

PROMOTING THE IMPLEMENTATION OF REHABILITATIVE ENVIRONMENTS IN THE ASEAN REGION

*TAKAI Ayaka**

I. INTRODUCTION

Workshop 2 of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice was held from 8 to 9 March 2021 in the Committee Room at the Kyoto International Conference Center in Kyoto, Japan. The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), in collaboration with the Thailand Institute of Justice (TIJ), sponsored Workshop 2 on “Reducing Reoffending: Identifying Risks and Developing Solutions”, and it consisted of fruitful discussions that explored strategies and solutions to reduce reoffending and facilitate offenders’ reintegration into society. Reducing reoffending leads to fewer victims, greater community safety, and less pressure on and lower costs for the criminal justice system, which is critical to building inclusive, sustainable societies as envisaged in the 2030 Agenda for Sustainable Development.

This report will introduce the status of community-based treatment focusing on the ASEAN region, sharing the efforts that UNAFEI has been making to promote the implementation of rehabilitative environments – a key issue highlighted by Workshop 2 to prevent reoffending. Whether in prison or in the community, it is impossible for offenders to take steps toward rehabilitation if they are in harmful environments in which they lack needed support. As the Chair of Workshop 2 recalled in the report, “programmes to reduce reoffending [need] to be multifaceted, involve all relevant stakeholders and ensure the necessary continuity of care within rehabilitative environments.”¹

II. UNAFEI’S RECENT ACTIVITIES

UNAFEI is the oldest member of the Institutes of the United Nations Crime Prevention and Criminal Justice Programme Network (PNI) with a history of almost 60 years. For most of its history, UNAFEI has long taken the role of assisting the implementation and development of rehabilitative environments and systems in the ASEAN region. Some of the highlights of UNAFEI’s recent activities related to offender treatment in the community are as follows.

A. The ASEAN plus Three Conference

In 2013, 2014 and 2015, the ASEAN plus Three Conference was held as an international forum for ASEAN countries, China, South Korea and Japan. The forum was initiated by Thailand, and the purpose was to share experience and gain knowledge on community-based treatment of offenders among the participating countries. During the conference, it was recognized that the implementation of community-based treatment varies from country to country, and that several countries face challenges in implementing it. Thereby, international cooperation on probation and non-custodial measures was discussed and UNAFEI actively joined the discussion as a PNI member. At the 2014 conference, the ASEAN Roadmap for Probation and Non-custodial Measures was adopted, which reflected the discussions at the conference and provided a plan for future cooperation.

B. The Seminars on Promoting Community-based Treatment in the ASEAN Region

In response to the discussion at the ASEAN plus Three Conference, UNAFEI, in collaboration with the Thai Department of Probation, the TIJ, the Rehabilitation Bureau of the Ministry of Justice of Japan, and the Japan International Cooperation Agency (JICA) conducted a series of training seminars on promoting

* Professor, UNAFEI.

¹ Report of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, A/CONF.234/16 (26 March 2021).

community-based treatment for ASEAN countries from 2015 to 2016. These seminars were held as platforms to discuss and exchange members' knowledge and practices on key issues of non-custodial treatment, and more specific needs of each country were identified.

C. The Third Country Training² for CLMV Countries

From 2017 to 2019, the Thai Department of Probation and UNAFEI in collaboration with JICA, conducted a more country-focused programme targeting the CLMV countries (Cambodia, Lao PDR, Myanmar and Viet Nam), where community-based approaches had either not been formally established or had not been fully implemented. This training course took place in Thailand as a third country training programme involving JICA.

D. UNODC/UNAFEI Joint Projects

Based on the success of these conferences and seminars above, UNAFEI started assisting the Cambodian government bilaterally for its implementation of community-based treatment of offenders in collaboration with the United Nations Office on Drugs and Crime (UNODC).

Cambodia has established a basic legislative framework for community-based treatment of offenders in its criminal code and criminal procedure code, including the authorization of measures such as probation, conditional release and so on. However the relevant authorities rarely use such legal provisions for the following reasons: 1) lack of clarity and details mechanism as well as the lack of a responsible institution within the provisions and 2) lack of experience and necessary resources to supervise persons under alternative sentencing. Therefore, UNAFEI has been making efforts to raise awareness among officials as the first step of implementation of the new system.

Also, since February 2021, UNAFEI, in partnership with the UNODC, has been assisting the Parole and Probation Administration of the Philippines in building capacity, especially in the assessment and treatment of offenders using the Risk-Need-Responsivity (RNR) Model as addressed at Workshop 2 of the Kyoto Congress.

III. STATUS OF REHABILITATIVE ENVIRONMENTS IN THE ASEAN REGION

In many jurisdictions throughout the world, correctional environments, including pre-trial and post-conviction detention, are overcrowded, underfunded, understaffed and vulnerable to corruption.³ These environments expose offenders to harsh conditions that undermine, or entirely prevent, the ability of correctional officers to provide rehabilitative treatment. Upon release from prison, offenders are likely to face many challenges, including stigma and discrimination, which hinder their rehabilitation and reintegration in general.⁴

The United Nations standards and norms in crime prevention and criminal justice have long recognized "social rehabilitation"⁵ as one of the principle aims of the deprivation of liberty.⁶ While the UN has not adopted a formal definition of the term "rehabilitative environment", it might be simply defined as any correctional environment, whether institutional or community based, that is in compliance with relevant UN standards and norms. From a practical perspective, a rehabilitative environment is one in which offenders

² Third Country Training Program (TCTP) is a scheme in which JICA provides participants from developing countries with a technical training programme in collaboration with a Southern partner (i.e., a third country) for the purpose of transfer or sharing of development experiences, knowledge and technology.

³ Background Paper, Workshop 2. Reducing reoffending: identifying risks and developing solutions, A/CONF.234/9, paras. 6-10 (3 February 2020).

⁴ Ibid. at para. 11.

⁵ *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, United Nations General Assembly resolution 70/175, Annex, Rule 93.1(b) (17 Dec. 2015). The Mandela Rules were first adopted by the United Nations General Assembly as the *Standard Minimum Rules for the Treatment of Prisoners* in 1955 and amended in 1977 (see para. 67(b)).

⁶ *Human rights in the administration of justice*, General Assembly resolution 69/172, recitals (1 Dec. 2014) ("Recalling that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society, . . .").

will, at a minimum, receive adequate interventions including supervision and support for the purpose of rehabilitation and reintegration into society.

As mentioned above, Workshop 2 of the Kyoto Congress consisted of fruitful discussions that explored strategies and solutions to reduce reoffending and facilitate offenders' reintegration into society, and it concluded that ensuring rehabilitative processes and environments throughout all stages and pathways leading to successful reintegration is crucial. As a result of the discussion at Workshop 2, four issues were highlighted as the key concept of rehabilitative environments, which should be ensured at every stage of the criminal justice process, and they are: (i) criminal justice systems should respect proportionality and seek to impose the least restrictive sanctions possible, and should make active use of non-custodial measures in line with the UN standards and norms, while avoiding the risk of mass supervision and net-widening; (ii) offenders must receive effective, evidence-based interventions and support responding to each individual's specific needs, both in prison and in the community; (iii) continuity of care and support must be ensured; and (iv) offender rehabilitation and reintegration practices should be developed and implemented by a multifaceted approach involving all relevant stakeholders.

What follows is an overview of how these elements are being implemented in the ASEAN region, presenting each country's overall status with a brief description or good practices for each element. The status of implementation of these elements in ASEAN countries described below is based on the reports of the seminars in which UNAFEI was involved,⁷ except where specifically stated otherwise.

A. Active Use of Non-custodial Measures

The United Nations Standard Minimum Rules for Non-custodial Measures, known as the Tokyo Rules, encourage the international community to facilitate the use of non-custodial measures, taking the human rights, requirements of social justice and the rehabilitation needs of each offender into account.

While it is well-known that simply incarcerating offenders does not contribute to their rehabilitation or to becoming law-abiding citizens, non-custodial measures are effective at reducing reoffending because they ensure the connection between the offender and the community, and offenders who have strong connections to their community and who care about the people around them are less likely to reoffend.

Here are typical examples of non-custodial measures that are considered to contribute to the prevention of recidivism by means of interventions conducted by the competent authority.

1. Probation

Probation, as used in this paper, refers to court-ordered, community-based treatment – a system in which a person is placed under the supervision of the state and receives some kind of rehabilitative intervention, often in conjunction with the suspension of the traditional criminal sentence.

Probation is the most used measure among more than half of the ASEAN countries. The ASEAN countries with probation systems are Brunei Darussalam (Brunei), Indonesia, the Philippines, Singapore, Thailand and Viet Nam for adult offenders, and Brunei, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam for juvenile delinquents, or children in conflict with the law. The status of probation in these countries is briefly explained below, but in countries other than these, although the introduction of probation is being considered, it has not yet been implemented.

(a) Brunei

In Brunei, probation is in place for adult offenders and juvenile delinquents, and was established in 2010 under the Offenders (Probation and Community Service) Order of 2006 and the Children and Young Persons Act (CYPA) of 2010. The Juvenile Court, which operates under the purview of the Subordinate Courts, was also established in 2010. Probation and community-based treatment fall under the responsibility of the Probation and Community Service Unit in the Protection and Rehabilitation Division, the Department of Community Development, the Ministry of Culture, Youth and Sports.

⁷ The Seminar on Promoting Community-based Treatment in the ASEAN Region: Seminar Report (2015, TIJ); The Second Seminar on Promoting Community-based Treatment in the ASEAN Region: Seminar Report (2016, TIJ).

(b) Indonesia

In Indonesia, probation is implemented for adult offenders and juveniles. The duties and responsibilities of probation officers are outlined in the 1917 Penal Code and the Juvenile Justice System Act of 2012, and are under the responsibility of the Correctional Division of the Ministry of Law and Human Rights.

(c) Malaysia

In Malaysia, while there is no probation system for adult offenders, probation for children in conflict with the law has been implemented by the Child Act 2001. The Department of Social Welfare of the Ministry of Women, Family and Community Development is responsible for the rehabilitation of juveniles, and supervision is conducted by probation officers who are Social Welfare Officers or Assistant Social Welfare Officers appointed by the Minister with the support of members of Child Welfare Committees.

(d) Myanmar

In Myanmar, probation for juveniles has been implemented since the Child Law of 1993 and is under the responsibility of the Department of Social Welfare, while probation for adults is not in place yet.

(e) The Philippines

In the Philippines, a community-based treatment system has been implemented since the Adult Probation Law of 1976 and is under the responsibility of the Parole and Probation Administration of the Department of Justice (PPA). Although the PPA takes care of some juvenile probationers, children in conflict with the law are mainly provided with community-based treatment under the responsibility of the Local Social Welfare Development Officer of the Department of Social Welfare and Development.⁸

(f) Singapore

In Singapore, probation systems for adult offenders and juveniles are in place based on the Probation of Offenders Act (POA) and The Children and Young Persons Act (CYPA)⁹ under the responsibility of the Probation and Community Rehabilitation Service of the Ministry of Social and Family Development. Instead of sentencing a person who has committed an offence to penal or correctional institutions, the Court may make a Probation Order requiring him to be under the supervision of the Probation Officer or a Volunteer Probation Officer.¹⁰

(g) Thailand

In Thailand, probation services have been in place for adult offenders and juveniles, originating with unofficial juvenile supervision that started in 1952. In 1956, the Penal Code was enacted and was also the first statutory foundation of the probation services, which made it possible for judges to impose a suspended sentence with the condition of probation. The Department of Probation, Ministry of Justice is the main agency for administering both adult probation and juvenile probation.

(h) Viet Nam

In Viet Nam, laws such as the Criminal Code 2015, the Law on Amnesty 2008 and the Law on Criminal Sentence Enforcement provide a legal framework for community-based treatment of offenders. Adult offenders who receive suspended sentences are supervised by the Commune Peoples Committees (CPC), which include government employees responsible for local governance, and juveniles who are subject to "compulsory education" (i.e. required to fulfil educational or work duties) in the commune are also supervised by family or the CPC.

2. Conditional Release / Parole Supervision

Conditional release and parole supervision refer to a system in which prisoners are released into the community prior to the expiration of their sentence on certain conditions and often under the supervision of the relevant authorities after release. This scheme is effective for reintegration of offenders into society, for

⁸ Jeza Mae Sarah C. Sanchez, "Overview of Philippine Juvenile Justice and Welfare", *Resource Material Series No. 101*, 104-144 (UNAFEI, 2017), available at <https://www.unafei.or.jp/publications/pdf/RS_No101/No101_17_IP_Philippines.pdf>.

⁹ Bernadette Alexander, "Community-based Rehabilitation of Offenders in Singapore", *Resource Material Series No. 96*, 77-83 (UNAFEI, 2015), available at <https://www.unafei.or.jp/publications/pdf/RS_No96/No96_VE_Alexander_3.pdf>.

¹⁰ <<https://www.msf.gov.sg/about-MSF/our-people/Divisions-at-MSF/Social-Development-and-Support/Rehabilitation-and-Protection-Group/Pages/Probation-And-Community-Rehabilitation-Service.aspx>>.

it enables offenders to obtain support and guidance in their real life in the community where offenders are exposed to many challenges including stigma and discrimination. This scheme has been adopted in Indonesia, Malaysia, the Philippines, Singapore and Thailand for adult offenders. The status of each ASEAN country that has introduced the scheme is briefly shown below, but in countries other than these, although the introduction of the scheme is being considered, it has not yet been implemented as of 2015.

(a) Indonesia

In Indonesia, after serving two-thirds of the sentence, a prisoner who fulfils the requirements and has a record of good behaviour as evaluated by prison and probation officers is given parole, and probation officers conduct guidance and supervision in the community after release.

(b) Malaysia

In Malaysia, a parole system was implemented in 2008 based on the parole system in Australia. Parolees are placed under the care and supervision of parole officers during the period of parole. Family members, neighbours and Non-Governmental Organizations (NGOs) are also involved and play important roles not only in helping parolees but also in showing the public that acceptance of parolees will contribute to public safety.

(c) The Philippines

In the Philippines, pre-parole investigation is conducted by officers at the Parole and Probation Administration (PPA) to assess and evaluate if the applicant is qualified for parole, and the pre-parole report is submitted to the Board of Pardons and Parole, which grants parole to qualified prisoners. Supervising officers at the PPA also perform parole supervision with instructions and assistance for the rehabilitation of parolees during the period of parole.

(d) Singapore

In Singapore, the Conditional Remission System (CRS) and the Mandatory Aftercare Scheme (MAS) was introduced in 2014. CRS is the system to release prisoners with conditions by remission order after serving two-thirds of their sentence for good conduct and behaviour, and among those under conditional remission, certain groups who are at risk of reoffending and also those who need more support for reintegration into society have additional conditions imposed on them and are provided with MAS, a structured aftercare regime that provides enhanced community support, counselling and case management with close supervision in order to deter them from reoffending.

(e) Thailand

In Thailand, there is a parole system under which prisoners are released by the decision of the Parole Board and subject to supervision by probation officers after release. Prisoners eligible for parole must be convicted prisoners who have served at least one-third of their sentence and are first-time prisoners.

3. Community Service Orders (CSO)

Community Service Orders refer to activities in the community that are imposed on offenders – often unpaid work or social contribution activities – and implemented either as an independent sanction by the court or as a part of probationary conditions.

(a) Brunei

In Brunei, juvenile and adult probationers are subject to community service for a certain number of hours ordered by the courts, and probation officers are responsible for arranging and managing it.

(b) Malaysia

In Malaysia, a Community Service Order (CSO) is an order of the court requiring juvenile delinquents, or children in conflict with the law, to perform community service, or unpaid work for a specific number of hours, and is a community-based sentencing option that permits the court to order the community service work as a condition of probation. CSOs are supervised and handled by probation officers and Child Welfare Committees.

(c) The Philippines

In the Philippines, Community Service is a part of the rehabilitation and reintegration programme provided for probationers, parolees and pardonees in the community and rendered by clients for the benefit

of society. It includes tree planting, beautification drives, cleaning and greening of surroundings, maintenance of public parks and places, garbage collection, blood donation and similar socio-civic activities.¹¹

(d) Singapore

In Singapore, the Community Service Order (CSO) was first implemented in 1996 as a probation condition for juvenile offenders, and it has been expanded to include adult offenders, both as a condition of probation and as a stand-alone sentencing option. The probation service has a network of more than 130 community service agencies which have opened their doors on a goodwill basis to accept offenders and create opportunities and meaningful experiences for those under the CSO.

(e) Thailand

In Thailand, in 2003, the Penal Code 1956 was amended, enabling judges to impose the Community Service Order in lieu of fine, supervised by probation officers.

4. Electronic Monitoring

Electronic monitoring (E.M.) is also used as an alternative to imprisonment and is a cost-effective use of technology in Singapore and Thailand.

(a) Singapore

In Singapore, E.M. was introduced in 2003 as a condition of probation for selected offenders needing intensive supervision and usually imposed for a period of 4 to 6 months by the courts. E.M. is used to ensure that the offenders are home within curfew hours, to promote family bonding, “to refrain from alcohol consumption, to not own a hand phone with a picture-taking or video capturing capability and to refrain from visiting certain areas”.¹²

(b) Thailand

In Thailand, since 2013 the Department of Probation has implemented a pilot project using electronic monitoring and established it officially by the Minister’s order in 2017. The management of E.M. is now one of the tasks of Volunteer Probation Officers assigned by the Director General of Department of Probation.¹³ VPOs monitor parolees wearing E.M. devices and give them advice.¹⁴

B. Evidence-based Interventions and Support Responding to Each Individual’s Specific Needs

As noted during Workshop 2, identifying the criminogenic needs of each individual offender is essential to ensure effective supervision and support for rehabilitation. In this regard, assessment of an individual’s specific needs is important as an initial step. One example is an activity that is underway in the Philippines to implement a new measure which ensures evidence-based individual interventions. As part of this, the Parole and Probation Administration of the Philippines (PPA) has also developed a new assessment tool, which helps identify the criminogenic needs of offenders. From February to March 2021, UNAFEI and the UNODC provided training seminars for practitioners at the probation service in the Philippines in collaboration with Dr. Raymund Narag of Southern Illinois University and Dr. Clarke Jones of Australian National University, and more training seminars will be conducted in the future. The trainees acquire new knowledge for assessing offenders using the R-N-R Model. The “big 8” factors are addressed by Dr. Narag and Dr. Jones as key factors in developing new tools, and those are:

- Criminal history;
- Pro-criminal companions;
- Pro-criminal attitudes and cognitions;
- Anti-social personality pattern;

¹¹ <<https://probation.gov.ph/correction-rehabilitation/>>.

¹² Bernadette Alexander, “Probation as a Community-based Rehabilitation Programme (Singapore)”, *Resource Material Series No. 96*, 63, 66 (UNAFEI, 2015), available at <https://www.unafei.or.jp/publications/pdf/RS_No96/No96_VE_Alexander_3.pdf>.

¹³ Presentation by Vittawan Sunthornkajit, the Director General of the Department of Probation, the Ministry of Justice of Thailand, at the World Congress on Community Volunteers for Supporting Offender Reintegration, held as an ancillary meeting of the Kyoto Congress on 7 March 2021.

¹⁴ <<http://www.moj.go.jp/content/001348150.pdf>>.

- Education/employment status;
- Family/marital status;
- Substance abuse; and
- Mental health.

For each of these categories, the PPA is developing a set of questions to ask clients in intake interviews. The responses will be scored according to risk derived from statistics and will be used to determine the module and intensity of interventions.

C. Continuity of Care and Support

Continuity of care and support among public-sector organizations, such as prisons, probation (parole) offices and other governmental agencies in the community, as well as public-private partnerships, are crucial for offenders' rehabilitation and reintegration in order to help offenders secure employment, housing and access to legal, social and medical services, as well as educational opportunities and vocational training. This is an example of a practice taking place in the ASEAN region which corresponds to the key issue of continuity of care and support.

According to the country report at the seminar on promoting community-based treatment in the ASEAN region held in 2015, Singapore introduced its CARE Network scheme, which brings together key community and government agencies to promote seamless in-care to aftercare support to ex-offenders. Eight member agencies are engaged in this network:

- Ministry of Home Affairs;
- Ministry of Social and Family Development;
- Singapore Prison Service;
- Singapore Corporation of Rehabilitative Enterprises, which is now called Yellow Ribbon Singapore;
- National Council of Social Service;
- Industrial & Services Co-Operative Society Ltd.;
- Singapore After-Care Association;
- Singapore Anti-Narcotics Association.

And now the Yellow Ribbon Fund is also involved in the network.¹⁵ These effective linkages with the community help provide a holistic and sustainable support network for ex-offenders and their families.

D. Multi-Stakeholder Approach

The multi-stakeholder approach is also addressed as a key element for building rehabilitative environments. The multi-stakeholder approach, which involves the public sector at both the national and local levels, the private sector, faith-based organizations, academia, volunteers and community members, is encouraged to be applied to ensure needed support for social reintegration of offenders.

The following are just a few of the stakeholders that were clearly identified in the report of training seminars previously mentioned.

1. Volunteers

Volunteers play an important and effective role especially in community-based treatment in terms of involvement of community and to provide necessary support. The Japanese system of volunteer probation officers, or *hogoshi* in Japanese, is known as an effective approach which contributes to the rehabilitation of offenders and reducing reoffending. Volunteer probation officer schemes have been adopted and implemented in a number of ASEAN countries, such as Malaysia, Singapore, the Philippines, Thailand and Myanmar.

(a) Malaysia

In Malaysia, volunteers are involved in the welfare of children in conflict with the law as members of Child Welfare Committee originally founded based on the guidance which Juvenile Welfare Committee provided in 1976, and the present framework is provisioned in the Child Act of 2001. Their tasks are to assist probation officers in supervising juveniles as well as providing support for child offenders and their families.

¹⁵ <<https://www.yellowribbon.gov.sg/>>.

The committee members are appointed by the Minister of Women, Family and Community Development.

(b) Singapore

In Singapore, the community Volunteer Probation Service was introduced in 1971 to promote volunteer participation and community awareness in the rehabilitation of offenders placed on probation. It was renamed the Volunteer Probation Officer (VPO) Scheme in 2012 to strengthen its representation as a volunteering scheme.

(c) The Philippines

In the Philippines, the Volunteer Probation Aid programme was introduced in 1977 to highlight and maximize community involvement and encourage participation of trained VPAs to assist probation and parole officers nationwide in effectively supervising clients. It was renamed the Volunteer Probation Assistant programme in 2015 with the amendment of the probation law. VPAs are involved in rehabilitation programmes implemented by the PPA including the Restorative Justice programme and the Therapeutic Community programme.

(d) Thailand

In Thailand, the Volunteer Probation Officer (VPO) Scheme was introduced in 1985 under the principle that the community should be empowered to establish a system and mechanism for protecting their own community from crime and reoffending along with the criminal justice system. Recently, VPOs are tasked to conduct the E.M. programme as previously mentioned.

(e) Myanmar

In Myanmar, volunteers are involved in the juvenile probation system, which started in 1993 under the Child Law. According to the law, the Director General of the Social Welfare Department assigns the responsibilities traditionally granted to probation officers to an employee of the Social Welfare Department or to a suitable citizen who is not a governmental employee. Those probation officers are responsible for supervision and management of children in conflict with the law by the order of the juvenile court, giving advice and counselling to the child's family and community members.

2. Halfway Houses for Offenders

The term "halfway house for offenders" generally refers to a residential facility, or a shelter for offenders who have no adequate place to live after their release from a correctional institute, that provides support such as accommodation and guidance. Halfway houses are run by governmental and private agencies. Halfway houses are being implemented in several countries in the ASEAN region, such as Indonesia, Malaysia, the Philippines, Singapore and Thailand.

(a) Indonesia

In Indonesia, there were six halfway houses nationwide as of January 2015, and they were set up as correctional facilities with minimum security where offenders undergo their remaining sentence. They accommodate parolees as well as probationers and provide them with necessary training and vocational guidance to help them adjust to their environment.

(b) Malaysia

In Malaysia, there were fourteen halfway houses nationwide as of July 2015, and they were established by the Malaysia Prison Department, and the Parole and State Community Service of the Department is in charge of managing them. They work in collaboration with non-governmental organizations, entrepreneurs, employers and others to provide residents not only a temporary accommodation but also assistance to get a job and to find appropriate placement.

(c) The Philippines

The first halfway house in the Philippines, the Halfway House and Livelihood Training Center (HHLTC), was established in 2019 and serves not just as a temporary home for the probationers and parolees but also as a venue for various trainings, seminars and recreational activities. The building is composed of a halfway house and a livelihood training centre, and is managed by the personnel of the PPA.

(d) Singapore

In Singapore, the Halfway House (HWH) Scheme was started in 1995. It allows selected offenders without strong family support to spend the last stage of detention in a halfway house. Currently, there are eight independent faith-based halfway houses participating in the HWH Scheme, and the programme comprises counselling, work therapy and moral/religious education. Under the scheme, HWHs are mandated to operate under a structured and more consistent programme to better meet offenders' reintegration needs. In 2019, the first government-run HWH was established to strengthen aftercare support for selected higher-risk ex-offenders placed on the Mandatory Aftercare Scheme in the domains of employment and accommodation. It operates as a 24-hour residential facility with a capacity of 576 for male and female residents.¹⁶

(e) Thailand

In Thailand, there were eight officially authorized halfway houses nationwide as of February 2015. The roles of halfway houses are: firstly, to provide homes to those who do not have appropriate places to live or need help with reintegration into their family or community; secondly, to support mental recovery or the rehabilitation process; lastly, to support vocational training and education for better career opportunities of the residents.

3. Other Community Entities

In addition to agencies that specialize in the treatment of offenders, existing social resources are also helpful in the rehabilitation of offenders. Some of the practices found in the ASEAN region are as follows.

(a) Lao PDR

In Lao PDR, the Village Group Policing system was established nationwide in 2003 under the supervision of the District Police Headquarters. The Village Group Policing system involves the community in the supervision of offenders to maintain order and security within the community. Restorative justice measures through Village Mediation Units have also been in place to deal with petty and non-violent crimes committed by juveniles and adult offenders as alternatives to incarceration. As a result, crime has been reduced due to the local communities' cooperation and mediation with the police.

(b) Viet Nam

In Viet Nam, the criminal law enforcement agency (district police) and the Commune People's Committee (CPC), or local-level administrative bodies, are responsible for conducting the supervision of those on probation and non-custodial sentences, and the CPC assigns offices, organizations, unions or individuals to directly supervise and educate them. While there is no specific organization that operates as a formal probation office and there are no formal probation officers, the involvement of the local government provides a variety of necessary support services.

(c) The Philippines

In the Philippines, the Barangay (Village) Justice System is an alternative to a court disposition, and the Restorative Justice Programme is conducted by the PPA as a part of a rehabilitation programme in which the PPA invites victims and community members to participate in the process of reintegration of offenders into the community.

4. Family Members

According to the reports of the seminars, many countries raised family members as a key stakeholder. This point was also addressed in the Background Paper of Workshop 2.¹⁷ Family is generally recognized as an important factor for successful reintegration, because they provide offenders with social, financial and mental support. Therefore, involving family members, coordinating family relationships, educating family members and other family-related approaches can also be effective.

¹⁶ Matthew Wee Yik Keong, "Preventing Reoffending in Singapore", Resource Material Series No. 111, 57-65 (UNAFEI, 2020), available at <https://unafei.or.jp/publications/pdf/RS_No111/No111_09_VE_Keong.pdf>.

¹⁷ Background Paper, Workshop 2. Reducing reoffending: identifying risks and developing solutions, A/CONF.234/9 (3 February 2020).

IV. CONCLUSION

As described above, many countries in the ASEAN region have made efforts to provide offenders with opportunities to obtain proper assistance and guidance to achieve successful rehabilitation and reintegration, and to prevent them from reoffending. In particular, the use of probation has been adopted in a number of countries, and its use in juvenile justice has been more promoted compared to that of adults. However, there are still countries where rehabilitative environments have not been fully established, and even in countries where community-based corrections have been established, there are many countries that face challenges in improving the capacity of relevant personnel and in developing a holistic system to support the rehabilitation of offenders. Although ASEAN as a whole is moving toward the development of rehabilitative environments, there is still room for further development in the future.

In order to create these environments which contribute to the prevention of reoffending, “technical assistance” is an essential element. The importance of technical assistance was also addressed at Workshop 2 of the Kyoto Congress. A panellist from Croatia presented on the process of implementing probation as a new system in her country, and she noted that technical assistance from other countries and foreign organizations was very helpful as they established the new system.

UNAFEI is eager to continue to help ASEAN countries build rehabilitative environments, and the UN model strategies on reducing reoffending, which UNAFEI will help create as an outcome of Workshop 2, will provide practical guidance for ASEAN countries.

The 2030 Agenda for Sustainable Development seeks to establish a global society that “leave[s] no one behind”. By empowering each individual in our societies – including offenders in correctional facilities and those reintegrating themselves into society – we will also be enhancing our communities and our countries. That means no individual, no group, no community and no country will be left behind. Technical assistance is a way to walk together hand in hand, to develop and sustain a peaceful and inclusive society.