

Research Department Report 66

Comprehensive Research on Female Offenders

Outline

This study examines a questionnaire survey conducted for female inmates, etc. in order to contribute effective measures to the prevent recidivism or for smooth reintegration into society by clarifying the actual conditions of the female offenders. A research was also carried out on trends in female offenders, as well as their treatment and assistance.

1. Statistical Research (Chapter 2)

The Institute introduced the trend of the population and composition of the criminal justice system (over the last 20 years) on the basis of statistical materials.

(1) Clearance/Prosecution

The number of cleared persons has continued to decrease since 2005 for both male and females, and the percentage of females has generally remained between 20% and 22%, and was 21.9% in 2022. Regarding the composition of age groups, the proportion of females aged 65 or older who have been cleared has been increasing since 2003, and reached 33.2% in 2022. Focusing on the composition by type of offense, the highest proportion was theft in 2022 for both male and females, and the proportion of females was remarkably higher than males, especially for shoplifting. In terms of the cleared persons for violations of Stimulants Control Act, the population has been on a declining trend since 2003 for both male and females, and the percentage of females was 19.0% in 2022. The percentage of suspension of prosecution has been on an upward trend for both male and females since 2003, with females having a higher percentage in all years.

(2) Correction/Probation

Regarding the newly sentenced inmate population, the number of females has been on a decline since 2016, and the percentage of females was 10.7% in 2022. When viewing the composition by age group, the composition of the age groups 50-64 and 65 or older have been increasing in recent years. In terms of population by type of offense, the total of theft and violations of Stimulants Control Act have accounted for approximately 80% since 2012. The female percentage of parolees was 12.3% and probationers was 14.7% in 2022. In the same year, the parole rate for females was 74.0%, which is considerably higher than that for males.

(3) Reimprisoned inmates/Percentage of reimprisoned inmates

The percentage of reimprisoned female inmates among newly sentenced inmates has been increasing since 2005, and reached 48.1% in 2022. However, compared to that of males, it has been consistently low since 2003. The rate of reimprisonment of released sentenced inmates within 2 years

was 14.4% for males and 12.1% for females in 2021. The rate of reimprisonment within 5 years was 35.4% for males and 29.5% for females in 2018.

(4) Crime victims

Regarding the gender ratio of the reported case of Penal Code offenses involving human victims, the proportion of females in the 65 or older age group was the highest of all age groups. Focusing on the cases by type of offense for females victimization, theft was the most committed offense in all age groups, followed by forcible indecency in those under 20, fraud in those aged 50-64 and 65 or older, and assault in all other age groups.

2. Questionnaire Survey and Record Survey (Chapter 3)

The Institute carried out a questionnaire and record survey by examining participants as follows:

[1] Newly sentenced inmates in 22 penal institutions whose execution of sentences commenced between July and December 2022,

[2] Female juvenile delinquents in the second treatment stage in 11 juvenile training schools in July 2022.

The Institute analyzed 908 inmates (461 females, 447 males) and 49 female juvenile delinquents in juvenile training schools as participants.

Also, the Institute introduced the results of a previous survey conducted by the Cabinet Office and others (“general population surveys”), although it should be noted that these comparisons are not necessarily completely accurate because of the difference in assumptions underlying the surveys.

(1) Male/Female

(a) Attributes and case summary

Compared to male inmates, female inmates have a higher average age and a lower proportion of those with a history of protective measures, and a higher proportion of those were aged 30 or older when they first received a disposition. They also have a higher proportion of short sentences and those with a history of suspension of execution without probation, and theft and violations of Stimulants Control Act accounted for 80%. This suggests that they are more likely to result in imprisonment by repeating the same type of offense. Female inmates had a higher rate of “because I was invited by an accomplice (spouse/partner)”, which suggests that their motives are more likely to be influenced by a spouse or partner.

(b) Daily life before arrest

Compared to male inmates, the rate of female inmates living with their “spouse or partner” and “children” is higher, and it was found that they worried about “relationships (spouse or partner)” or “relationships (children)”. Also, the proportion of those who do not feel that they can live solely on their own income and the rate of “unemployed” are higher, which suggests that they have little work experience and are more likely to rely on others for living expenses. In addition, the rate of “health”

as a reason for not working and the proportion of those with mental illness are higher, which suggests that they are likely to have circumstances that make it difficult to live independently. In terms of their views on receiving counseling from support organizations, female inmates had a higher rate of “if my family or partner would understand and cooperate” and “if I get someone to go with me”. It is suggested that the cooperation of people close to them, for example, family members or partner, may lead them to readily connect with support organizations.

(c) Life/Behavior history

Compared to male inmates, female inmates had a higher proportion of those who had experienced the use of over-the-counter medicine for other purposes, those with eating behavior problems, those who had experienced suicidal ideation/attempt, and those who had experienced victimization or harm by a spouse/partner, and the mean PTSD score related to ACE (Adverse Childhood Experiences) or experience of victimization by a spouse/partner was higher. The experience of using illegal drugs and over-the-counter medicine for other purposes was related with ACE, sexual experience with many and unspecified persons, and abortion, and furthermore, they were likely to be victimized by their spouse or partner than the women in the general population surveys. It was inferred that for female inmates, experience of victimization was linked to various difficulties in their lives.

(d) Mind/Value/Psychological aspect

Female inmates had a higher proportion of those who answered “I don’t know” to each question on awareness toward gender status than male inmates or females in the general population survey, with approximately 10% (8.4%) of female inmates answering “I don't know” to all questions. When examining these participants, they tended to be unemployed and lacking financial independence. This suggests that those who lack opportunities to participate in society through work may not have had opportunities to think about gender issues, and that they are likely to be relatively more accepting of gender roles than the women in the general population survey.

Regarding the psychological aspect, differences were found between males and females in terms of personality traits, and it was also suggested that choosing whether to receive counseling on their worries and problems depends on not only environmental factors but also individual psychological characteristics.

(2) Age group for female inmates

(a) Attributes/Case summary/Daily life before arrest

There is a tendency that those who were imprisoned for the first time in their 40s or later, or were sentenced for the first time in the middle age group (“40-49” and “50-64”) or later and to be imprisoned thereafter are many. Furthermore, compared to the other age groups, the elderly age group (“65 or older”) had a higher proportion of “no mental disorder”, “bereavement” in marital status, and those who committed a theft, of which shoplifting accounted for over 90%.

The “40-49” age group had a higher proportion with mental illness, and the “50-64” age group had

higher rates for “public assistance” as a source of income and “health problems”, which suggests that some within the middle age group may have circumstances that causes difficulties in working even though they are of a workable age. Furthermore, regarding the characteristics of the elderly age group, there was a higher rate of “no” family living together, and problems related to “financial”, “relationships”, and “committing offenses” was lower, and the proportion of those involved with people displaying anti-social behavior was also lower, while the rate of those who receive income from “public pension” and those who has no mental illness were higher.

Focusing on counseling, the rate of the “20-29” age group who “thought it was meaningless to ask for help” was high, while the rate of the “50-64” age group who “had no one to ask for help” was high, indicating differences by age group. The age group also tended to differ in their views on receiving counseling from support organizations.

(b) Life/Behavior history

The proportions of those who answered “yes” to the experience of using illegal drugs was significantly higher in the “30-39” and “40-49” age groups, while those who answered “yes” to the experience of using over-the-counter medicines for other purposes, eating behavior problems, suicidal ideation, and sexual experience with many and unspecified persons were higher in the “20-29” and “30-39” age groups. The proportions of “none” for self-injury was significantly lower in the “20-29”, “30-39” and “40-49” age groups, and those in their 40s or younger had higher ACE scores than those in their 50s or older. This suggests that those in the 40s or younger age group had experiences or life/behavioral histories that are detrimental to their physical and mental health, tend to have multiple ACEs, and have difficulty in living, with ACEs and ACE-related problem behaviors. On the other hand, the proportion of experience of suicidal ideation/attempt, and victimization by a spouse/partner, in addition to the above life/behavioral histories was lower in the elderly age group than other age groups, which suggests that these age group had different circumstances that lead to committing offenses.

(3) Type of offense for female inmates (theft and drug groups)

(a) Attributes/Case summary/Daily life before arrest

It should be noted that when looking at the results of analysis, there are differences in age groups between the theft and drug groups because the average age of the theft group is higher.

The theft group had a higher proportion of those with no prior protective measures, while the drug group had a higher proportion of those who had received probationary supervision and referred to juvenile training schools. Regarding the age of first disposition, the theft group had a higher proportion of “50-64” and “65 or older” age groups, while the drug group had a higher proportion of “under 20” and “20-29” age groups. A characteristic feature of the motives for the offense was that the theft group had a high rate of money-related motives such as “I pinched for living expenses” as well as “I don't know”, whereas the drug group had a high rate of motives that were attributed to relationships and

emotion-related motives, in addition to “I was taking it lightly”.

The drug group had a higher proportion of those who had an accomplice, of which the relationship was a high rate of “spouse/partner”, and a higher proportion of those who were involved with people displaying anti-social behavior which suggests that they tended to have close relationships with persons with bad behavior. Regarding worry, the highest rate was “financial”, followed by “health” among both the theft and drug groups. However, the theft group tended to worry more about “protective measures and criminal punishment received so far” and the drug group tended to worry more about “child care” and “relationship”. As sources of consultation, the theft group had a high rate of “family or relatives” and “hospital”, while the drug group had a high rate of “friends or acquaintances” and “partner”. In terms of their views on receiving counseling from support organizations, among both the theft and drug groups the rate of “if my family or partner would understand and cooperate” was the highest, while the theft group had a higher rate of “if I could get professional advice” and the drug group had a higher rate of “if my friends or acquaintances would tell me”, which suggests that appropriate support methods differ depending on the type of offense. Focusing on the source of income, both the theft and drug groups had the highest rate of “income from own work”, whereas the theft group had a higher rate of “public pension”, and the drug group had a higher rate of “income from own work” and “public assistance”.

(b) Life/Behavior history/Psychological aspect

The drug group had a high proportion of those who had experience of using over-the-counter medicine for other purposes, self-injury, suicidal ideation, sexual experience with many and unspecified persons, abortion, ACE, and experience of victimization by a spouse/partner, suggesting that particularly experiences of victimization and difficulties in living were background circumstances for offense for the drug group.

Personality tendencies were characterized differently by type of offense. The theft group had a lower proportion of those who responded “consulted” than the drug group. Regarding psychological aspects, the theft group tended to have a higher proportion of the “avoid requesting for assistance group” than the drug group, and scored lower on the innate resilience factor scale and acquired resilience factor, suggesting that the theft group were less likely to solve problems appropriately on their own such as by asking others for help.

(4) Comprehensive considerations

Based on the trends and characteristics revealed by comparisons between male/female, age group, and type of offense in this survey, the Institute examined the following three factors that may hinder the prevention of recidivism or the smooth reintegration of female offenders: [1] female inmates' experience of victimization and problem behaviors, [2] the environment surrounding female inmates, and their employment, and [3] changes in female inmates' living environment with aging.

3. Research on the Current Measures (Chapter 4)

The Institute conducted a field research on penal institutions, juvenile training schools, probation offices, private support groups, and support centers for settlements in order to grasp the treatment and assistance available for the problems and issues faced by female offenders.

4. Discussion (Chapter 5)

Based on the findings from the questionnaire survey, the record survey and research on the current measures, as well as knowledge in various literature on female offenders, the Institution examined more effective treatment and assistance for female offenders in view of the following three issues: [1] necessity of treatment and assistance based on the experience of victimization and difficulty in living, [2] improvement in treatment and assistance that contributes to the recovery of mental and physical health, [3] treatment and assistance for elderly female inmates, and finally considered [4] others (future issues).

[1] Among female offenders, a certain number were thought to have some kind of difficulty in living due to experiencing a form of victimization, such as having ACE or being a victim of abuse by a spouse/partner, as well as self-injury or suicidal ideation in the past. The Institute pointed out the necessity for further promotion of treatment and assistance focusing on the experience of victimization and difficulty in living, and the effectiveness of interactive approaches as method of treatment for such female offenders.

[2] Among female offenders, many experienced illegal drug use and problems with eating behavior, with a certain number in need of mental and physical treatment in their daily lives. The Institute especially examined how to deal with drug addiction and eating disorders, and pointed out the necessity and effectiveness of efforts to promote the maintenance and improvement of mental and physical health for living.

[3] The elderly constitute a large proportion of female offenders, many of whom are shoplifters. While some of these offenders had economic difficulty as the background of their offences, others are groups had different background circumstances, such as committing offenses because of anxiety about their future finances or “lightheartedly” despite having no imminent need, and having no resistance to offenses, and repeating offenses within a short period after first receiving a disposition in their 40s or later, leading to their imprisonment. In light of this, the Institute examined treatment and assistance for the elderly to bridge the gap between their situation from their surrounding environmental or social viewpoint and the situation from their own personal viewpoint, and pointed out the need for sufficient understanding of their life history, environmental aspects, and psychological aspects.

[4] First, more female offenders are unemployed than male offenders, and their employment may be limited due to their role in the family or health reasons, therefore it is important and necessary for them to generate their own source of income and to continue working in order to change the

environment on their own, and the Institute pointed out that it is desirable to enhance vocational training and employment support.

Second, the need for analysis of trends and characteristics other than by male/female, by age group of female inmates, and by type of offense (theft and drug groups) was considered to be a future issue.

Third, the Institute pointed out the necessity to take measures to ensure that interest in and understanding of gender identity becomes even more widespread in society, on the basis of the June 2023 enactment of the legislation Promote Understanding of Sexual Minorities.

Finally, the Institute pointed out the necessity to consider multiple perspectives, in light of not only United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) but also international trends in the treatment of female offenders.

In this report, the Institute also conducted a survey on the current situation and trends concerning female offenders overseas, and the results of the surveys in Thailand, the Republic of Korea, and Sweden are attached at the end of this report as reference materials.

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