

Drug offenders' Lived Experience of the Offenders Rehabilitation Facility

ISSDP Asia Regional Meeting, University of Hong Kong, 14-15 October 2019

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Introduction

The crime rate in Japan has been decreasing in recent years. It can be said that Japan is regarded as a safe country from all over the world. Nonetheless, “Desistance from crime and delinquency” is regarded as a key social issue in Japan, particularly in respect of treatment for drug offenders.

The White Paper on Crime (Ministry of Justice 2017) – a key annual report about crime published by the Government – provides data about trends in the number of violators of the *Stimulants Control Act*. The number of violators reached its first peak in 1954 (55,664 people). After this peak, it had dropped sharply due to stricter penalties and thorough clearance, being below 1,000 people every year from 1957 to 1969. Nonetheless, it increased again from 1970, and the highest number of violators (24,372 people) since 1956 was recorded in 1984. After that it decreased again since 1985, and increased once more from 1995. In 1997, the largest number in the Heisei period (1989 - 2019) was recorded (19,937 people), although it has been decreasing since 2001, and has remained stable around 10,000 per year in recent years (see Fig. 1.).

The 2017 White Paper on Crime in Japan also showed that across all offence types, about 30% of new prison inmates are violators of the *Stimulants Control Act* (Fig. 2.) and about 50% of offenders imprisoned for stimulant offences are re-imprisoned within 5 years after their release (Fig.3). Considering this situation, it can be said that there is a need for more extensive support for rehabilitation of drug offenders.

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Fig.1. Stimulant Control Act violators: Persons cleared. Source: Ministry of Justice (2017).

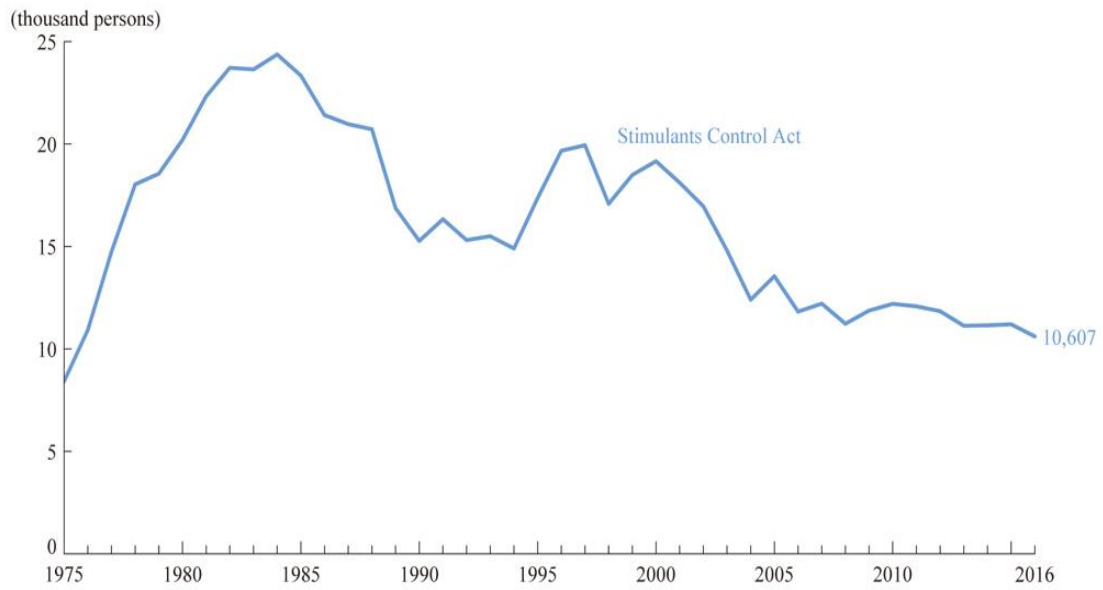


Fig. 2. New inmate population, percentages by types of offence (male/female). Source: Ministry of Justice (2017).

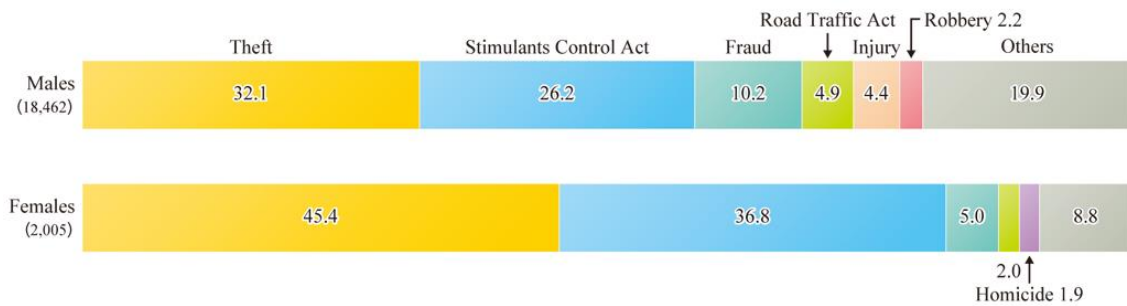
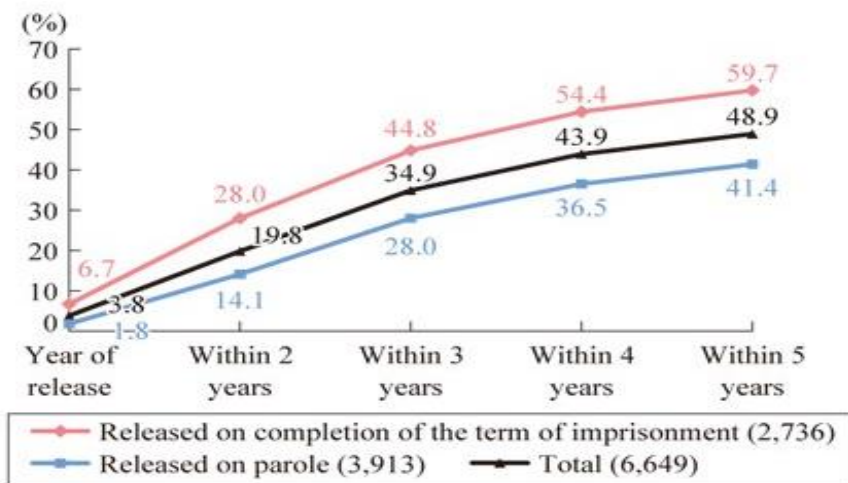


Fig. 3. Stimulant Control Act violations. Source: Ministry of Justice (2017).



Responding to this situation, treatment for drug offenders has improved in various ways in recent years. For example, the government has published *The Five-year Drug Abuse Prevention Strategy* every five years since 1998, mentioning expanded support for drug offenders. Then, the *Partial Suspension of the Execution of the Sentence Act*ⁱ of 2013 has made it possible to treat drug users in society for a long period. Moreover, *the Act to Promote Prevention of Recidivism*ⁱⁱ of 2016 sought to improve social treatment for rehabilitation from crime and delinquency including drug offenders. These laws and systems place an importance of treating drug offenders in both prison and community settingsⁱⁱⁱ. In this latter regard, Offenders Rehabilitation Facilities play an important role in community treatment for drug offenders.

Offenders Rehabilitation Facilities in Japan

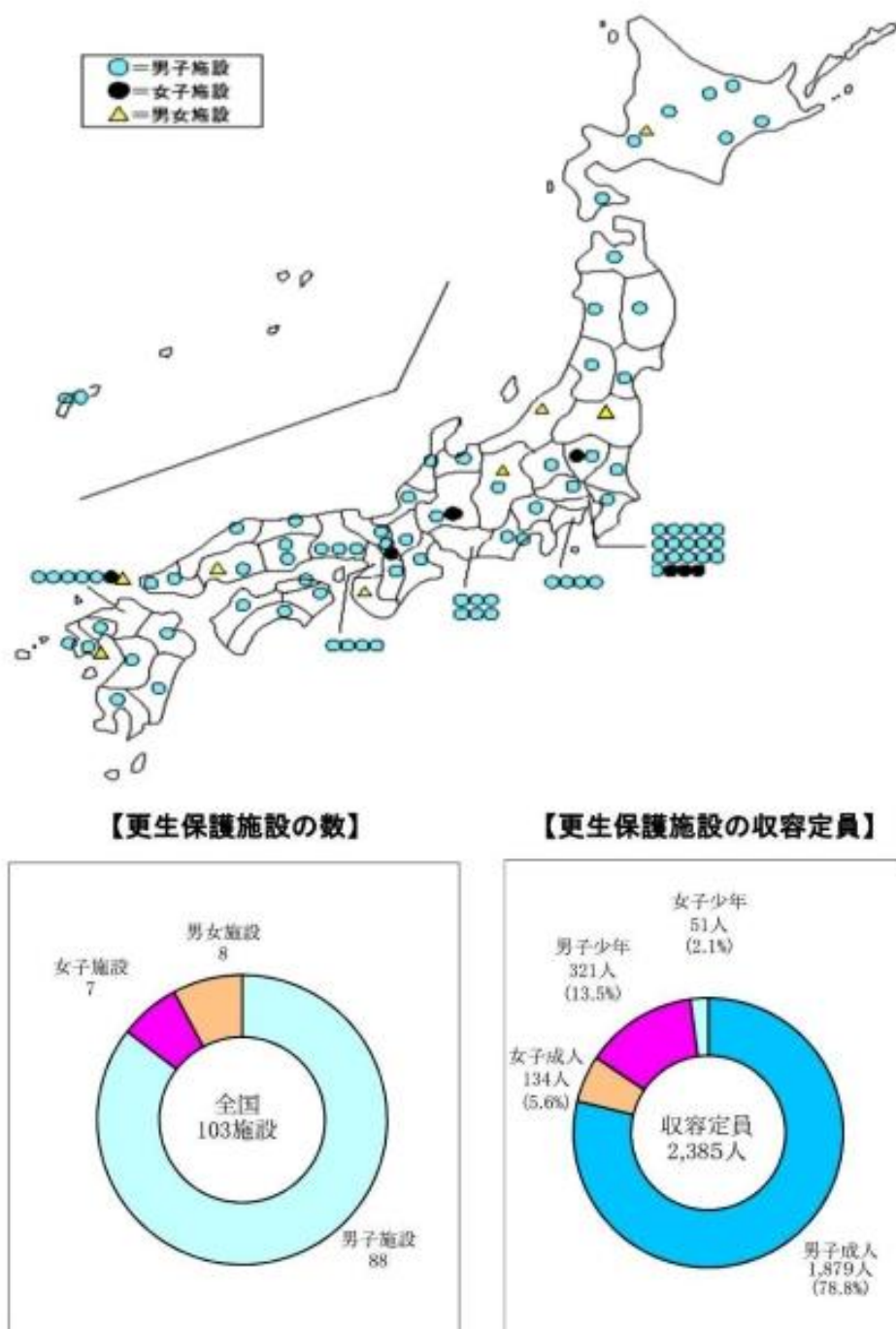
Conventionally, Offenders Rehabilitation Facilities in Japan are one of the centers for community-based treatments for all released inmates^{iv}. These facilities can be regarded as quasi-private sector organizations. The purpose of these facilities is to provide support for released inmates which includes parolees released from penal institutions or juvenile training schools and persons who receive a suspended sentence but have no suitable accommodation. These facilities try to make their reintegration into community easier.

There are 103 Offenders Rehabilitation Facilities nationwide. Most of these facilities are located in metropolitan areas such as Tokyo, Osaka, and Fukuoka (see Fig. 4.). Probation offices often outsource certain tasks to Offenders Rehabilitation Facilities such as providing probationers who are put in these facilities with guidance and assistance. Figure 5 shows the contact route to the Offenders Rehabilitation Facility.

These facilities try to support their residents by various ways. First, these facilities provide temporary accommodation and meals for residents. The facilities also provide the guidance necessary for the successful reintegration of the residents. Moreover, they also offer specialized treatment services to residents, such as social skills training and cognitive behavioral therapy.

There are also increasing expectations for Offenders Rehabilitation Facilities to provide treatment for drug offenders. As such, the Ministry of Justice has designated 25 facilities as specialist facilities for treating drug offenders from 2015. Each facility can have a clinical psychologist, mental health social worker, or a nurse as the staff who provides special treatment to drug offenders. These staff treat drug offenders using the Serigaya Methamphetamine Relapse Prevention Program (SMARPP)^v (Mastumoto et al. 2014), one of the most widespread cognitive behavioral treatment programs. The main goal of this therapy is to identify triggers of drug use and maintain abstinence.

Fig. 4. Location of Offenders Rehabilitation Facilities in Japan. Source: www.moj.go.jp.^{vi}



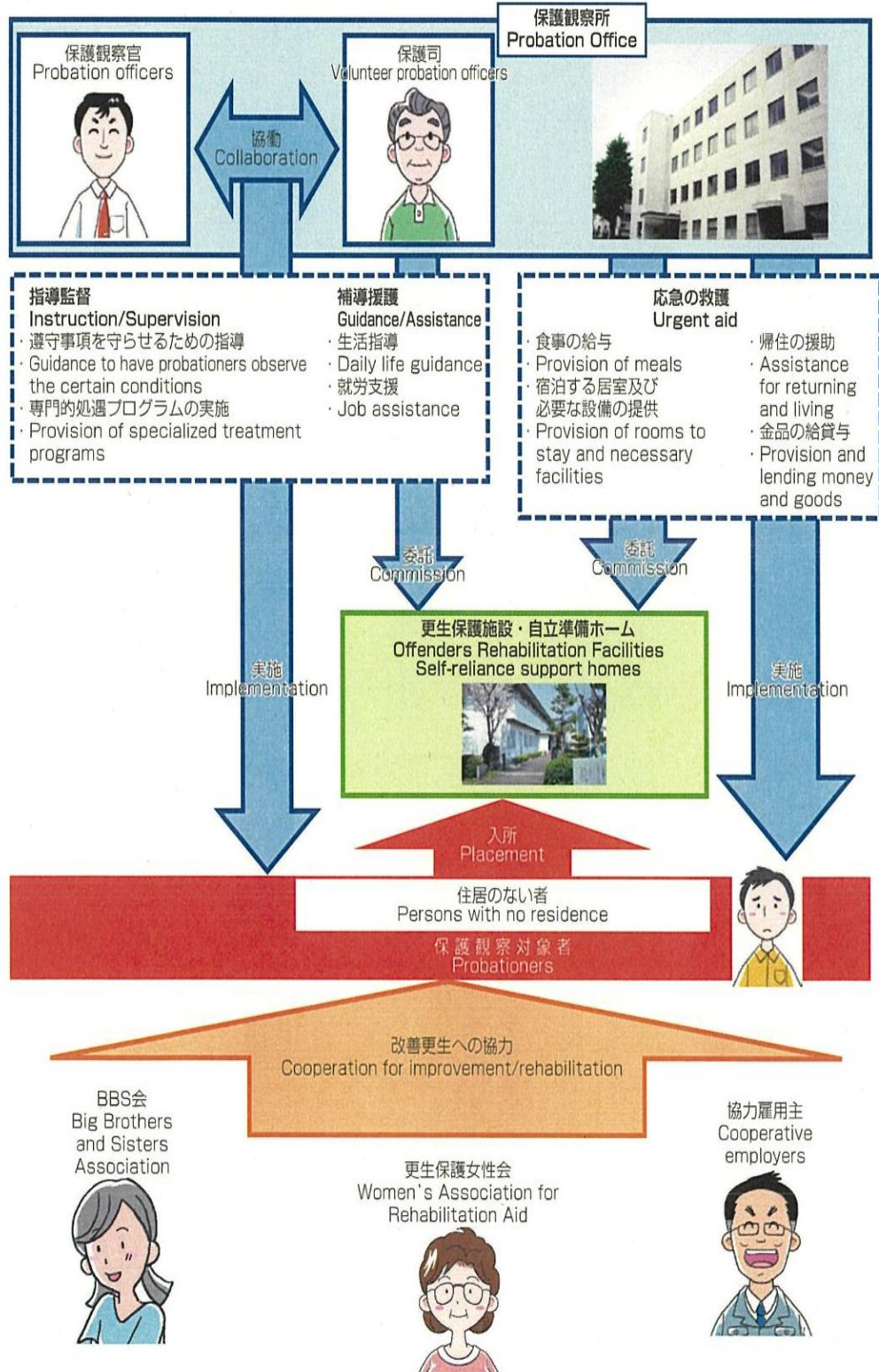
Explanatory Notes:

男子施設 refers to a male-only facility.

女子施設 refers to a female-only facility.

男女施設 refers to a mixed-sex facility.

Fig. 5. Conceptual diagram of probation. Source: pamphlet on Offenders Rehabilitation in Japan.



Purpose of this study

A lot of consideration has been made about drug users by medical studies, criminal policy studies, psychiatric nursing studies, and social welfare studies. Nonetheless, although it is not limited to cases in Japan, the purpose of such studies on drug offenders is often to advance ‘evidence-based’ effective systems and treatment for drug offenders. In the case of research on Offenders Rehabilitation Facilities in Japan, Imafuku (2002) tried to conduct empirical research to establish evidence-based treatment in the facilities. In addition, Okamoto (2016) examined the situation of those Offenders Rehabilitation Facilities which are designated as specialist drug treatment facilities using questionnaires and interviews.

Whilst such studies are useful, there is also a need to conduct empirical studies based on the reality of drug offenders’ life in considering issues of support and treatment. In other words, not only research that focuses on "how to get drug offenders to desist" but also research that focuses on "how drug offenders achieve desistance" will be necessary. Like Goffman (1961), by describing the reality of the resident's life order, we can examine how they internalize the meaning of their stimulant addiction. In addition, in the Offenders Rehabilitation Facility, which is considered not to be a “total institution” but to be an “almost home” environment (Ortiz 2008), it is necessary to examine the interaction of facility members.

Based on the above, the purpose of this presentation is to sociologically examine the lived experiences of treatment at Offenders Rehabilitation Facilities with a focus on residents’ narratives.

Methods

To date, semi-structured interviews with ex-residents (n=4) of one Offenders Rehabilitation Facility (ORF A) and staffs (n=9) of six Offenders Rehabilitation Facilities (including ORF A) have been conducted. All participating ORFs are designated as specialist facilities for treating drug users. This presentation will focus on interviews with residents of ORF A. In addition, participatory observational surveys were also conducted in the ORF A programs. Ethical approval was obtained from Saitama Prefectural University in May 2016.

The participants were interviewed in 2018 and 2019. Their age ranged between 45 to 70. All of them are men. Before commencing fieldwork, the research was explained to participants and informed consent was gained. Interviews were conducted in a private room in ORF A and lasted between 60 to 150 minutes. All interviews were recorded and transcribed verbatim. Interview themes included the following: history of drug use; life in ORF A; relationships with staff and residents; and future outlook. It should be noted that the real names and age of participants, the city in which the interviews took place have all been withheld. Using these transcripts, narrative analysis (Presser & Sandberg 2015) was conducted to identify the

characteristics and nature of the lived experience at ORFs.

Results

Two main characteristics of drug offenders' lived experience at ORF A were found.

Relationship with staff and residents

First, residents were trying to rebuild their lives through developing a trusting relationship with the staff of ORF A. Such a relationship was formed through participation in the drug treatment program and daily life at ORF A.

Participants of this study have been abstinent from substance addiction for several years. Nevertheless, they recognized that the program for drug offenders at ORF A has no direct impact on their abstinence. They also suggested that a direct conversation with the staff facilitator of special treatment for drug offenders through the program is meaningful for a life without using drugs. The Ministry of Justice recommended that special programs such as SMARPP would be conducted through group work. At that time, however, ORF A had a one-on-one program between a staff member and a resident. Whilst participants had no negative impressions of the staff, they also said it was difficult to create opportunities for intensive conversation between staff and residents. Under these circumstances, the program has been a valuable opportunity for both staff and residents.

Nonetheless, the relationship between the residents was complex. Participants said that they try to go too far with other residents and that they have learned that deepening relationships between prisoners did not bring goodness into their lives when they were in prison. One participant described the relationship between prisoners as having a negative impact on living their life without using drugs. For example, he said that he sometimes receives invitations to use drugs from a drug offender whom he met in prison. At ORF A, they made use of the lesson and tried not to keep in touch with other residents.

For this reason, ORF A may have had difficulty with group work at first. Group work requires members to share their honest feelings and requires trust in the members. However, ORF A residents were distrustful, and group work was not successful. On the other hand, the staff of ORF A thought that the effect of group dynamics is also important, and recently ORF A has been doing group work through staff efforts. From the results of the participation observation in group work, although the exchange of members is not active, it seems that they are discussing opinions for life without drug use.

Skillfully using additional social resources

Secondly, residents were skillfully using additional social resources (e.g. Narcotics Anonymous;

Drug Addiction Rehabilitation Center) to maintain their lives without using drugs. However, continuing their lives after leaving ORF A presented significant challenges. They thought that being lonely would trigger drug use. One participant was very worried about his life after leaving ORF A, especially about being lonely. Many of them therefore contacted the staff regularly even after leaving ORF A. This was made possible by the trust of staff through exchanges in ORF A. In addition, one participant tried to maintain a life without using drugs through participation in NA.

In addition, they continued to interact with others after leaving, including socializing with friends, colleagues, and exchanges with religious organizations. However, they did not talk to all the people they met about their past. Also, sometimes they were involved in trouble by interacting with an acquaintance whom they met whilst committing a crime. However, they thought that quitting drug use was a chance to regain trust in others, and building a life without using drugs would revive relationships with people.

Discussion

One key implication of these results is that being able to consult in confidence about substance addiction is a key condition for maintaining life without using drugs, and greater consideration should be paid to how this may be best enabled. In line with this presentation, it is necessary to consider in more detail why the participants trusted the staff facilitator of special treatment for drug offenders and how the participants trusted the staff.

Participants were worried about living without using drugs^{vii}. Therefore, ORF A was a valuable place for participants to talk about their own substance addiction situation honestly. However, even if it was ORF A, depending on the relationship between residents, it could be difficult to live a life without using drugs. Further consideration will be needed regarding the relationships that will lead to the recovery residents at ORF A.

In addition, a more detailed study will be needed on how to increase the number of places in the region that can be honestly consulted about substance addiction, such as ORF A. Places where people who suffer from substance addiction can consult continuously will have to be considered beyond the judicial system.

Reference

- Andrews, D. A., & Bonta, J., 2010, *The psychology of criminal conduct (5th ed.)* New Providence, NJ: LexisNexis.
- Goffman, E., 1961, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*, New York: Doubleday.
- Imafuku, S., 2002, *Study on treatment in Offenders Rehabilitation Facilities*, Legal Research

- Report Vol. 89, No. 3. Tokyo: Ministry of Justice. (In Japanese)
- Lipsey, M. A., Landenberger, N. A., & Wilson, S. J. 2007, *Effects of cognitive-behavioral programs for criminal offenders*. Nashville: Center for Evaluation Research and Methodology Vanderbilt Institute for Public Policy.
- Matsumoto T, Tachimori H, Tanibuchi Y, Takano A, Wada K., 2014, *Clinical features of patients with designer-drug-related disorder in Japan: a comparison with patients with methamphetamine- and hypnotic/anxiolytic-related disorders*. *Psychiatry Clin Neurosci* 68(5):374–82.
- Ministry of Justice., 2017, *White paper on crime, 2017*, Tokyo: Ministry of Justice.
- Okamoto, Y., 2016, *Study on drug Offenders Rehabilitation Facilities*, Legal Research Report Vol. 103, No. 1. Tokyo: Ministry of Justice. (In Japanese)
- Ortiz, J. A., 2008, *Almost home: Halfway Houses as Liminal Space* VDM Verlag.
- Presser, L., and Sandberg, S., (eds) 2015, *Narrative Criminology: Understanding Stories of Crim.* NYU Press.
- Shamaas, V. L., 2014, *The pains of freedom: Assessing the ambiguity of Scandinavian penal exceptionalism on Norway's Prison Island* *Punishment & Society* 16(1):104-123 · January 2014

ⁱ A system under which in rendering a sentence of imprisonment with or without labor for term not exceeding 3 years, judges can partially suspend execution of the sentence for 1 to 5 years.

ⁱⁱ The first article of this law is as follows; In view of the fact that the prevention of re-offending, etc. through such measures as promoting the smooth re-integration into society of persons who have committed crimes, etc. while gaining the understanding and cooperation of citizens is important in crime control, this Act aims to promote initiatives for the prevention of re-offending, etc. comprehensively and systematically by laying down basic principles and clarifying the responsibilities of the State and local governments with regard to initiatives for the prevention of re-offending, etc. and by providing for basic matters on initiatives for the prevention of re-offending, etc., and thereby to prevent citizens from becoming victims of crime and contribute to realizing a society that is safe and secure.

ⁱⁱⁱ Lipsey, Landenberger, & Wilson (2007) shows treatment in community is effective for drug users' recovery through meta-analysis review.

^{iv} In addition, there is Self-Reliance Support Homes as a resource having a similar function. According to pamphlet of Offenders Rehabilitation in Japan, the probation offices have entrusted registered NPOs and other organizations to provide released inmates with accommodations since 2011. Self-reliance support homes are organizations such as NPOs that are previously registered to provide released inmates with accommodations, under the commission of probation offices. The staff at self-reliance support homes provides self-reliant support services every day.

^v It is a drug users treatment program based on the Matrix Model, an outpatient treatment program for stimulants dependence in the United States. It can be said that it is also influenced by the Risk-Need-Responsivity Model (Andrews & Bonta 2010), which is treated as important in Japan's social treatment.

^{vi} http://www.moj.go.jp/hogo1/kouseihogoshinkou/hogo_hogo10-01.html: last access date 20/8/2019

^{vii} Furthermore, from the results of the analysis, we can see that participants feel something like “the pains of freedom” (Shammas 2014), and we need to consider how to deal with it.