda of the Course, many activities were arranged to provide a greater understanding of Japanese society and culture, with the assistance of various organizations and individuals, including the Asia Crime Prevention Foundation (ACPF). For more detailed descriptions, please refer to pages 17 to 19.

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## Lecture Topics

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### *Visiting Experts' Lectures*

- 1) Dr. Kattiya Ratanadilok
  - Current Circumstances about VAWC and Related Offenders' Treatment in Thailand
  - Effective Treatment against VAWC Offenders for Recidivism Prevention and Desistance from Crime
- 2) Ms. Mariana Martin
  - Violence against Women and Children (VAWC) Issues and Current Circumstances in Namibia
  - Challenges in the Treatment of VAWC Offenders and Further Perspectives
- 3) Dr. Franca Cortoni
  - Why VAWC Occurs and How Best to Intervene with the Offenders (e.g., Factors that Lead to Violence; Best Treatment Approaches)
  - How Criminal Justice and Correctional Systems Could Develop and Implement these Types of Interventions for VAWC Offenders

### *UNAFEI Professors' Lectures*

- 1) Ms. WATANABE Machiko, *Professor*, UNAFEI
  - Criminal Justice System in Japan: Investigation & Prosecution
- 2) Mr. HOSOKAWA Hidehito, *Professor*, UNAFEI
  - Criminal Justice System in Japan: Criminal Trials and Relevant Legal Procedures Against VAWC
- 3) Mr. FURUHASHI Takuya, *Professor*, UNAFEI
  - Corrections in Japan
- 4) Mr. MORIKAWA, Takeshi, *Professor*, UNAFEI
  - Criminal Justice System in Japan - Community Corrections

5) Mr. YOKOTA Naoyuki, *Assistant Commissioner, Adjunct Professor, UNAFEI*

- Criminal Justice System in Japan: Police

*Ad Hoc Lectures*

1) Dr. FUJIOKA Junko

*Professor, Osaka University*

- Supporting Sexual Offenders in the Community and Further Perspectives

2) Ms. KOBAYAKAWA Akiko

*Director, Non-Profit Organization (NPO) "Humanity"*

- Dealing with Stalking and other Harassment Cases from an NPO's Viewpoint

3) Mr. KAWAMATSU Akira

*Professor, Meisei University*

- Current Measures against Child Abuse and Recommendations for Law Enforcement Organizations

4) Ms. Horiguchi Miwa

*Child Welfare Specialist of the Tokyo Metropolitan Children's Self-reliance Support Facility "Seimei Gakuen"*

- Actual Practices in Child Protection and Welfare Organisations for the Children at Risk

5) Mr. SHIMADA Takahito

*National Research Institute of Police Science*

- Tackling Stalkers and other VAWC Offenders mainly in Japanese Police for Prevention

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**Individual Presentation Topics**

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***Overseas Participants***

- 1) Ms. Viviane Cristina SANTANA (Brazil)
  - The São Paulo State Police's Actions Against Women Crimes
- 2) Mr. Chun-man CHAN (Hong Kong)
  - Tackling Violence against Women and Children through Offender Treatment: Prevention of Reoffending
- 3) Mr. Eriky FERIGINO (Indonesia)
  - Violence against Women and Children in Indonesia: A Cultural and Religious Perspective
- 4) Mr. Evans Messop MONGARE (Kenya)
  - Tackling Violence against Women and Children through Treatment: Prevention of Reoffending
- 5) Ms. Mijin KIM (Korea)
  - Treatment for Violence against Women and Children Offenders in Korea
- 6) Ms. Bounmany Ma SAVONGLIENKHAM (Laos)
  - The Measures and Treatment for Victims and Offenders of Violence against Women and Children
- 7) Mr. Norulekhsan ABDUL RAHIM (Malaysia)
  - Inmates' Reintegration Programmes – Concepts and Community Rehabilitation for Crime Related to Violence against Women and Children
- 8) Mr. Win Naing Lin (Myanmar)
  - Tackling Violence against Women and Children through Offender Treatment: Prevention of Reoffending
- 9) Mr. Kalu UCHEJE (Nigeria)
  - Violence Against Women and Children; Prevalent Types, Measures and Treatment Available for Offenders

- 10) Mr. Mujahid RAHIM (Pakistan)
  - Tackling Violence against Women and Children Through Offender Treatment
- 11) Ms. Evelyn Caril MEDINA VILLEDA (Panama)
  - Tackling Violence against Women and Children through Offender Treatment in Panama
- 12) Ms. Kelisiano LIUSUAVAI (Samoa)
  - Evidence-based Treatment of Offenders in Samoa
- 13) Mr. Francis KIRI (Solomon)
  - Correctional Service of Solomon Islands Response to Ending Violence against Women and Children
- 14) Mr. Gammaddagoda Liyanage PRIYANTHA (Sri Lanka)
  - Sri Lankan Scenario of Prevention of Reoffending in Cases of Violence against Women and Children
- 15) Ms. Irani Ganga WAKISHTA ARACHCHI (Sri Lanka)
  - Protecting Women and Children from further Violence and Effective Measures for Recidivism Prevention through Multi Agency Cooperation: Legal and Practical Implementation Challenges: A Sri Lankan Experience
- 16) Ms. Malika KURBANOVA (Tajikistan)
  - Tackling Violence against Women and Children through Offender Treatment: Prevention of Reoffending in the Republic of Tajikistan
- 17) Mr. Ukrit SORNPROHM (Thailand)
  - United Nations Model Strategies and the Treatment of Offenders of Violence against Women and Children: Good Practices and Challenges in Southeast Asia

### ***Japanese Participants***

- 18) Ms. HORIUCHI Aki (Japan)
  - Preventing Recidivism among VAWC Offenders through Multi-agency Cooperation among Relevant Agencies
- 19) Ms. KIMURA Yayoi (Japan)
  - Female Inmates Who Abused Their Own Children and Prospects for their Treatment

20) Ms. MATSUI Ayumi (Japan)

- The Current Situation of Domestic Violence in Japan and the Countermeasures by Public Prosecutors

21) Mr. SHIMATO Jun (Japan)

- Current Circumstances of Sentencing in Japan – Focusing on Sex Crime

22) Mr. SHIN Koichiro (Japan)

- The Case of a Probationer Who Committed Child Abuse

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**Group Workshop Sessions**

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**Group 1**

**INTRODUCING AND PROMOTING EVIDENCE-BASED PRACTICE IN THE  
TREATMENT OF VAWC OFFENDERS**

*Rapporteur:* Ms. Kelisiano Liusuavai (Samoa)

*Co-Rapporteurs:* Ms. Mijin Kim (Korea)

Ms. Yayoi Kimura (Japan)

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|-----------------------|------------------------|-------------------|
| <b>Chairperson</b>    | Mr. Mujahid Rahim      | (Pakistan)        |
| <b>Co-Chairperson</b> | Mr. Francis Kiri       | (Solomon Islands) |
| <b>Members</b>        | Mr. Ericky Ferigino    | (Indonesia)       |
|                       | Mr. Win Naing Lin      | (Myanmar)         |
| <b>Advisers</b>       | Prof. Takuya Furuhashi | (UNAFEI)          |
|                       | Prof. Mika Kitagawa    | (UNAFEI)          |
|                       | Prof. Junichiro Otani  | (UNAFEI)          |

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*Report Summary*

Addressing the issue of evidence-based practice (EBP) in the treatment of violence against women and children (VAWC) offenders, the group began by reviewing the historical debate surrounding the effectiveness of offender treatment, noting that randomized control trials, quasi-experiments, systematic review and meta-analysis are all scientific methods that have developed to measure programme effectiveness. In the 1980s, Andrews and Bonta developed the Risk-Need-Responsivity (RNR) model, which establishes criminogenic needs (dynamic risk factors) as the appropriate targets for offender treatment. These needs should be treated through effective evidence-based measures such as cognitive behavioural therapy (CBT) and Family Group Conferences (FGC).

Despite this well-established basis for offender treatment, the group identified a number of challenges to the implementation of effective treatment programmes. In response, the group offered the following recommendations: (i) improve stakeholder awareness (including the awareness and motivation of correctional staff) by promoting the benefits of EBP, such as public safety, prevention of reoffending and cost effectiveness; (ii) increase the number of specialists and trained staff by enhancing academic and legal studies and cooperation with non-governmental organizations; (iii) enhance programme effectiveness by drafting detailed manuals to standardize programme implementation; (iv) reduce disparities between research and practice by ensuring that researchers perform their studies in realistic correctional environments; (v) enshrine principles of inter-agency cooperation in relevant legislation; and (vi) motivate offenders to change, which can be achieved by ensuring that judges impose rehabilitative sentences and by offering offenders incentives to participate in rehabilitation programmes, such as meetings with family members, early release etc.

Noting the varied status of EBP in the participating jurisdictions, the group stressed the importance of implementation of EBP and offered recommendations aimed toward ensuring programme effectiveness. EBP must be objective (i.e., not based on subjective opinions) and the results of such practices must be able to be replicated. However, because EBP is not universally known or understood, the first challenge is to raise awareness by explaining the EBP philosophy to fellow practitioners. Second, implementing EBP throughout a system may be an overwhelming, impossible task. Practitioners are encouraged to identify a specific area of work, such as sexual offences or domestic violence, to focus on. Third, it is important to build capacity of correctional staff through education and training. Once these elements are in place, the final step is the adoption of certified, effective programmes in accordance with local needs and requirements.



**Group 2****MULTI-STAKEHOLDER COOPERATION TO PROMOTE VAWC OFFENDER REHABILITATION AND PREVENT REOFFENDING****Rapporteur:** Mr. Chun-man Chan (Hong Kong)**Co-Rapporteur:** Ms. Aki Horiuchi (Japan)

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|                       |                                   |             |
|-----------------------|-----------------------------------|-------------|
| <b>Chairperson</b>    | Ms. Irani Ganga Wakishta Arachchi | (Sri Lanka) |
| <b>Co-Chairperson</b> | Ms. Ayumi Matsui                  | (Japan)     |
| <b>Members</b>        | Ms. Viviane Cristina Santana      | (Brazil)    |
|                       | Mr. Evans Messop Mongare          | (Kenya)     |
|                       | Mr. Kalu Ucheje                   | (Nigeria)   |
|                       | Mr. Ukrit Sornprohm               | (Thailand)  |
| <b>Advisers</b>       | Prof. Takeshi Morikawa            | (UNAFEI)    |
|                       | Prof. Mana Yamamoto               | (UNAFEI)    |
|                       | Prof. Ryo Futagoishi              | (UNAFEI)    |

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*Report Summary*

Noting the linkages between criminal justice and promoting gender equality as established by the Sustainable Development Goals, the group addressed the importance of multi-stakeholder cooperation to facilitate the treatment of VAWC offenders and to prevent them from reoffending. The group concluded that, contrary to the traditional approach of punishment by incarceration, correctional systems should prioritize treatment and rehabilitation. The rehabilitative approach should prioritize alternatives to imprisonment, enabling multiple institutions, both inside and outside of the criminal justice system, to facilitate offender treatment. Furthermore, multi-stakeholder cooperation promises to reduce rates of imprisonment and recidivism, as well as costs to the correctional system.

The group stressed that rehabilitation programmes must be country specific and must target appropriate individuals and identified the following as factors that lead VAWC offenders toward recidivism: (i) reintegration issues (social stigma, problems finding accommodations, lack of funds for sustainable treatment); (ii) the lack of aftercare and other support services, which leads offenders to return to their antisocial peers and criminal enterprises; (iii) the failure to leverage key stakeholders throughout the lengthy process of offender rehabilitation; (iv) the underreporting of crimes against women due to their fear of losing social/financial security, lack of access to justice, etc.; and (v) lack of education and guidance for juveniles, which damages their self-esteem, leading them toward a life of crime.

In response to these challenges, the following best practices and recommendations were identified, *inter alia*: (i) enhancing the role of public prosecutors by enabling them to commence rehabilitation at the initial stage by making referrals to psychologists, rehabilitation volunteers, and other religious or community resources; (ii) establishing mechanisms to share information and statistics between stakeholders involved in offender treatment; (iii) enhancing responses to children in conflict with the law through the use of specialized judges, Gesell Chambers for interviews with and counselling for juveniles, maintaining juveniles' confidentiality, etc.; (iv) conducting continuous assessments for VAWC offenders using the RNR and Good Lives models; (v) making use of restorative justice and alternative dispute resolution programmes.

By providing rehabilitative treatment and support to VAWC offenders continuously and as early as possible, criminal justice systems can improve the offenders' chances to rehabilitate themselves and avoid repeating their crimes. This requires a team-based, multi-stakeholder approach drawing on specialized expertise of public officials and private organizations.

**Group 3****NON-CUSTODIAL MEASURES FOR VAWC OFFENDER REHABILITATION AND REOFFENDING PREVENTION****Rapporteur:** Mr. Gammaddagoda Liyanage Priyantha (Sri Lanka)**Co-Rapporteur:** Mr. Norulekhsan Abdul Rahim (Malaysia)

|                       |                                 |              |
|-----------------------|---------------------------------|--------------|
| <b>Chairperson</b>    | Ms. Evelyn Caril Medina Villeda | (Panama)     |
| <b>Co-Chairperson</b> | Mr. Jun Shimato                 | (Japan)      |
| <b>Members</b>        | Ms. Bounmany Ma Savonglienkham  | (Laos)       |
|                       | Ms. Malika Kurbanova            | (Tajikistan) |
|                       | Mr. Koichiro Shin               | (Japan)      |
| <b>Advisers</b>       | Prof. Hidehito Hosokawa         | (UNAFEI)     |
|                       | Prof. Hiroyuki Watanabe         | (UNAFEI)     |
|                       | Prof. Machiko Watanabe          | (UNAFEI)     |

*Report Summary*

The group considered the importance of non-custodial measures to the rehabilitation of VAWC offenders and recidivism prevention, finding that imprisonment is no panacea for prevention of recidivism. Non-custodial measures have the following advantages: the reduction of incarceration, the reduction of recidivism, the effectiveness of rehabilitation, and the enhancement of community involvement. Such measures should be implemented at all relevant stages of the criminal justice system, particularly the pre-trial stage, the trial and sentencing stage, and the post-sentencing stage.

At the *pre-trial stage*, the principal non-custodial measure is non-prosecution or suspension of prosecution. This enables the prosecutor to consider factors such as the gravity of the offence, the age and other characteristics of the offender, the circumstances under which the offence was committed, etc. During the *trial stage*, the sentencing authority should consider the nature of the offence, the purpose of the sentence, the personality of the offender, and the protection of the victim. In implementing non-custodial measures, the following practices are widely used: suspension of execution of sentence, economic sanctions (fines), confiscation of property, community service orders, and the “Weekend Jail System”, which enables the offender to work during weekdays in order to support his or her family. At the *post-sentencing stage*, probationers and parolees are permitted to serve all or a portion of their sentences in the community, which allows them to work and maintain their liberty subject to supervision by the relevant governmental and/or community authorities. They must also abide by certain conditions that steer them toward rehabilitation. Community support, such as accommodation at halfway houses and other counselling or mentoring programmes, is also available.

After identifying a number of challenges facing the implementation of non-custodial measures (lack of awareness, lack of educational/vocational programmes, lack of community acceptance, and ongoing threats to victim and public safety), the group made the following recommendations: (i) ensuring that non-custodial measures are sufficiently incorporated into legislation and guidelines for prosecutors and judges; (ii) exploring the use of electronic monitoring as a tool to support the effective implementation of non-custodial measures; (iii) implementing community-based treatment measures and support, such as volunteer probation officers, halfway houses, cooperative employers, Circles of Support and Accountability (CoSA), etc.; (iv) establishing crisis shelters to provide protection, guidance and support for victims.

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**Observation Visits**

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| <u><i>Date</i></u> | <u><i>Agency/Institution</i></u> | <u><i>Main Persons Concerned</i></u>          |
|--------------------|----------------------------------|---|
| 28 Aug.            | Tokyo Probation Office           | • Mr. MISU Tsuyoshi<br>(Chief Officer)        |
| 10 Sep.            | Yamanashi Prefectural Police     | • Mr. ARAI Toshiya<br>(Senior Superintendent) |

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**Group Study Tours**

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| <u><i>Date</i></u> | <u><i>Location</i></u> | <u><i>Agency/Institution</i></u>      | <u><i>Main Persons Concerned</i></u>                                      |
|--------------------|------------------------|---------------------------------------|---|
| 11 Sep..           | Hiroshima              | Halfway House "With Hiroshima"        | • Mr. INAGAKI Hiroshi<br>(Director)                                       |
| 12 Sep.            | Osaka                  | Osaka Prison                          | • Mr. SHINKAI Hiroyuki<br>(Director of International<br>Affairs Division) |
| 13 Sep.            | Kyoto                  | Kyoto Juvenile<br>Classification Home | • Ms. MYOJO Kayoko<br>(Chief Psychologist)                                |

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## Special Events

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21 Aug. *Welcome Party*

23, 26, 27 Aug. *Japanese Conversation Classes*

The overseas participants attended four Japanese conversation classes and learned practical Japanese expressions.

28 Aug. *Reception by the Vice-Minister of Justice*

The reception was held for the participants by the Vice-Minister of Justice, Mr. TSUJI Hiroyuki, at the Danwa-shitsu lounge on the 20th floor of the ministry building, overlooking Hibiya Park.

30 Aug. *UNAFEI International Table Tennis Tournament*

The UNAFEI Table Tennis Tournament was held in the auditorium. Mixed teams of international participants, Japanese participants, and UNAFEI faculty and staff were formed, and competed against each other.

31 Aug, 1 Sep. *ACPF Branches Study Tour*

The participants were invited to visit branches of the ACPF in six locations around Japan. The participants split into groups and visited Sapporo, Fukushima, Tochigi, Saitama, Nagoya and Osaka. They visited local criminal justice facilities and had an opportunity to do some sight-seeing. In addition, each branch held a reception in honour of the participants visiting their region.

2, 3 Sep. *Social with Volunteer Probation Officers*

The participants had an opportunity to exchange views with Japanese Volunteer Probation Officers at a social at UNAFEI.

4 Sep. *The Way of Tea (Tea Ceremony)*

The participants participated in a “*cha-no-yu*” or “*sado*”, a formal Japanese tea ceremony, kindly hosted by Soroptimist International Akishima.

7 Sep. *Home Visits*

The Volunteer Probation Officers Association in Support of UNAFEI’s Activities kindly organized a home visit programme. The hosts were Ms. MITSUHASHI, Ms. IIZUKA, Mr. HARIYA, Mr. TANAKA and Ms. SHIBATA. They kindly invited the participants to their homes.

19 Sep. *Farewell Party*

A party was held to bid farewell to the participants.

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**Reference Materials**

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**UNAFEI's 173<sup>RD</sup> INTERNATIONAL TRAINING COURSE  
LIST OF REFERENCE MATERIALS**

| <b>List of Reference Materials (173rd International Training Course)</b> |   |
|--|---|
| 1  | Convention on the Elimination of All Forms of Discrimination against Women  |
| 2  | Convention on the Rights of the Child   |
| 3  | Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (Annex of the "Strengthening Crime Prevention and Criminal Justice Responses to Violence against Women") |
| 4  | Introducing the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children  |
| 5  | United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)   |
| 6  | United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)  |
| 7  | United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)  |
| 8  | Sex Offender Treatment for Adult Males<br>ATSA (Association for the Treatment of Sexual Abusers)<br>August 2016   |
| 9  | Dr. William. L. Marshall<br>Treatment of Sexual Offenders and Its Effects<br>UNAFEI Resource Material Series. No. 72. p. 71-81  |

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### Expert and Participant List

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#### Visiting Experts

|                         |   |
|-------------------------|---|
| Dr. Kattiya Ratanadilok | Director<br>Justice Research and Development Institute<br>Office of Justice Affairs<br>Thailand             |
| Ms. Mariana Martin      | Commissioner: Rehabilitation<br>Namibian Correctional Service<br>Ministry of Safety and Security<br>Namibia |
| Dr. Franca Cortoni      | Professor, School of Criminology<br>Université de Montréal<br>Canada  |

#### Overseas Participants

|                              |   |
|------------------------------|---|
| Ms. Viviane Cristina SANTANA | Captain<br>Community Police and Human Rights<br>Directorship<br>Sao Paulo State Police<br>Brazil  |
| Mr. Chun-man CHAN            | Principal Officer<br>Rehabilitation Unit<br>Correctional Services Department<br>Hong Kong   |
| Mr. Eriky FERIGINO           | Junior Probation Officer<br>Adult Client Mentoring<br>Probation Board Class II Bandar Lampung<br>Indonesia  |
| Ms. Mijin KIM                | Senior Corrections Officer<br>Security Division<br>Daegu Correctional Institution<br>Korea  |
| Mr. Evans Messop MONGARE     | Probation Officer 1 in charge Kehancha Station<br>Probation and Aftercare Service<br>State Department for Correctional Services<br>Ministry of Interior and Coordination of National<br>Government<br>Kenya |

|  |   |
|--|---|
| Ms. Bounmany Ma<br>SAVONGLIENKHAM      | Director<br>Policy Division<br>Office of the Supreme People's Prosecutor<br>Laos  |
| Mr. Norulekhsan ABDUL RAHIM            | Head of Community Service Unit<br>Parole and Community Service Department<br>Prison Department<br>Malaysia  |
| Mr. Win Naing Lin                      | Director<br>Training Division<br>Prisons Department, Ministry of Home Affairs<br>Myanmar  |
| Mr. Kalu UCHEJE                        | Senior State Counsel<br>Administration of Criminal Justice and Reforms<br>Office of the Attorney General<br>Federal Ministry of Justice<br>Nigeria      |
| Mr. Mujahid RAHIM                      | Judicial Magistrate<br>District Judiciary<br>Islamabad High Court<br>Pakistan   |
| Ms. Evelyn Caril MEDINA<br>VILLEDA     | District Attorney<br>Chame District Office<br>Public Ministry<br>Panama   |
| Ms. Kelisiano LIUSUAVAI                | Principal Probation and Parole Officer<br>Correction, Enforcement and Maintenance<br>Division<br>Ministry of Justice and Courts Administration<br>Samoa |
| Mr. Francis KIRI                       | Inspector<br>Correctional Services of Solomon Islands<br>Solomon  |
| Mr. Gammaddagoda Liyanage<br>PRIYANTHA | Additional Magistrate<br>Chief Magistrate's Court Colombo<br>Judicial Service Commission<br>Sri Lanka   |
| Ms. Irani Ganga WAKISHTA<br>ARACHCHI   | Senior State Counsel<br>Criminal Division<br>Attorney General's Department  |



## Sri Lanka

Ms. Malika KURBANOVA

Leading Specialist  
International Department  
Ministry of Justice  
Tajikistan

Mr. Ukrit SORNPROHM

Project Manager  
Thailand Institute of Justice  
Thailand**Japanese Participants**

Ms. HORIUCHI Aki

Probation Officer  
Yokohama Probation Office

Ms. KIMURA Yayoi

Principal Supervisor  
Second Treatment Section  
Mine Rehabilitation Program Center

Ms. MATSUI Ayumi

Public Prosecutor  
Osaka District Public Prosecutors' Office

Mr. SHIMATO Jun

Judge  
Sapporo District Court

Mr. SHIN Koichiro

Probation Officer  
Kagoshima Probation Office

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**INFORMATION ABOUT FORTHCOMING PROGRAMMES**

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**1. The 22nd UNAFEI UNCAC Training Programme**

From 9 October to 15 November 2019, UNAFEI will host the 22nd UNAFEI UNCAC Training Programme in Tokyo, Japan. The main theme of the Programme is “Detection, Investigation, Prosecution and Adjudication of High-Profile Corruption”. Approximately 30 overseas participants and several Japanese participants will attend.

**2. The 13th Regional Seminar on Good Governance for Southeast Asian Countries**

From 17 to 19 December 2019, UNAFEI will hold the Thirteenth Regional Seminar on Good Governance in Tokyo, Japan. The main theme of the Seminar will address anti-money-laundering measures and asset recovery. Among other participants, 20 anti-corruption practitioners from the 10 ASEAN countries are expected to attend as official delegates.

**3. The 174th International Senior Seminar**

From 16 January to 15 February 2020, UNAFEI will host the 174th International Senior Seminar in Tokyo, Japan. The main theme of the Seminar is “Prevention of Reoffending and Fostering Social Inclusion: Policymaking and Good Practices”. Approximately 25 government officials from across Southeast Asia and other parts of the world, including Japan, and visiting experts and lecturers will attend.

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**FACULTY AND STAFF OF UNAFEI**


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**Faculty:**

|                       |  |
|-----------------------|--|
| Mr. SETO Takeshi      | Director   |
| Ms. ISHIHARA Kayo     | Deputy Director  |
| Mr. FURUHASHI Takuya  | Professor<br>173rd Course Programming Officer          |
| Mr. HOSOKAWA Hidehito | Professor<br>173rd Course Deputy Programming Officer   |
| Mr. FUTAGOISHI Ryo    | Professor  |
| Mr. OTANI Junichiro   | Professor  |
| Ms. WATANABE Machiko  | Professor  |
| Mr. WATANABE Hiroyuki | Professor  |
| Ms. KITAGAWA Mika     | Professor  |
| Dr. YAMAMOTO Mana     | Professor<br>Chief of Research Division                |
| Mr. MORIKAWA Takeshi  | Professor<br>Chief of Information and Public Relations |
| Mr. Thomas L. SCHMID  | Linguistic Adviser                                     |

**Secretariat:**

|                     |  |
|---------------------|--|
| Mr. FUJITA Takeshi  | Chief of Secretariat                                       |
| Mr. KOSEKI Takahiro | Chief of Training and Hostel Management<br>Affairs Section |

**Training and Hostel Management Affairs Section:**

|                    |   |
|--------------------|---|
| Ms. IINUMA Hazuki  | Officer<br>173rd Course Assistant Programming Officer |
| Mr. KONDO Tomohiro | Officer<br>173rd Course Assistant Programming Officer |
| Mr. ONDA Keisuke   | Senior Officer  |
| Mr. SAITO Masato   | Senior Officer  |
| Ms. MATSUDA Mariko | Officer   |

**International Research Affairs Section:**

|                   |           |
|-------------------|-----------|
| Ms. IWAKATA Naoko | Librarian |
|-------------------|-----------|

**Secretarial Staff:**

|                   |         |
|-------------------|---------|
| Ms. YAMADA Hisayo | Officer |
|-------------------|---------|

**Kitchen:**

Ms. ODAGIRI Maki                      Chef

**JICA Coordinators for the 173rd International Training Course:**

Ms. HISA Keiko                      JICA

Ms. ARATANI Hiroko                  JICA

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