

EFFECTIVE INSTITUTIONAL TREATMENT PROGRAMMES FOR SERIOUS AND VIOLENT JUVENILE OFFENDERS

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I. HARUNA JUVENILE TRAINING SCHOOL FOR GIRLS

Haruna Juvenile Training School for Girls (hereinafter referred to as HJTS) is one of the nine juvenile training schools for girls in Japan. HJTS accommodates those juveniles who have been adjudicated by a Family Court to have come under Category I (14 or over but under 16 years old), Category II (16 or over but under 20 years old), or Category III (16 years old or over but under 23 years old with advanced criminal tendencies) mainly in the metropolitan area.

HJTS is the only juvenile training school for girls in Japan that provides long-term treatment programmes for up to a maximum of two years. Inmates in these type of programmes need a relatively long time with a possibility of extension of the specified term as needs arise. The Family Court makes some recommendations on the treatment programmes in its decision in accordance with the criminal tendencies of the juvenile. Based on the recommendations, one of the eight treatment courses is provided in line with the educational requirements of the juvenile. Specifically, HJTS has academic education courses for those who need compulsory education or senior high school education (E1, E2), living guidance courses for those who are extremely difficult to treat (G1, G2, G3), a vocational guidance course (V2), and special education courses (H1, H2). The G2 course targets juveniles of foreign nationalities who need treatment different to that given to Japanese juveniles. Juveniles who are designated as requiring G2 treatment and need special consideration are sent to HJTS from family courts nationwide. The G3 course was established for such juveniles as will need special correctional treatment due to the heinous nature of their crimes and extremely complex and serious problems. Juveniles designated as G3 at a juvenile classification home in the Nagoya region are also sent to HJTS. Furthermore, HJTS confines such juveniles as had been transferred to an adult court and received a prison sentence in the said region up to the age of 16 years. The course for such juvenile prisoners is referred to as the JtW course.

II. CASE STUDY

Now that the profile of HJTS has been outlined, examining an actual case of treatment of a juvenile who committed injury resulting in death will help in considering effective educational programmes for youths who have committed serious and violent offences.

A. Overview

This case deals with actively implementing the “victimization awareness programme” for a juvenile who assaulted a passive victim over a period of hours with seven boys, causing the death of the victim. During her stay at HJTS, she heard the feelings of the bereaved family from a probation officer in the Kanto Regional Parole Board. Through this experience, along with correctional education at HJTS, she came to realize her great culpability in depriving the victim of his life and made a firm resolution to take good care of others as well as herself.

B. Facts of the Case

1. The Juvenile

This case concerns a 16 year-old girl who was committed to HJTS under Category II (16 or over but

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under 20 years old) by Saitama Family Court in August, 2002. Upon this decision, the juvenile (hereinafter referred to as "Hanako," an assumed name) was admitted thereto in the same month. She was placed in the living guidance course. In July, 2005, she was released on parole. The period of her detention at HJTS was approximately two years and eleven months.

2. History of the Delinquent Prior to this Offence

Before Hanako committed this offence, she had violated the Traffic Control Law and received a protective measure of "dismissal after hearing" from the Family Court and was required to take lessons in the Traffic Control Law.

3. Incident

Hanako committed the crime of bodily injury resulting in death. In June, 2002, she and seven accomplices continuously assaulted a 15 year-old boy for three hours in a park. The victim was repeatedly struck on his chest and abdomen with fists and the saddle of a bicycle. His assailants also kicked him, threw the bicycle towards him, drove a motorcycle into his abdomen and chest, bound his wrists with a rope and hung him on athletic equipment in the park, and burned his pubic hair with a lighter. As a result of these persistent assaults, he died in the park the following morning from a loss of blood resulting from rib fracture and rupture of the liver.

4. Features of the Juvenile's Delinquency

From childhood, Hanako had defective hearing, and grew up with delusions of persecution and a sense of isolation. Therefore, she developed a biased sense of value whereby she could impose violent sanctions on a person just because she disliked him or her.

5. Family Background

There are five people in Hanako's family: her father, her mother, her elder sister, her elder brother, and herself.

Except for her brother, who is a company employee, all the family members were unemployed. The family had an average economic status. Since the time of her birth, her father was often sick and was repeatedly hospitalized. Her mother had to work hard to make a living and thus was not often at home. Additionally, her mother's temper was variable. Hanako had a jaundiced view that her mother did not take care of her as well as her sister and her brother. She did not feel as if her life had a purpose enough and her home was not a solid basis for her to rely on.

Two years after her admission to HJTS, her parents purchased a duplex house and moved in with their elder daughter and her family, but the father and the elder daughter did not get along well. For that reason, her parents left after only two months, and moved to an apartment where Hanako later came to live after release.

6. Life History

Hanako was born in 1985. During her first year at junior high school, her academic performance was not good. In 1999, her rebellious acts became habitual. She smoked, violated the school dress code, and protested against schoolteachers. She felt bored at school. When she was 14 years old, she self-harmed by cutting her wrist. In 2001, she graduated from junior high school. She was enrolled in a part-time senior high school. As a senior high school student, her academic performance was not good. In her first year, she verbally abused a teacher and a schoolmate and received a disciplinary measure from the school. When she was 16 years old, she was the victim of an attempted rape. In 2002, she physically assaulted a friend. In the same year, without having a driver's license, she drove a borrowed motorcycle. In the same year, she again self-harmed by cutting her wrist. She was arrested the day after the attack causing the death of the 15-year-old and dropped out of senior high school. She was committed to a juvenile classification home.

7. Attributes of the Juvenile

(i) Physical Condition

Hanako has defective hearing. When she was six years old, she suffered from inflammation of the right and left middle ear. Her disease was treated, but the hearing problem remained. Her right ear is especially weak, and she has worn a hearing aid in her right ear since the first year of junior high school.

(ii) Mental Condition and Personality

Hanako's IQ is 73. She is not good at handling tasks speedily, yet her work has few errors. She has an adequate level of general knowledge, writing and verbal expression abilities. Her activity level is high. She is short of self-restraint and acts on impulse. She tends to lose her temper over trivial matters and her emotions are unstable. Her impulse to turn to violence is sometimes directed towards others, and sometimes towards herself. She wants to rely on others, but has a deep-rooted distrust of others, especially adults. Thus, she does not consult others to find constructive solutions to her problems.

8. Treatment Policy Recommended by the Juvenile Classification Home

Hanako did not have someone to talk to who could understand the loneliness and suffering caused by her defective hearing and communication problems. She began to develop a sense of atonement for the victim through a series of legal measures that accompanied her hearing and treatment. However, she still could not embrace the gravity of killing a person, and tried to escape from the difficulties facing her and grew desperate. Therefore, it was highly recommended that Hanako deepen her atonement towards the victim and make compensation for the consequences of her action throughout her life by considering seriously the grief and pain of the bereaved family.

Besides, it was proposed that Hanako reflect on her life and be aware that sanctioning others with violence is wrong. Furthermore, she needed to accept the weaknesses behind her anger, and cultivate her attitude to solving her problems in a constructive way. Lastly, she had not yet made a realistic and concrete future life plan, and it was necessary for her to make such a plan by incorporating compensation for the victim's family. She had the plasticity to be rehabilitated by treatment and warm support around her, taking the above points into consideration.

9. Disposition

In her hearing, Hanako received a disposition of commitment to a juvenile training school to accommodate Category II inmates with a recommendation by the Family Court that she needed a considerably long correctional treatment of approximately three years.

C. Treatment Process at HJTS

1. Individualized Educational Goals

An individualized treatment plan was formulated for Hanako. Her individualized education goals were as follows:

- (a) Prompting her to understand the pain of the victim and the grief of his bereaved family to sense the gravity of this offence, learn the preciousness of life and become firmly determined never again to physically assault someone;
- (b) Teaching her how to assert herself appropriately, developing problem-solving skills and interpersonal abilities to maintain harmonious relationships with others;
- (c) Instructing her to sort out her feelings towards her family members, discuss ways to compensate the victim's bereaved family, and make a solid life plan.

In order to accomplish these final goals, step-by-step educational objectives were established at each stage of the education process.

2. Lower Second Grade (92 days)

(i) Educational Objectives at this Stage

- (a) Considering problems in her life so far.
- (b) Being able to honestly express her feelings.
- (c) Mastering basic lifestyles in the school.

(ii) Educational Contents and Methods

- (a) Guiding the juvenile to reflect on her life to date through introspection and thematic composition.
- (b) Stabilizing her mood, motivating her to lead a life in the training school and establishing trusting relationships with an instructor through individual interviews. Considering what she really feels about her family through meetings and correspondence with family members.
- (c) Instructing her in basic lifestyle principles through orientation and group drill training.

(iii) Especially Effective Treatment at this Stage

Individual interviews were most effective at this stage. Because of her hesitation to show her weak points, she was not good at expressing her true feelings; however, with this method, she began to realize the importance of explaining her true feelings to others.

(iv) Treatment Matters Given Special Attention

Staff members, including the Principal Specialist of the Education Division, the Educational Research Specialist, the Chief Specialist of the Planning, Coordination, and Education Section, the Dormitory Chief, and the Instructor in charge of Hanako formed a project team and examined this case periodically. The members jointly trained her according to the plan. She had a two-week intake and a subsequent two-week individual treatment period. Thereafter, she was transferred to a group dormitory. Group dormitory instructors had explained to other students that Hanako had a hearing problem. Because of such consideration in advance, other students were mindful of her handicap and approached her kindly.

3. First Term of the Intermediate Stage I Upper Second Grade (114 days)

(i) Educational Objectives at this Stage

- (a) Reflecting on her life before admission and thinking of situations where she resorted to violence.
- (b) Interacting with others without making herself look good or bluffing.
- (c) Sorting out her feelings towards her family members.

(ii) Educational Contents and Methods

- (a) Through a treatment programme for violence, prompting her to realize that she has resorted to violence without any thought for the future and tried to solve problems with physical force.
- (b) Prompting her to express her feelings non-verbally by using sand play therapy, a treatment method where toys are placed in sand inside a box to exhibit one's inner world. Along with this, individual interviews and exchanging a diary with her instructor helped her to establish a rapport with her instructor. By doing so, she gained experience and confidence in speaking freely about what is on her mind and acknowledging her problems.
- (c) Promoting mutual communication between Hanako and her family members through visits and correspondence.

(iii) Especially Effective Treatment at this Stage

In the treatment programme for those with violent tendencies, she had group sessions and did role-playing. This class was effective in having her be aware that she wanted to get things as her own way, with physical force, if necessary.

(iv) Treatment Matters Given Special Attention

At this stage, she started doing introspection on the date of the victim's death each month. She was likely to be influenced by her self-righteous, preconceived ideas. Because she lacked empathy and it was difficult for her to establish smooth interpersonal relationships, instructors advised her how to relate to other inmates or staff.

(v) Matters Especially Mentioned at this Stage

In December 2002, Hanako self-harmed without attempting a suicide and received a warning from the Principal Specialist of the Education Division. In a meeting with her father in the same month, she could not apologize to him for her offence. She interpreted this as a lack of repentance for the offence and became angry with herself. For this reason, she hit herself on the left elbow and scratched the back of her left hand.

4. First Term of the Intermediate Stage II Upper Second Grade (153 days)

(i) Educational Objectives at this Stage

- (a) Considering her problems and reasons for resorting to violence easily.
- (b) Co-operating with others and not being emotional when she does not have her own way.
- (c) Conveying her true feelings to her family members.

(ii) Educational Contents and Methods

Through role-lettering, Hanako hypothetically exchanged letters with others. This facilitated her in understanding other people's feelings by considering a situation from their viewpoint.

(iii) Especially Effective Treatment at this Stage

By offering incense on the anniversary of the victim's death, she came to imagine herself visiting his bereaved family after her discharge and apologizing to them. Also, on the first anniversary of the victim's death, an individual memorial service was held and she really recognized the victim's death as a reality.

(iv) Treatment Matters Given Special Attention

In order to build confidence and a positive self-image, she took intensive classes in sales as a business skill. She was awarded a sales clerk third grade certificate.

5. Second Term of the Intermediate Stage I Lower First Grade (153 days)

(i) Educational Objectives at this Stage

- (a) Deepening empathy with the pain and the grief of the victim and his bereaved family.
- (b) Judging surrounding situations appropriately without being affected by the atmosphere and her own feelings.
- (c) Understanding the effect that her actions have had on her family and thinking about future family relationships.

(ii) Educational Contents and Methods

- (a) Prompting her to think about the gravity of her offence and to recognize the preciousness of life through the cultivation of aesthetic sentiments by raising small animals and growing plants, individual interviews, and introspection. Additionally, having her realize the suffering of the victim and people related to him by reading books and watching videos on the feelings of victims at the time of an offence and thereafter.
- (b) Making her aware that her friendships and associates, as well as her offence, were problematic, through lectures and discussions in the treatment programmes for pre-delinquency. Also, through assigned duties in her dormitory, improving her levels of co-operation and a sense of belonging to a group.

(iii) Especially Effective Treatment at this Stage

Through role-lettering, she hypothetically wrote a letter to the bereaved family and replied to the letter by herself. She realized how self-centered she was, and she became aware of the deep sorrow the bereaved family must be feeling. Moreover, she realized the difficulty of conveying her apologies to the bereaved family.

(iv) Matters Especially Mentioned at this Stage

In December 2003, her behaviour became wild and she received a disciplinary measure of reprimand from the Superintendent. In the previous month, she had had a small misunderstanding with an instructor, but complained disproportionately. She was continually furious, and verbally abused the instructor by calling her "noisy," and saying "Do not stand beside me." Soon thereafter, she hit and kicked the door and the wall of her room with her fist and foot several times.

6. Second Term of the Intermediate Stage II Lower First Grade (182 days)

(i) Educational Objectives at this Stage

- (a) Realizing the problems she has in resorting to violence and the grave responsibility she carries.
- (b) Speaking and behaving with good consideration for other people's feelings and situations.
- (c) Being aware of the role she plays in her family, in view of the compensation for the damage she has caused.

(ii) Educational Contents and Methods

- (a) Through school events and performing duties assigned to her, fostering her self-reliant attitude and responsibility for her conduct.
- (b) Having her imagine the feelings of her family members towards her and appreciate them by practicing "*naikan*," which is the Japanese method for reflecting on one's family relationships. It requires the person to consider "what my parents did for me," "what I did for my parents," and "what trouble I caused to my parents."

(iii) Especially Effective Treatment at this Stage

Introspection using articles and essays written by victims of juvenile crimes gave her insight into her

offence from multiple perspectives.

(iv) Matters Especially Mentioned at this Stage

In April 2004, she was moved to another group dormitory. With this transfer, she recognized that she tried to have human relationships based on power and always wanted to be superior to others. She associated this notion with her offence and decided that she would correct her problem of looking at human relationships only from a power-structure viewpoint.

7. Pre-Release Stage I Upper First Grade (184 days)

(i) Educational Objectives at this Stage

- (a) Realizing the gravity of the offence she committed and the importance of life.
- (b) Considering others and behaving responsibly and with consideration for the future.
- (c) Discussing with her family members and realistically planning for the damage she caused to the victim's bereaved family.

(ii) Educational Contents and Methods

- (a) Through interviews with a counsellor specializing in life and mind issues, having her realize the significance of life. Child-rearing lessons provided her with an understanding of respecting life and knowledge on giving birth to and raising a child.
- (b) Through vocational guidance (firstly horticulture; secondly, a caring services course), encouraging her to acquire a professional licence and a steady work habit.

(iii) Especially Effective Treatment at this Stage

For six months, she studied in a caring services course. She learned from this class how moving and fulfilling it is to consider other people's standings and the benefits of mutual help. She was awarded a second grade certificate in "home help" caring services. She hoped that she would take advantage of the licence and get a job in the field of human welfare, to compensate, in a sense, for her offence.

(iv) Matters Especially Mentioned at this Stage

She had interviews with instructors and wrote thematic compositions to reflect on her offence and how she came to commit it. Consequently, she noticed her egotistical ideas.

8. Pre-Release Stage II Upper First Grade (174 days)

(i) Educational Objectives at this Stage

- (a) Making a firm resolution not to resort to violence again, based on her deep understanding of the preciousness of life.
- (b) Gain confidence through taking responsibility, performing her assigned roles, and being acknowledged by others.
- (c) Thinking about how she should live from now on and making a concrete life plan, including compensation for the victim and his bereaved family.

(ii) Educational Contents and Methods

Through volunteer activities in social and child welfare facilities in the community, guiding her to a deep understanding of the meaning of respect for life, consideration for others, and support for others.

(iii) Especially Effective Treatment at this Stage

Through extramural education in social and child welfare facilities and practical training in nursing care, she realized the necessity for people to supplement and help one another without distinguishing between the strong and the weak, and the able-bodied and the handicapped. She felt the worth of being helpful to others and being appreciated for what she did.

(iv) Matters Especially Mentioned at this Stage

At this stage, her sorrow for the victim led her to believe that she would give up her own chance of a happy future due to her strong sense of guilt and remorse for her crime. However, gradually she reaffirmed that she would need to live a steady and sincere life while always remembering her regret, being aware of the bereaved family's situation, and compensating them step-by-step. In June, 2005, she had an interview with a probation officer.

Then, she heard from the probation officer that he had a letter for her from the victim's mother. In the same month, she read the letter in the presence of her instructor. She was faced with the real feelings of the bereaved family towards her and realized the harsh reality awaiting her after release, which had previously been beyond her imagination.

III. PROBLEMS AND FUTURE IMPLICATIONS

As we have seen in section I above, HJTS accommodates many juveniles who have pronounced proclivities to commit crime, for example, those who have committed an atrocious crime, are associated with organized crime and have been committed to a juvenile training school twice or more. Juvenile training schools also house many juveniles who are greatly in need of protection; for example, because they are being brought up in an unstable family where their parents or guardians lack abilities to take care of the child properly.

Although part II of this paper outlined a relatively successful example of the victimization awareness programme, I had some cases where juveniles reoffended after release, even though they had lived a stable and solid life inside the institution. In order to prevent this problem, the roles of juvenile training schools are to strengthen a juvenile's mental resolve and to adjust his or her environment to a degree that will allow his or her smooth and systematic re-socialization.

Firstly, instructors at juvenile training schools need to have a rapport with the juveniles and empower them. Juveniles should be rehabilitated and educated in how to establish a settled life for themselves after discharge, reducing the likelihood of reoffending. In order to develop juveniles' social skills, programmes are to be selected carefully to match the individual need of each juvenile. For instance, in our case study described in Chapter II, the victimization awareness programme was given to Hanako, who committed an offence which has had a serious influence on the victim. As juvenile delinquency issues become more diverse and complicated, we need to develop and enrich treatment programmes to respond to each youth's need appropriately. For example, HJTS has not yet implemented an anger management programme; however, there is much room for developing and offering such a programme for violent and serious juvenile offenders.

Secondly, it is most difficult to change the juvenile's surrounding circumstances for the better; yet, juvenile training schools should tackle this demanding task by utilizing such methods as the programme on one-day or overnight visits to the juvenile at the pre-release stage from his or her family members, which has already been implemented in HJTS. In the programme, the family members discuss various issues that will affect their family life after release in order to gradually reduce anxieties. Another role of juvenile training schools is to function as a liaison between related agencies and to establish support systems which a juvenile can take advantage of as helpful social resources. For instance, employment support is provided while a juvenile is still in a juvenile training school. Therefore, an inmate may look for a job through the public job security offices during his or her stay in order to arrange for post-release life. Furthermore, aftercare, providing guidance and advice for parents or guardians of juveniles, is also crucial and this is stipulated in the Amended Juvenile Law 2007. We need to further strengthen comprehensive treatment of inmates in this direction.

In conclusion, juvenile justice proceeds with the close connection of all the parties involved; juvenile offenders, victims, families, community residents, and juvenile justice professionals. Thus, juvenile justice ultimately aims to strike the best balance in its five functions of deterrence, incapacitation, restoration, rehabilitation, and retribution.