

UNAFEI NEWSLETTER

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IN THIS ISSUE

	<i>Page</i>
LETTER FROM THE DIRECTOR.....	1
THE 176TH INTERNATIONAL TRAINING COURSE	3
ACHIEVING INCLUSIVE SOCIETIES THROUGH EFFECTIVE CRIMINAL JUSTICE POLICIES AND PRACTICES	
Course Rationale.....	3
Course Summary.....	12
Lecture Topics.....	13
Individual Presentations.....	15
Action Plans	17
Reference Materials	19
Expert and Participant List	20
INFORMATION ABOUT FORTHCOMING PROGRAMMES	22
Training Seminar for the Officers Involved in Juvenile Justice in Kenya	22
Exchange Programme between the Japanese Prosecution Service and the Supreme People's Procuracy of Viet Nam	22
Comparative Study on the Criminal Justice Systems of Japan and Nepal	22
First International Training Programme on Building Inclusive Societies	22
FACULTY AND STAFF OF UNAFEI.....	23

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LETTER FROM THE DIRECTOR

It is my privilege to inform readers of the successful completion of the 176th International Training Course on *Achieving Inclusive Societies through Effective Criminal Justice Policies and Practices*, which took place online from 15 November to 9 December 2021. In this Course, we welcomed 17 overseas participants: 9 from Africa, 7 from Asia and 1 from Oceania. The participants included judges, prosecutors, police officers, government attorneys 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 and interactive online discussion sessions.

The 2030 Agenda for Sustainable Development sets a lofty but firm goal: to create a world in which no one is left behind. Yet in the field of criminal justice, the unfortunate reality is that many offenders – who often have prior histories of trauma, victimization and abuse – are left behind by society before they commit crime, and they are then stigmatized and marginalized upon their return to society. At the same time, crime victims are routinely left behind by criminal justice systems by being excluded from participation in the justice process and by being exposed to secondary victimization by the very system charged with protecting them and vindicating their rights. Consequently, criminal justice systems should give greater attention to the need for inclusive criminal justice policies and practices that consider the rights and interests of crime victims and offenders.

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 inclusive criminal justice policy and practice 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 providing support to crime victims and rehabilitation support to offenders 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.

With the knowledge and perspectives gained through this training course, 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 176th 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.

January 2022



MORINAGA Taro
Director, UNAFEI

THE 176th INTERNATIONAL TRAINING COURSE

ACHIEVING INCLUSIVE SOCIETIES THROUGH EFFECTIVE CRIMINAL JUSTICE POLICIES AND PRACTICES

Course Rationale

1. Introduction

The 2030 Agenda for Sustainable Development,¹ adopted by the United Nations General Assembly in 2015, pledges that “no one will be left behind” and sets out 17 Sustainable Development Goals (SDGs). In particular, Goal 16 seeks to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”. Similarly, in the criminal justice context, the Doha Declaration,² adopted at the 13th Congress on Crime Prevention and Criminal Justice, highlights “the importance of promoting peaceful, corruption-free and inclusive societies for sustainable development, with a focus on a people-centred approach that provides access to justice for all and builds effective, accountable and inclusive institutions at all levels” (paragraph 4).

Crime not only causes physical, economic and mental harm to victims but also has a negative impact on their sense of well-being and self-worth. However, victims often have to recover from such harm without necessary assistance. Moreover, victims sometimes suffer from additional harm through the criminal justice procedure – secondary victimization – which occurs not as a direct result of the crime but through the response of institutions and individuals to the victims. In light of building a peaceful and inclusive society, when a crime is committed, it is crucial to provide the victims with necessary support and assistance so as to help them recover from the harm and damage they have suffered, as well as to avoid secondary victimization in the criminal proceedings. The Kyoto Declaration,³ adopted at the 14th Congress on Crime Prevention and Criminal Justice, highlights “Safeguarding victims’ rights and protecting witnesses and reporting persons” (paragraphs 31–34).

As another aspect, offenders, particularly those released from prison, experience difficulties in their re-entry, due to stigmatization and a number of social barriers they face. This hampers offenders’ rehabilitation and increases their reoffending risks. Because most offenders return to the community, it is important to facilitate their reintegration into society as productive and law-abiding citizens, thereby reducing their risk of reoffending. Reducing reoffending is one of the main topics discussed at the Kyoto Congress. The Kyoto Declaration emphasizes the importance of reducing reoffending through rehabilitation and reintegration, and it encourages Member States to promote a rehabilitative environment in correctional facilities and in the community, to promote multi-stakeholder partnerships to reduce reoffending, to raise awareness of the importance of public acceptance of offenders and so on (paragraphs 37-42).

In pursuit of the goal of establishing inclusive societies, criminal justice systems should

¹ General Assembly resolution 70/1 of 25 September 2015.

² General Assembly resolution 70/174 of 17 December 2015.

³ A/CONF.234/16.

address the impacts of crime by making every effort to provide victim support and prevent reoffending.

2. Victim Support

The traditional criminal justice system often left victims behind. In many jurisdictions, the role of victims in the criminal justice procedure was limited to giving evidence, and victims did not have the opportunity to express their views and concerns at any point throughout the criminal justice process. Also, there used to be no mechanisms or procedures where evidence submitted at criminal trials could be used in civil litigation to obtain compensation. Moreover, victims had to endure secondary victimization, which can occur at any stage of the criminal justice process, from intrusive or inappropriate conduct of investigation, in regard to prosecutorial decisions, during trial and sentencing, and concerning the decisions on releasing offenders. Since the mid-20th century, such tendency has been criticized, the rights of victims have increasingly been recognized, and the international community has taken steps to emphasize the need to support and protect victims throughout the criminal justice process. In particular, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985 Declaration)⁴ emphasizes that victims should be treated with compassion and respect for their dignity (paragraph 4), highlights the importance of allowing the views and concerns of victims to be presented and considered at appropriate stages of the proceedings (paragraph 6(b)), stresses the necessity of a legal framework of restitution (paragraph 8-11), and emphasizes the protection of victims and measures to be taken to minimize inconvenience to victims, and to protect their privacy, when necessary (paragraph 6(d)). In line with these principles, measures to empower and protect victims have been developed and implemented. Also, later United Nations conventions are equipped with clauses for victim and witness protection and assistance.⁵

a. Activating the Role of Victims in the Criminal Proceedings

There are various approaches and measures that have been and should be taken by or with the involvement of criminal justice authorities to enhance victims' rights and interests. In order to give victims proactive roles in the process, and thereby give due consideration to victims' views and concerns in sentencing and other relevant decisions, victims are given participatory roles. For instance, in some jurisdictions, victims can institute prosecution privately, take part in the trial or other relevant proceedings, and state their views and the impact of the offence before the court.

b. Restitution and Victim Support

As for the recovery of damage, in some jurisdictions, state compensation schemes have been established. Also, in some jurisdictions, mediation or restorative justice procedures are available. These procedures facilitate compensation and, moreover, ensure active victim participation. Victims' voluntary participation helps offenders to foster a more prosocial attitude towards rehabilitation. In certain jurisdictions, civil procedures in which evidence collected in the criminal procedure is used to establish the claim (e.g. restitution orders in Anglo-American legal systems and *action civile* in the French legal system) are available. In addition, traumatized victims should be given access to available health and social services. In some jurisdictions, funds are available to provide victims with access to medical services or trauma counselling.

⁴ General Assembly resolution 40/34 of 29 November 1985.

⁵ E.g. Article 24 and 25 of United Nations Convention Against Transnational Organized Crime.

c. Preventing Secondary Victimization

In terms of protecting victims and preventing secondary victimization, criminal justice authorities should acknowledge the vulnerability of victims and behave in a manner to avoid further harm, and crime victims should be provided with necessary support and assistance so as to lessen any negative impacts. In particular, the 1985 Declaration states the need to take “measures to minimize inconvenience to victims, protect their privacy, when necessary, and ensure their safety, as well as that of their families and witnesses on their behalf, from intimidation and retaliation” (paragraph 6(d)).

More specifically, first, in order to protect victims’ dignity, it is necessary for criminal justice authorities to understand victims’ vulnerabilities, needs and feelings. Second, it is important to inform victims of their role in the proceedings, as well as the scope, timing and progress of the proceedings. Keeping victims informed of the developments in their cases prevents secondary victimization and helps to ensure they are treated by the authorities with dignity and respect. Third, protection measures in the court proceedings are important to protect their privacy, safety and dignity. For instance, in many jurisdictions, one or more of the following measures are available: use of pre-trial statements as an alternative to in-court testimony; shielded testimony through the use of a screen, curtain or two-way mirror and testimony via closed-circuit television or audio-visual links as measures to minimize or eliminate the harm caused by confrontation in the courtroom; anonymous testimony as a measure to protect privacy and ensure safety.

d. Access to Legal Representation

Even where the criminal justice system is fully equipped with these mechanisms and measures, victims may not be able to utilize them effectively. This is due to the vulnerability of victims suffering from the negative impact of victimization and, thus, having difficulty exercising their rights or even contacting criminal justice authorities, the complicated nature of the legal process, or the lack of knowledge of available measures and procedures.

Therefore, it is essential to provide assistance to victims, including providing necessary information in a timely manner. Moreover, legal assistance is of vital importance, in particular with respect to legal aspects. However, because victims are quite often unable to afford legal representation, adequate legal aid mechanisms are necessary.

This contributes to the achievement of equal access to justice for all, as stated in Goal 16 of the SDGs.

3. Preventing Reoffending

In order to effectively reduce reoffending, it is crucial to ensure rehabilitative processes and environments throughout all stages and pathways leading to successful reintegration. The attainment of rehabilitative processes and environments requires continued efforts by criminal justice actors, including all criminal justice authorities and stakeholders in the community.

Investigators, prosecutors and judges can play a key role for offender rehabilitation at the pre-trial, trial and sentencing stages, as they have the authority to take the initiative to drive the process and make decisions in the criminal proceedings. Although the main purpose of criminal proceedings is to clarify the facts of the offence through investigation prosecution and adjudication, and then to impose a proportionate penalty (which may involve imprisonment and/or alternative sanctions), the importance of offender rehabilitation should not be underestimated in such decisions. Investigators, prosecutors and judges should take

due account of offender rehabilitation at each stage of the criminal justice process, in particular, through: i) proper decisions in sentencing, case dispositions, and arrest, detention or bail applications, with adequate and active use of non-custodial measures, ii) proper case management ensuring speedy trial, and iii) ensuring access to justice by guaranteeing the right to legal representation in criminal proceedings for both suspects and defendants.

a. Sentencing or Case Dispositions and Arrest/Detention and Bail Applications

It is well known that imprisonment has a large adverse effect on social reintegration due to stigmatization. On the other hand, community-based approaches, including non-custodial measures and restorative justice processes, can ensure that offenders receive appropriate support and treatment, and maximize the opportunities for them to live productive and independent lives in the society without suffering a period of restricted contact with the outside world. Imprisonment should be imposed as a measure of “last resort”, without prejudice to the principle of proportionality, protection of society and the rights of the victims.

Also, to facilitate prison-based rehabilitation, it is important for prisons to maintain rehabilitative environments that enable use of the period of imprisonment to ensure, so far as possible, the reintegration of such persons into society. However, overuse of imprisonment and detention leads to prison overcrowding, which negatively impacts the quality and quantity of rehabilitative interventions in prisons. Furthermore, we have witnessed overcrowded prisons vulnerable to Covid-19 outbreak risks having been unable to provide rehabilitative interventions. By nature, prison settings are hazardous environments for the spread of viruses. Globally, the impact of Covid-19 in prisons has been found to be significantly more severe compared to the general population. In addition, restrictions imposed to contain the spread of the virus, including “prison lockdowns”, have seriously impacted prisoners’ daily lives, including their participation in rehabilitation programmes and contacts with the outside world, isolating them further and directly affecting their rehabilitative prospects. The Kyoto declaration expresses “grave concern about the vulnerability of prisons, especially in terms of health, safety and security, to the real risk of a rapid spread of the virus in closed settings, which can be further aggravated by long-standing challenges such as prison overcrowding and poor prison conditions” (Paragraph 14).

The Institute for Criminal Policy Research (ICPR) shows that in about 120 jurisdictions, the prison population, which includes those who are sentenced to imprisonment and detainees at the pre-trial or trial stage, exceeds the official capacity.⁶ Moreover, in many jurisdictions, the prison populations are growing.⁷

Therefore, active and adequate use of non-custodial measures in the pre-trial disposition and sentencing decisions, as well as in the decisions to arrest, detain and release, facilitates social reintegration of offenders, giving them better opportunities for successful rehabilitation, and avoiding negative impacts stemming from prison overcrowding. This has been widely recognized more than ever before due to the Covid-19 crisis. The United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)⁸ admonish unnecessary use of imprisonment and encourage a wide range of non-custodial measures.

⁶ ICPR, World Prison Brief Database <https://www.prisonstudies.org/highest-to-lowest/occupancylevel?field_region_taxonomy_tid=All>.

⁷ R. Walmsley “World Prison Population List twelfth edition” 2018, <https://www.prisonstudies.org/sites/default/files/resources/downloads/wppl_12.pdf>.

⁸ General Assembly resolution 45/110 of 14 December 1990.

Non-custodial penalties and pre-trial case dispositions include the decision not to prosecute, conditional discharge, suspension of prosecution and diversion from criminal proceedings, such as through the mediation process and use of therapeutic measures for substance abusers. Options at the sentencing phase include fines, community sanctions and suspension of imprisonment sentence. Options at the post-sentencing stage for imprisoned persons (relevant to this course where prosecutors or the judiciary is involved in the decision to grant early release from prison) include parole and conditional release. Some of these non-custodial options themselves involve supervision or other interventions, treatment or support in the community. Other non-custodial measures can be applied in combination with or without community supervision or other treatment, etc. Further, restorative justice programmes at various phases can pave the way for or be used in conjunction with non-custodial measures.

Sentencing or case disposition decisions should take rehabilitative perspectives into account while ensuring the principle of “proportionality”, as well as taking due consideration of the rights of victims, offenders and concern for public safety. However, there are challenges to doing this.

First, the availability of such options and the extent to which they can be applied differs from jurisdiction to jurisdiction. For example, in a number of jurisdictions, non-custodial penalties are only applicable to certain less serious crimes. Second, even where a wide range of non-custodial penalties or dispositions is stipulated by law, some jurisdictions may have applied them quite restrictively in practice for a number of reasons. For instance, a “proportionate” penalty for a specific crime is understood in certain jurisdictions as disfavouring the wide and effective use of non-custodial sanctions. Also, some jurisdictions have little or no practical experience with non-custodial sanctions due to low levels of public understanding and acceptance (providing adequate support for victims can foster understanding and acceptance of the victims, and then, of the general public), and the lack of authorities or institutions responsible for, or capable of, delivering community-based treatment. In addition, in many jurisdictions, few judges and prosecutors are aware of the potential benefits of incorporating rehabilitative perspectives into their decisions, and thus these professionals need to be sensitized in this respect. Also, developing prosecution and sentencing policies incorporating rehabilitative perspectives can help to ensure proper decision-making. Rehabilitative perspectives that should be considered refer particularly to the importance of reducing the use of imprisonment (both in terms of controlling prison populations and avoiding increasing the individual’s reoffending risks), to the roles of prison and community-based treatment and to the advantages of non-custodial measures.

On the other hand, it should be noted that non-custodial sanctions or dispositions are not always the best option to prevent reoffending and facilitate offender rehabilitation. Imprisonment in a rehabilitative environment may, in some cases, be the “hook for change” in the lives of offenders, generating positive impacts towards desistance from crime. In some cases, non-custodial measures will not be effective without appropriate community supervision and support, whereas in other cases, excessive use of supervision, etc. for low-risk offenders may result in mass supervision and net-widening that actually increases their reoffending risk due to unnecessary interventions.

Having this in mind, in deciding adequate penalties and their alternatives, and providing necessary interventions and treatment for rehabilitation, it is necessary to conduct an assessment to identify the offenders’ individual needs and social environments representing

their risk factors and protective factors for their social reintegration. For this purpose, it is also necessary to have mechanisms to collect adequate information at relevant phases of the criminal justice process. For instance, to make a decision at the pre-trial and sentencing stages, in addition to collecting evidence of the offence and its impact on victims, information on risk, needs and strengths of the offender should be collected in order to take account of rehabilitative perspectives. Such information includes the offender's accommodation and employment situation, available support from the community, and so on. The Tokyo Rules highlight the role of social inquiry reports (paragraph 7.1), in which such information is provided in some jurisdictions. In others, such information is collected during criminal investigations. However, these mechanisms and practices are not in place in every jurisdiction, and its importance is underestimated.

Furthermore, unnecessary use of arrest, detention and remand at the pre-trial and trial stages (hereinafter, simply referred to as "detention"), coupled with restricted use and application of bail and other types of release, result in a long-term stay in custody having the same negative effect as overuse of imprisonment. Suspects and defendants may be detained only where there is probable cause to believe an offence has been committed and under certain conditions stipulated by law, such as the risk of absconding, interference with the course of justice and recommitment of a serious offence. The Tokyo Rules state that "pre-trial detention shall be used as a means of last resort in criminal proceedings, with due regard for the investigation of the alleged offence and for the protection of society and the victim" (Paragraph 6.1).

However, in a number of jurisdictions, detention is used in the majority of cases regardless of the type of crime. Moreover, options for release, such as bail, are often not used sufficiently, due to lack of legal representation or to the inability to afford bail money.

b. Speedy Trial

Overuse of detention, lengthy detention and little application of bail or other release options increase the prison population and negatively impact prison environments by exhausting prison capacity and resources, which as a result, hampers offender rehabilitation. Although there are no global statistics on unnecessary detention, the very high ratio of detained inmates to the total prison population implies the prevalence of unnecessary detention in many countries. It is reported that the median rate of global detainees is 29.5 per cent, but in over 60 jurisdictions, the rate exceeds 40 per cent.⁹ The Kyoto Declaration highlights the importance of "tak[ing] measures to address overcrowding in detention facilities and to improve the overall effectiveness" (paragraph 36).

Overly lengthy detention is usually attributable to delay in trial procedure. Although causes of delay may vary, the prosecution and the judiciary can improve the situation through proper case management.

First, as prosecution is the gateway of the trial procedure, measures should be taken from the stage of instituting prosecution. Given that the burden of proof rests with the prosecution, charging decisions can be expedited by narrowing the scope of allegations or evidence required to institute criminal proceedings. Description of counts in the charge or indictment should be simple, clear and to the point in order to avoid unnecessary contests or arguments

⁹ R. Walmsley "World Pre-trial/Remand Imprisonment List fourth edition" 2020, <https://www.prisonstudies.org/sites/default/files/resources/downloads/world_pre-trial_list_4th_edn_final.pdf>.

for clarification. Second, the persons responsible for the conduct of the case with respect to all criminal justice actors—the prosecution, defence and the court—should be identified quickly and efficiently. Clarifying those actors will ensure swift and effective communication among parties and contributes to efficient and focused preparation. Third, wide and effective use of “fast track” procedures, such as simplified procedures upon guilty pleas, should be encouraged. Such procedures shorten the criminal justice process and minimize the financial and other burdens of uncontested cases. They also ensure that sufficient resources are allocated to difficult and complicated cases. Fourth, efficient trial preparation to identify the issues in contested cases reduces the number of hearings, thus helping to expedite the trial process. Fifth, periodical checks and reports on pending cases as to their number, duration, status of progress, reasons for delay, etc. and statistics (e.g. caseload, duration for each case and process) enable the identification of undue delay in individual cases and assist in ensuring accountability in case management. Moreover, such practices can cultivate the consciousness of the prosecutors and judges to improve case management.

These adequate measures can also have the effect of minimizing delays under unexpected difficult situations such as the Covid-19 pandemic.

c. Access to Legal Representation

Suspects and defendants have the right to defend themselves, but exercising this right is usually difficult without the assistance of legal counsel. Suspects and defendants can avoid unnecessary detention, wrongful conviction and disproportionately long imprisonment if properly represented by defence counsel. Proper assistance by defence counsel also helps ensure speedy trial. Moreover, defence counsel will pursue more rehabilitative options on behalf of his or her client. Those options may include alternatives to imprisonment or incarceration, as well as restorative options such as mediation and settlement.

Although suspects and defendants have the right to defence counsel, in reality, many cannot afford a lawyer. Thus, legal aid is of essential importance, in particular where the interests of justice so require, such as in urgent situations and complex cases, where the potential penalty is severe, and for vulnerable groups. “The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems”¹⁰ highlights that legal aid is an essential element of a fair, humane and efficient criminal justice system that is based on the rule of law. There are different models of legal aid mechanisms which may involve public defenders, private lawyers, contract lawyers, pro bono schemes, bar associations, paralegals and others. In many jurisdictions, there are institutions with the chief responsibility for the management and administration of legal aid. Also, the Kyoto Declaration emphasizes the necessity of access to legal aid (paragraph 49).

Key Topics of the Programme

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

- 1) Effective measures to support victims
 - a) Activating the role of victims in criminal proceedings
 - Victim participation in criminal proceedings
 - Ensuring the opportunity for victims to express their views and concerns in

¹⁰ General Assembly resolution 67/187 of 20 December 2013.

- criminal proceedings (e.g. victim impact statements)
 - Challenges in giving participatory roles to victims, and possible solutions
 - b) Restitution and victim support
 - Measures to ensure or facilitate compensation or restitution (e.g. state compensation schemes, mediation, restorative justice procedures, *action civile*)
 - Ensuring legal support for victims (e.g. adequate legal aid)
 - Access to social services and health care
 - c) Preventing secondary victimization
 - Raising awareness among criminal justice actors about secondary victimization risks
 - Providing adequate information to victims (e.g. progress of the proceedings, protection measures)
 - Victim protection measures at trial and other stages (e.g. testimony via closed-circuit television, protection of the victim's identity)
 - Challenges in avoiding secondary victimization, and possible solutions
- 2) Effective measures in pre-trial, trial and sentencing stages to prevent reoffending and facilitate offenders' social reintegration
 - a) Current situation of, and challenges in, incorporating rehabilitative perspectives in sentencing/case dispositions, and possible solutions
 - i) Adequate use of non-custodial sanctions
 - Availability of non-custodial sanctions at each stage of criminal proceedings
 - Legal impediments and practical challenges to broad and effective application of non-custodial sanctions, and possible solutions
 - ii) Measures to ensure proper sentencing and case dispositions to reduce reoffending
 - Development of proper prosecution and sentencing policies incorporating rehabilitative perspectives
 - Assessment and information-collecting mechanisms for offender rehabilitation
 - Awareness of judges and other decision makers to incorporate rehabilitative perspectives in their decisions
 - b) Current situation of, and challenges in, avoiding unnecessary detention and ensuring adequate bail and other release options, and countermeasures to address the challenges
 - c) Effective case management for speedy trial
 - Causes of trial delays (e.g. unclear description of counts in indictments, lack of identifying persons responsible for the conduct of the case, little use of "fast track" procedures, insufficient preparation, lack proper case management skills)
 - Good practices and roles of prosecutors, defence counsel and judges to expedite the process

- d) Current situation of, and challenges in, ensuring legal representation of suspects and defendants, and possible solutions

Course Summary

Lectures

During the Course, the participants attended a variety of lectures, presentations and discussion sessions, including 2 presented by the visiting experts, 3 by ad hoc lecturers and lectures by faculty members of UNAFEI. The distinguished lecturers addressed issues relating to the main theme of the Course and contributed significantly beyond their lectures by answering the participants' questions during pre-recorded question and answer sessions. The visiting experts included an officer from the UNODC and a Circuit Judge from the United Kingdom, and the ad hoc lectures included an official from the National Police Agency, a public prosecutor and a legal aid attorney from Japan. The lecturers and lecture topics are listed on pages 13 to 14.

Individual Presentations

During the Course, all participants delivered individual presentations which introduced the situation, problems and future prospects of the participants' countries. These papers were distributed to all the participants. The titles of these individual presentation papers are listed on pages 15 to 16. In addition to their presentations, the participants were divided into two groups and shared additional information on practices in their jurisdiction during three group-work sessions.

Action Plans

As the primary output of the Course, each participant prepared an individual action plan to implement new or improved practices in the participant's country. The action plans consisted of two parts. Firstly, the participants were asked to summarize their key takeaways from the Course; secondly, they were asked to create a measurable, practical plan for implementing new policies or practices. These action plans were subsequently presented in the plenary report-back session, where they were discussed by the participants and UNAFEI faculty members. The titles of these action plans are provided on pages 17 to 18.

Lecture Topics

Visiting Experts' Lectures

- 1) Ms. Vera Tkachenko
Crime Prevention and Criminal Justice Officer, United Nations Office on Drugs and Crime (UNODC)
 - Rethinking Incarceration: Promoting Partnerships to Reduce Reoffending

- 2) His Honour Judge Jonathan Cooper
Deputy Resident Judge for Cambridgeshire, United Kingdom
 - Community Sentences in England and Wales

UNAFEI Professors' Lectures

- 1) Mr. HOSOKAWA Hidehito, *Professor, UNAFEI*
 - Judicial Procedures for Victims of Crime in Japan
 - Case Management and Expediting Criminal Trials in Japan
 - Non-Custodial Sentences in Japan

- 2) Mr. OKUDA Yoshinori, *Professor, UNAFEI*
 - Case Management at the Investigation Stage in Japan

- 3) Mr. YAMANA Rompei, *Professor, UNAFEI*
 - Support for Victims of Crime by Public Prosecutors' Offices in Japan

Ad Hoc Lectures

- 1) Mr. MUTO Issei
Assistant Director, Crime Victim Support Office, Education, Training and Welfare Division, Commissioner-General's Secretariat, National Police Agency
 - Crime Victim Support Provided by the Police

2) Mr. HONDA Yuichiro
*Public Prosecutor, Chief, Social Reintegration Support Office, General Affairs Department,
Tokyo District Public Prosecutors' Office*

- Efforts of the Social Reintegration Support Office

3) Ms. TOMITA Satoko
Attorney at Law, Director, International Affairs Office, Japan Legal Support Center

- Japan Legal Support Center

Individual Presentations

Overseas Participants

- 1) Ms. Aya Marilyn Nancy Kouakou (Cote d'Ivoire)
 - Criminal Protection of Victims in Ivorian Law: Description and Perspectives
- 2) Ms. Eman Samir Elkamary (Egypt)
 - Protection of Witnesses in Egyptian Criminal Law
- 3) Mr. Mahmoud Ahmed Hamdy Elsergany (Egypt)
 - Criminal Justice (Focus on Investigation, Prosecution, Adjudication and International Cooperation)
- 4) Ms. Meseret Bahru Temesghen (Ethiopia)
 - Criminal Justice Policies and Practices in Ethiopia
- 5) Mr. Juste Ambourouet Ogandaga (Gabon)
 - Achieving Inclusive Societies through Effective Justice Policies and Justice
- 6) Ms. Lynda Nzah Bekale (Gabon)
 - Achieving Inclusive Societies through Effective Criminal Justice Policies and Practices: Case Study of the Juvenile Offender
- 7) Ms. Stephanie Kartikamutiara Brennadiva (Indonesia)
 - Trends of Cyber Crimes During the Covid-19 Pandemic in Indonesia
- 8) Mr. Mzonde Eric Geoffrey Mvula (Malawi)
 - Forgotten Suspects and the Malawi Justice System
- 9) Ms. Nirmala Adhikari Bhattarai (Nepal)
 - Legal Aid: Necessary and Effective Means to Make the Criminal Justice System More Efficient, Fair and Accountable
- 10) Mr. Rajaram Dahal (Nepal)
 - Effective Measure to Support Victims in Nepal

- 11) Mr. Mohammed Mahmood Halidu (Nigeria)
 - Analysis of the Challenges Accompanied with Restitution of Internet Fraud Victims in Nigeria
- 12) Mr. Umar Faruk Yesufu (Nigeria)
 - The Role of the Nigeria Police Force in the Administration of Justice: Issues and Challenges
- 13) Ms. Veleala Mautu (Samoa)
 - The Justice System in Samoa
- 14) Mr. Poramba Liyanage Udara Karunatilaka (Sri Lanka)
 - Adoption of Modern Technological Mechanisms and Measures to Minimize Secondary Victimization Prevailing in the Criminal Justice System of Sri Lanka with Emphasis on Court System
- 15) Ms. Samadari Udeshini Piyasena (Sri Lanka)
 - How to Minimize Psychological Trauma Faced by Victims of Sexual Abuse
- 16) Ms. Tharsika Thirukumaranathan (Sri Lanka)
 - Importance of Restorative Justice in Preventing Reoffending
- 17) Mr. Jasur Abdumurod Ogli Erkhonov (Uzbekistan)
 - Protection of Victims of Crime

Action Plans

Overseas Participants

- 1) Ms. Aya Marilyn Nancy Kouakou (Cote d'Ivoire)
 - Ivorian Penal Policy for an Inclusive Society by 2030
- 2) Ms. Eman Samir Elkamary (Egypt)
 - Witness Protection
- 3) Mr. Mahmoud Ahmed Hamdy Elsergany (Egypt)
 - Adequate Use of Non-Custodial Sanctions
- 4) Ms. Meseret Bahru Temesghen (Ethiopia)
 - Mechanisms to Support and Protect Crime Victims in Ethiopia
- 5) Mr. Juste Ambourouet Ogandaga (Gabon)
 - Judiciary Assistance to Victims
- 6) Ms. Lynda Nzah Bekale (Gabon)
 - Effective Measures to Support Victims
- 7) Ms. Stephanie Kartikamutiara Brennadiva (Indonesia)
 - Options for a Comprehensive Justice System in Indonesia
- 8) Mr. Mzonde Eric Geoffrey Mvula (Malawi)
 - A New Dawn for the Forgotten Suspects in the Malawi Criminal Justice System
- 9) Ms. Nirmala Adhikari Bhattarai (Nepal)
 - To Establish a Fair and Effective Criminal Justice System
- 10) Mr. Rajaram Dahal (Nepal)
 - Protection of Victim's Social Rights
- 11) Mr. Mohammed Mahmood Halidu (Nigeria)
 - Challenges in Identification and Restitution of Internet Fraud Victims

- 12) Mr. Umar Faruk Yesufu (Nigeria)
 - The Importance of the Victim Support System in Nigeria
- 13) Ms. Veleala Mautu (Samoa)
 - Equal Access to Justice for All
- 14) Mr. Poramba Liyanage Udara Karunatilaka (Sri Lanka)
 - Developing a Model Court as a Pilot Project
- 15) Ms. Samadari Udeshini Piyasena (Sri Lanka)
 - How to Minimize Psychological Trauma Faced by Victims of Sexual Abuse
- 16) Ms. Tharsika Thirukamaranathan (Sri Lanka)
 - The Way Forward for Sri Lanka

Reference Materials

**UNAFEI's 176TH INTERNATIONAL TRAINING COURSE
LIST OF REFERENCE MATERIALS**

List of Reference Materials (176th International Training Course)	
1	Transforming our world: the 2030 Agenda for Sustainable Development http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E
2	Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development https://www.unodc.org/documents/commissions/Congress/21-02815_Kyoto_Declaration_ebook_rev_cover.pdf
3	<i>Prevention of Crime and Treatment of Offenders – UNAFEI's Resource Material Series</i> , No. 112 (UNAFEI, 2021) https://www.unafei.or.jp/english/publications/resource.html

Expert and Participant List

Visiting Experts

Ms. Vera Tkachenko	Crime Prevention and Criminal Justice Officer United Nations Office on Drugs and Crime (UNODC)
His Honour Judge Jonathan Cooper	Deputy Resident Judge for Cambridgeshire United Kingdom

Overseas Participants

Ms. Aya Marylin Nancy Kouakou	Substitute for Public Prosecutor Abidjan Court of First Instance Ministry of Justice Cote d'Ivoire
Ms. Eman Samir Elkamary	Judge International Cooperation Department Egyptian Public Prosecution Egypt
Mr. Mahmoud Ahmed Hamdy Elsergany	Public Prosecutor International Cooperation Department Egyptian Public Prosecution Egypt
Ms. Meseret Bahru Temesghen	Public Prosecutor Corruption Crimes Directorate Federal Attorney General Ethiopia
Mr. Juste Ambourouet Ogandaga	President of Chamber Civil Department Ministry of Justice Gabon
Ms. Lynda Nzah Bekale	President of Chamber Civil Department Ministry of Justice Gabon
Ms. Stephanie Kartikamutiara Brennadiva	Senior Inspector Police (Cybercrime Investigators) Cybercrime Directorate of Criminal Investigation Board Indonesian National Police Indonesia

Mr. Mzonde Eric Geoffrey Mvula	High Court Judge Civil Division Malawi Judiciary, High Court of Malawi Malawi
Ms. Nirmala Adhikari Bhattarai	Joint Secretary International Law and Treaty Ministry of Law, Justice and Parliamentary Affairs Nepal
Mr. Rajaram Dahal	Under Secretary Administration Ministry of Law, Justice and Parliamentary Affairs Nepal
Mr. Mohammed Mahmood Halidu	Senior Legal Officer Legal and Prosecution Department Economic and Financial Crimes Commission Nigeria
Mr. Umar Faruk Yesufu	Staff Officer Logistics Inspector General of Police Secretariat Nigeria Police Force Nigeria
Ms. Veleala Mautu	Senior Officer – Supreme Court Civil and Criminal Court Division Ministry of Justice and Courts Administration Samoa
Mr. Poramba Liyanage Udara Karunatilaka	State Counsel Criminal Division Attorney General's Department Sri Lanka
Ms. Samadari Udeshini Piyasena	State Counsel Criminal Division Attorney General's Department Sri Lanka
Ms. Tharsika Thirukumaranathan	State Counsel Criminal Division Attorney General's Department Sri Lanka
Mr. Jasur Abdumurod Ogli Erkhonov	Prosecutor Department for Ensuring the Powers of the Prosecutor in Criminal Courts General Prosecutor's Office Uzbekistan

INFORMATION ABOUT FORTHCOMING PROGRAMMES

1. Training Seminar for the Officers Involved in Juvenile Justice in Kenya

From 7 to 10 February 2022 (tentative), UNAFEI will host the Training Seminar for the Officers Involved in Juvenile Justice in Kenya online. The purpose of the seminar is to train the trainers of the “Child Care Protection Officers Training Programme”. Approximately 40 participants from Kenya will attend.

2. Exchange Programme between the Japanese Prosecution Service and the Supreme People's Procuracy of Viet Nam

On 18 February 2022, UNAFEI will host the Exchange Programme between the Japanese Prosecution Service and the Supreme People's Procuracy of Viet Nam online.

3. Comparative Study on the Criminal Justice Systems of Japan and Nepal

From 28 February to 4 March 2022, UNAFEI will host the Comparative Study on the Criminal Justice Systems of Japan and Nepal online. Twelve Nepalese participants will attend to study and discuss “Challenges to the implementation of the new Criminal Procedure Code in Nepal”.

4. First International Training Programme on Building Inclusive Societies

From 2 to 17 March 2022, UNAFEI will host the First International Training Programme on Building Inclusive Societies online. This programme deals with issues on protection of the rights of crime victims including children. Approximately 10 overseas participants will attend.

FACULTY AND STAFF OF UNAFEI

Faculty:

Mr. MORINAGA Taro	Director
Ms. IRIE Junko	Deputy Director
Ms. WATANABE Machiko	Professor
Mr. HOSOKAWA Hidehito	Professor 176th Course Programming Officer
Mr. OKUDA Yoshinori	Professor
Mr. YAMANA Rompei	Professor
Ms. MIYAGAWA Tsubura	Professor Chief of Research Division
Ms. TAKAI Ayaka	Professor
Ms. SASAKI Ayako	Professor
Mr. OTSUKA Takeaki	Professor Chief of Information and Public Relations
Ms. TANAKA Mii	Professor 176th Course Deputy Programming Officer
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Mr. YAMAMOTO Shinichi	Chief of Training and Hostel Management Affairs Section

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Mr. YOSHIHARA Daiki	Senior Officer
Ms. MUKAI Saori	Officer 176th Course Assistant Programming Officer
Ms. OTANI Makiko	Officer

International Research Affairs Section:

Ms. IWAKATA Naoko	Librarian
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Secretarial Staff:

Ms. YAMADA Hisayo	Officer
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