

# Promoting Probation and Non-custodial Measures in the ASEAN Region

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# Outline

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## **2. Key Findings of Community Corrections in the ASEAN Region**

## **1. Public Participation in ASEAN Countries**

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# Introduction

## ASEAN (The Association of Southeast Asian Nations)



# ASEAN Plus Three Conference on Probation and Non-custodial Measures

## The First (April 2013, Thailand)

- Department of Probation (DOP),  
MOJ, Thailand

## The Second (August 2014, Thailand)

- Department of Probation,  
MOJ, Thailand
- ASEAN Roadmap

## The Third (May 2015, The Philippines)

- Parole and Probation Administration.  
Department of Justice,  
The Philippines



# Roadmap for ASEAN Plus Three Probation and Non-custodial Measures Cooperation

Roadmap for ASEAN Plus Three Probation and Non-custodial Measures Cooperation

	Phase I: Preparing	Phase II: Collaboratively Planning	Phase III: Implementing	Phase IV: Sustaining and Upgrading	
	2015	2016	2017	2018	2019
Key areas of actions	Proposed actions				
1. Knowledge Sharing	-Examining the possibilities to develop probation or other non-custodial measures in countries -Developing best practices -Conducting knowledge management within organizations	-Co-designing research projects -Planning regional, bilateral, and multilateral workshops/conferences and technical support activities	-Rotating the hosting of ASEAN Plus Three Conference -Holding working group meetings -Conducting joint research projects -Conducting study visits -Developing knowledge material and website for sharing	-Establishing the ASEAN Plus Three Probation Association	
2. Capacity Building	- Assessing training needs -Developing human resource development plan	-Developing exchange program and joint training courses	-Conducting exchange programs and joint training courses	-Establishing ASEAN Plus Three Probation Training Institute	



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	Phase I: Preparing	Phase II: Collaboratively Planning	Phase III: Implementing	Phase IV: Sustaining and Upgrading	
	2015	2016	2017	2018	2019
<b>3. Developing international cooperation on treatment of offenders</b>	-Analyzing needs for international cooperation, such as interim supervision, transfer of offenders, sharing case information -Reviewing relevant legislation	-Conducting expert group meetings to determine the possibilities and necessary areas of cooperation -Determining channels to propose key issues to relevant ASEAN bodies	-Making a proposal for international cooperation for the treatment of offenders to relevant ASEAN bodies -Establishing channels for sharing information between relevant authorities -Developing shared fundamental standards/principles on probation and non-custodial measures	-Proposing international cooperation for the treatment of offenders to relevant ASEAN bodies -Proposing the ASEAN standards or principles on probation and non-custodial measures for adoption	





# The Seminar on Promoting Community-based treatment in ASEAN Countries

## The **First Seminar** at **TIJ** (Feb. 2015, Thailand)

- Challenges and responses

## The **Second Seminar** at **UNAFEI** (Sep. 2015, Japan)

- Community involvement

## The **Third Seminar** at **TIJ** (Mar. 2016, Thailand)

- Treatment of Drug Use/Dependence Offenders



# Key Findings of Community Corrections in ASEAN Countries





# Key Findings

Drug offences are the majority in ASEAN correctional systems

- Thailand, Laos, Philippines, Indonesia, Vietnam, and Malaysia
- Some countries use drug treatment program as community corrections.

Prison overcrowding problem is found in some countries

- Thailand (300%), Indonesia (144%), Cambodia (30%), but non-custodial measures have not been comprehensively implemented yet.



# Key Findings

Organization responsible for community corrections in ASEAN is diverse

- Ministry of Justice (Thailand , Philippines, Indonesia), M.of Home Affairs (Singapore, Malaysia) M. of Social Welfare (Singapore, Brunei, Myanmar)

Probation is initially and mainly applied for juvenile offenders

- Thailand, Singapore, Indonesia, Myanmar

Back-end non-custodial measures are commonly applied in many countries

- Thailand, Indonesia, Philippines, Malaysia, Cambodia, Laos, Myanmar, Vietnam



# Key Findings

Community involvement, plays an important role in ASEAN correctional system

- Philippines, Thailand, Singapore
- Volunteer program, local organization, family

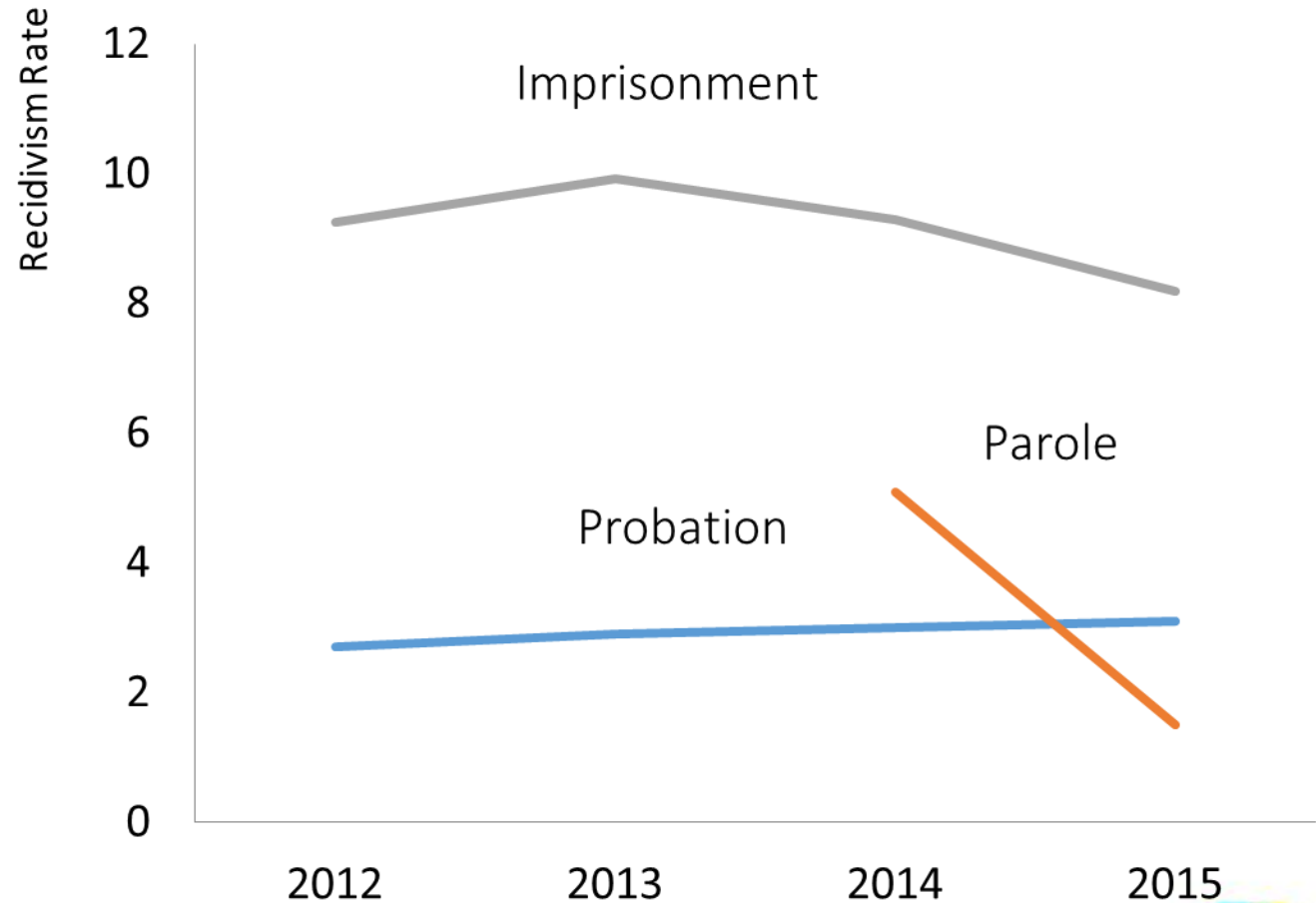
Implementation gap found in countries with developing systems

- Legal basis of community based treatment is stipulated in the criminal law but there are no clear mechanism, responsible agency, and specific laws.



## Lesson Learned

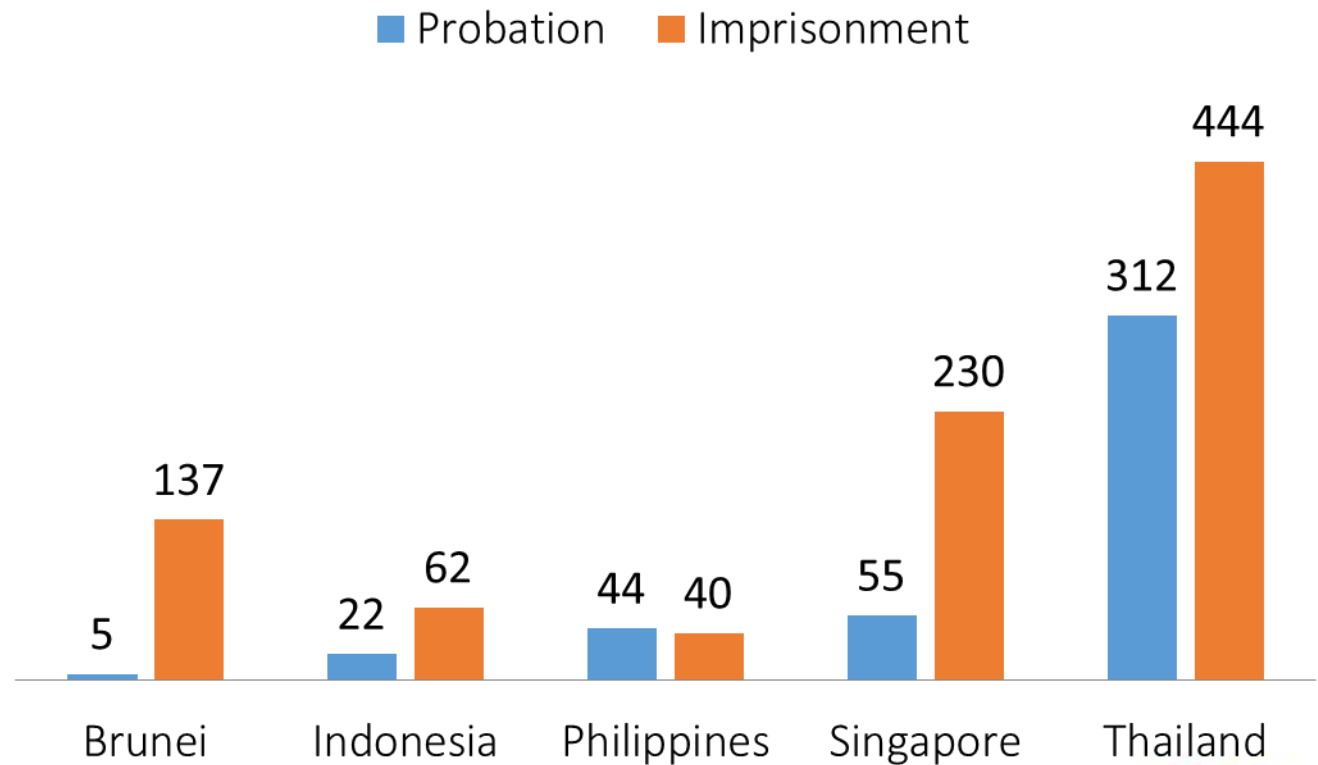
Offender released to community with supervision have lower re-offending.



## Lesson Learned

Non-custodial measures may not reduce use of imprisonment.

### Caseload per 100,000 population



# Public Participation in ASEAN Countries





# The United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules)

## ➤ Establishment

- ◆ Adopted by UN General Assembly  
(resolution 45/110, December 1990)

## ➤ Fundamental aims

- ◆ Widest possible use of non-custodial measures
- ◆ Strengthening community involvement
  - VII. Volunteers and other community resources
    - 17. Public participation
    - 18. Public understanding and cooperation
    - 19. Volunteers
- ◆ Implementation in a fair and just manner
- ◆ Protecting the human rights of offenders

# Volunteer Probation Officers and Other Similar Volunteers in the ASEAN + 3 Countries

	Year Est.	Name
Japan	1950	<b>Volunteer Probation Officer</b> (Volunteer Probation Officers Act)
Malaysia	1976	<b>Child Welfare Committee</b> (Child Act 2001)
Singapore	1971	<b>Volunteer Probation Officer</b> (Probation of Offenders Act 1985)
Philippines	1978	<b>Volunteer Probation Assistant</b> (Probation Act)
Thailand	1985	<b>Volunteer Probation Officer</b> (Probation Act 2016)
South Korea	1996	<b>Crime Prevention Volunteer Committee</b>

China...Social Volunteers are involved in Community Corrections

# Number of VPOs and Probation Officers

	Number of Probation Officers	Number of VPOs (or other similar volunteers)
Malaysia (For Children)	700	<b>Approx. 1,400</b>
Philippines	960	<b>7,288</b>
Singapore (Probation)	89	<b>309</b>
Thailand	2,466	<b>22,478</b>
Japan	Approx. 1,000	<b>47,909</b>
Korea	1,356	<b>16,362</b>

※China・・・672,100 volunteer probation officers



# Various Roles of VPOs

## ✓ Casework

Pre-Sentence / Post-Sentence investigation

Supervising, Mentoring, Befriending, Counseling, Guidance

Curfew Check, Academic support (Singapore)

Teaching for Offenders` children (Shanghai, China)

## ✓ Group Activities

Community Service

Therapeutic Community, restorative Justice (Philippines)

Facilitation of Workshops (Singapore), Group tuition (Singapore)

## ✓ Liaising with Related Agencies

## ✓ Financial Support

Scholarship, Medical Support, Vocational Training

## ✓ Crime Prevention Activities

## ✓ Enhancing Public Awareness

# Challenges and Responses

## \* Secure Adequate VPOs (Aging, Early Retirement)

Recruitment of younger VPOs (South Korea, Singapore, Thailand)

Internship programme (Japan)

## \* Capacity building of VPOs

Training, Periodical evaluation

## \* Reducing Financial/psychological Burden

- Remuneration, Awards & Recognition

- VPOs' Coordination Center, Medical Coverage (Thailand) ,

- Support Center for VPOs' activities, Compensation (Japan)

## \* Public Recognition

- Public relations (Nationally and internationally, Media, Animation, Mascot character)

- Cooperation with municipal government

- VPOs' Day (Thailand)

# Conclusion

## In ASEAN countries,

- ✓ Community corrections are applied in some countries, but community engagement is applied in all countries.
- ✓ Implementation gap is founded in some countries
- ✓ Volunteers plays an increasingly important role in offender rehabilitation and crime prevention
- ✓ All countries are developing community corrections continuously
- ✓ We will promote community corrections through further research, joint training and seminars

