

# Current Juvenile Police Policy in Japan

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# Postwar Fourth Wave of Juvenile Delinquency and Tasks of Juvenile Police

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## Introduction

Using the number of juvenile Penal Code offenders taken into custody as an indicator, juvenile delinquency in postwar Japan is generally considered to have occurred in three waves: the first wave, which peaked in 1951; the second wave, which peaked in 1964; and the third wave, which peaked in 1983. Each of these waves is associated with a unique set of background factors that arose from a particular social situation. The first wave is attributed to economic hardship, an extremely tight food situation and social unrest, while the second wave is linked to advances in urbanization resulting from rapid economic growth, population concentration in cities and the rise of a hedonistic social attitude. The third wave, on the other hand, is blamed on a decline in social solidarity, a growing trend towards nuclear families and diversification of values. The number of juvenile Penal Code offenders taken into custody registered a postwar peak of over 196,000 in 1983, and hovered around a high 190,000 mark throughout the rest of the Showa period. However, it began falling as Japan entered the Heisei period, dropping to some 126,000 by 1995. After this, the trend was reversed, and the figure topped 157,000 in 1998. Against this background, The White Paper on Police 1998 stated that juvenile delinquency had entered a “fourth postwar ascent phase”, while The White Paper on Police 2000 declared the arrival of a “fourth postwar wave”. Although the number of juvenile Penal Code offenders taken into custody fell slightly after that, the figure has hovered around the 140,000 mark since 1999, despite a fall in the juvenile population as a result of the low birthrate trend. This paper looks at the recent developments in the situation surrounding juvenile delinquency and other issues, as well as the moves taken to develop a legal framework in response to them, centering on the last 10 or so years dating back to the time when entry into the “fourth postwar ascent phase” was first observed, and discusses the future tasks of juvenile police.

## **I Situation surrounding Juvenile Delinquency and Other Issues**

In this part, juvenile delinquency is statistically examined, focusing on the number of juvenile Penal Code offenders taken into custody, number of juveniles taken into custody for drug abuse and other offenses, number of arrests made in connection with offenses detrimental to the welfare of juveniles and number of arrests made in connection with child abuse cases.

### **1. Juvenile Penal Code Offenders (Table 1)**

One of the keywords in recent juvenile delinquency is “increasing viciousness”. After topping 7000 in the early 1960s, the number of juveniles taken into custody for felonious offenses, such as homicide and robbery, fell sharply in the following decades, dropping to an all-time low of 1078 in 1990. However, the trend was reversed in the following year, and the figure increased rapidly, particularly over the two-year period from 1995 to 1997, during which it jumped from 1291 to 2263. After this, the figure stayed above 2000 every year until 2003, with the exception of 2002. In the case of robbery, which accounts for the majority of felonious offense cases, the number of juvenile offenders fell below 1000 in 1971, and posted a three-digit figure every year until 1995. In 1996, it topped 1000 for the first time in 25 years, and fluctuated between 1538 and 1771 over seven years from 1997 to 2003. Around 70% of robberies committed by juveniles are street robberies.

In May 1997, a bizarre case in which a 14 year-old male junior high school student strangled a male elementary school student to death and left the victim’s severed head by the gate of a junior high school occurred. In January 1998, a 13 year-old male junior high school student stabbed a female teacher to death with a butterfly knife. In May 2000, a 17 year-old unemployed male youth hijacked an express bus, killed one of the passengers, and injured four others. The successive occurrence of such shocking juvenile crimes left a strong impression on the general public as a sign of escalating juvenile delinquency. The number of juveniles taken into custody for felonious offenses remained at high levels until 2003, but the first half of 2004 saw a large 26.7% fall from the same period of the previous year, giving rise to a need to keep an eye on future developments. After hitting a trough of 14,655 in 1994, the number of juveniles taken into custody for violent offenses, such as assault and bodily injury, rose to 19,691 by 2000, but the trend was reversed in the following year, dropping to 14,356 by 2003. The first half of 2004 saw a 20.7% fall from the same period of the previous year.

In the decade starting in the mid-1970s, a fall in the average age of delinquents and spread of delinquent acts across all socioeconomic groups were identified as the main characteristics of juvenile delinquency, and the share of entry-level offenses (shoplifting, motorcycle theft, bicycle theft and stealing of lost property) increased. Accordingly, the share of juveniles taken into custody for entry-level offenses in juvenile Penal Code offenders topped 60% in 1979, and continued to increase in subsequent years. Since 1988, the share has

been consistently above 70% except for 2000. Of all entry-level offenses, motorcycle theft has by and large been steadily falling after peaking at 36,070 in 1984, dropping to 10,699 by 2003. In contrast, the stealing of lost property has more or less been steadily rising, climbing from 15,723 in 1983, which coincided with the peak of the third wave of juvenile delinquency, to 38,547 in 2003.

**Table 1 Trends in Juvenile Arrests Made for Felonious Offenses (1949–2003)**

Year	Total		Homicide		Robbery		Arson		Rape	
		Juvenile share		Juvenile share		Juvenile share		Juvenile share		Juvenile share
1949	4,529	26.5	333	11.3	2,832	27.5	199	22.8	1,165	39.4
1950	4,958	29.6	362	11.8	2,824	31.8	264	23.6	1,508	40.7
1951	4,332	29.5	443	14.3	2,134	30.3	246	22.7	1,509	43.5
1952	4,427	30.0	389	12.7	1,899	29.6	299	22.8	1,840	46.1
1953	3,631	27.8	376	12.2	1,533	28.5	225	19.8	1,497	43.2
1954	4,367	30.0	404	12.1	1,800	30.9	228	19.8	1,935	45.8
1955	4,571	29.5	342	10.5	1,969	29.8	182	16.6	2,078	45.8
1956	4,479	31.7	323	11.3	1,998	34.4	148	15.3	2,010	45.0
1957	5,465	37.8	307	11.6	2,173	39.4	162	17.7	2,823	52.6
1958	7,495	40.3	359	12.4	2,348	38.4	183	18.4	4,605	53.7
1959	7,684	42.9	415	14.0	2,550	44.2	189	19.6	4,530	55.0
1960	7,504	43.0	423	14.9	2,646	47.6	203	20.9	4,232	52.4
1961	7,136	42.1	440	15.1	2,380	47.8	210	22.7	4,106	50.5
1962	6,525	42.4	336	13.4	2,169	47.8	154	20.3	3,866	51.1
1963	6,397	42.2	387	15.8	2,032	48.4	162	17.3	3,816	50.3
1964	6,596	42.1	356	14.2	1,909	47.5	150	19.4	4,181	49.9
1965	6,757	43.2	366	15.4	1,945	47.4	160	21.9	4,286	50.8
1966	6,615	44.1	363	15.9	1,871	49.2	153	21.9	4,228	51.5
1967	5,725	40.8	343	15.4	1,454	46.3	110	17.2	3,818	47.5
1968	4,899	35.9	284	12.4	1,242	41.8	119	17.9	3,254	42.1
1969	4,175	31.0	264	11.2	1,172	39.9	254	18.9	2,485	36.3
1970	3,619	29.6	198	9.2	1,080	38.0	152	18.7	2,189	34.0
1971	3,338	27.0	143	6.7	860	33.6	330	17.9	2,005	34.4
1972	2,848	26.3	147	6.7	777	32.4	121	15.1	1,803	33.0
1973	2,404	24.8	111	5.3	688	33.1	99	14.1	1,506	31.5
1974	2,361	25.6	102	5.5	668	31.6	126	16.8	1,465	32.7
1975	2,250	24.4	92	4.2	714	31.8	125	17.0	1,319	32.6
1976	1,801	21.4	79	3.7	596	29.1	116	13.2	1,010	29.8
1977	1,646	21.2	75	3.8	514	28.1	135	14.7	922	30.3
1978	1,656	22.3	86	4.7	497	28.4	142	15.0	931	32.4
1979	1,718	23.4	92	5.0	558	30.8	163	17.3	905	32.8
1980	1,930	26.7	45	2.9	761	36.9	166	17.5	958	35.9
1981	2,015	26.8	59	3.4	720	33.9	229	22.4	1,007	37.9
1982	1,879	25.9	84	4.8	733	35.4	211	21.2	851	35.2
1983	1,707	24.9	87	4.9	720	34.8	177	17.3	723	36.7
1984	1,645	24.4	74	4.1	669	32.9	179	17.7	723	37.9
1985	1,425	22.7	99	5.4	533	30.0	135	15.9	658	36.4
1986	1,522	25.3	92	5.4	657	35.7	174	19.4	599	38.0
1987	1,318	22.7	78	4.7	571	33.5	115	13.8	554	34.5
1988	1,248	23.6	82	5.8	546	33.2	120	16.1	500	33.8
1989	1,225	25.9	116	8.8	574	39.8	97	15.2	438	33.0
1990	1,078	22.8	71	5.7	574	36.3	87	14.2	346	26.8
1991	1,152	24.6	76	6.6	678	40.8	80	13.5	318	24.9
1992	1,178	25.0	82	7.0	694	39.0	85	15.0	317	26.7
1993	1,144	22.0	75	6.2	713	34.1	84	11.7	272	23.4
1994	1,382	25.0	75	5.9	911	38.4	95	13.2	301	25.9
1995	1,291	24.3	78	6.0	856	39.5	93	13.6	264	22.8
1996	1,496	27.4	96	7.7	1,068	44.7	111	15.6	221	19.8
1997	2,263	34.1	74	5.8	1,675	53.1	113	15.1	401	27.7
1998	2,197	31.6	115	8.4	1,538	45.5	89	12.8	455	30.1
1999	2,237	31.0	110	8.4	1,611	42.8	90	12.0	426	30.6
2000	2,120	28.3	105	7.4	1,638	43.1	81	10.3	296	19.9
2001	2,127	28.4	99	7.4	1,670	40.8	103	13.2	255	20.0
2002	1,986	25.7	80	5.7	1,586	38.2	90	11.0	230	17.0
2003	2,212	26.5	93	6.4	1,771	37.7	106	12.2	242	18.0

## 2. Substance Abuse by Juveniles (Table 2)

After peaking at 29,254 in 1982, which preceded the peak of the third wave of juvenile delinquency by one year, the number of juveniles taken into custody for a violation of the Poisonous and Deleterious Substance Control Law due to drug abuse (e.g. the inhalation of paint thinner) fell steadily, marking a low of 22,325 in 1986. Although the figure remained above 22,000 until 1991, a sharp downward trend began in 1992, and the figure plunged to 3286 by 2003. The number of juveniles taken into custody for a violation of the Stimulants Control Law remained by and large below 1000 in the early Heisei period, but an upward trend began around 1995, and the figure rose to 1596 by 1997. The trend was reversed in the following year, and the figure dropped to 524 by 2003. The number of juveniles taken into custody for a violation of the Cannabis Control Law exhibited an upward trend in the early Heisei period, reaching 297 in 1994, but the trend was reversed in the following year, and the figure slid to 102 by 2000. From there, the trend was reversed again, and the figure climbed back to 185 by 2003. In 2003, 38 juveniles were taken into custody for a violation of the Narcotics and Psychotropics Control Law, the highest number since 1975. The figure further rose in 2004, reaching 47 in the first half alone. While the stimulant abuse situation appears to have stabilized after rapid spread, thanks to stepped-up crackdowns, awareness campaigns, and the like, there is concern about the spread of cannabis and synthetic drugs, such as MDMA, among juveniles.

**Table 2 Trends in Juvenile Arrests Made for Special Law Offenses (1994–2003)**

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Poisonous and Deleterious Substance Control Law	8,956	7,000	5,722	5,057	5,678	5,279	4,298	3,786	3,267	3,286
Stimulants Control Law	827	1,079	1,436	1,596	1,070	996	1,137	946	745	524
Cannabis Control Law	297	189	145	103	125	115	102	176	190	185
Narcotics and Psychotropics Control Law	17	17	18	7	12	16	7	11	18	38



### 3. Offenses Detrimental to Welfare of Juveniles (Table 3)

Over the last ten years, the number of juveniles falling victim to offenses detrimental to their welfare has exhibited a general downward trend, falling from 14,809 in 1994 to 7304 in 2003. This is believed to be mainly due to a drop in the number of arrests made for the supply of paint thinners to juveniles and other violations of the Poisonous and Deleterious Substance Control Law, as well as an increased difficulty in detecting or proving offenses due to a general lack of a sense of victimization on the part of juveniles or identifying perpetrators as a result of the increased use of the Internet for offenses. Euphemistically dubbed “enjo-kosai” (subsidized dating), prostitution by girls emerged as a social problem around 1994 against the background of a rapid increase in the number of telephone dating clubs, from 900 in 1992 to 2891 in 1996. Of all girls given guidance or taken into protective custody for engaging in deviant sexual activities, the number of those specifying “making pocket money” as the motive rose from 818 in 1993 to 2517 in 1996. Numbers have since fallen, dropping to 1607 by 2003. With the spread of Internet use, the trend of Internet dating sites encouraging prostitution has intensified, and the number of child prostitution cases involving such sites that eventually led to arrest for a violation of the Anti-Child Prostitution and Pornography Law have risen sharply, from 40 in 2000 to 791 in 2003.

**Table 3 Trends in Juveniles Falling Victim to Offenses Detrimental to Welfare of Juveniles (1994–2003)**

Year Gender	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Total	14,809 (100)	13,867 (94)	12,682 (86)	11,399 (77)	11,435 (77)	10,727 (72)	8,291 (56)	8,153 (55)	7,364 (50)	7,304 (49)
Male	5,116 (100)	4,638 (91)	3,705 (72)	3,439 (67)	3,407 (67)	3,136 (61)	2,348 (46)	2,156 (42)	1,491 (29)	1,404 (27)
Female	9,693 (100)	9,229 (95)	8,977 (93)	7,960 (82)	8,028 (83)	7,591 (78)	5,943 (61)	5,997 (62)	5,873 (61)	5,900 (61)
Female share (%)	65.5	66.6	70.8	69.8	70.2	70.8	71.7	73.6	79.8	80.8

Note: Figures in brackets are indexed values (1994 value = 100).

#### 4. Child Abuse (Table 4)

In recent years, child abuse by guardians has drawn public attention. The number of child abuse cases leading to criminal arrest by the police has fluctuated between 120 and 189 since 1999, when statistics began. The number of children killed in those cases was lowest in 2002 and highest in 2001, at 39 and 61, respectively.

**Table 4 Breakdown of Child Abuse Cases by Offense and Trends (1999–2003)**

Classification Year	Total	Homicide	Bodily injury	Bodily injury resulting in death	Assault	False arrest and imprisonment	Rape	Indecent assault	Violation of Child Welfare Law	Violation of local ordinance for juvenile protection and development	Negligence as guardian	Serious negligence in conduct of business resulting in death	Violation of Stimulants Control Law
2003	157	23	80	17	6	0	6	3	18	2	16	3	0
Share	100.0	14.6	51.0	10.8	3.8	0.0	3.8	1.9	11.5	1.3	10.2	1.9	0.0
2002	172	19	94	18	5	1	7	4	22	0	20	0	0
Share	100.0	11.0	54.7	10.5	2.9	0.6	4.1	2.3	12.8	0.0	11.6	0.0	0.0
Net change	-15	4	-14	-1	1	-1	-1	-1	-4	2	-4	3	0
Net percentage change	-8.7	21.1	-14.9	-5.6	20.0	-100.0	-14.3	-25.0	-18.2	-	-20.0	-	-
2001	189	31	97	23	8	0	4	5	13	10	17	3	1
2000	186	31	92	20	4	0	15	9	17	3	13	2	0
1999	120	19	42	15	1	0	12	3	12	7	20	4	0

## **II Legal Framework for Juvenile Issues**

In response to the developments in the situation surrounding juvenile delinquency and other issues as discussed in Part I, various legislative measures have been introduced in recent years. In this part, trends in the introduction and amendment of laws and ordinances relating to recent juvenile issues will be discussed.

### **1. Amendment of Juvenile Law**

Since its enactment in 1948, the current Juvenile Law has not undergone a major overhaul, and juvenile delinquency cases have until recently been handled by a single judge in juvenile proceedings, with the determination of facts, etc. carried out without the attendance of a prosecutor. However, the so-called “Yamagata Mat Bullying Death Case” of January 1993 and other cases highlighted the difficulties associated with determining facts through the above process, where accused juvenile offenders deny alleged acts of delinquency. This prompted the Minister of Justice to refer the feasibility of an amendment of the Juvenile Law aimed at rationalizing the fact finding procedure in juvenile proceedings to the Legislative Council in July 1998, leading to the release of a report by the Council in January 1999 and introduction of an amendment bill before the ordinary session of the Diet in the same year. The bill proposed the introduction of an examination by a panel of judges for the determination of facts in juvenile proceedings, an extension of the maximum duration of the detention of juvenile suspects at a juvenile classification center for protective observation, attendance of a prosecutor at juvenile proceedings subject to a court decision, involvement of a court-appointed counsel in the event of a court decision to involve a prosecutor, and granting of a right to appeal to the prosecutor in the event of a no-action decision, and so on. The bill was carried over to the next session, and was eventually abandoned in June 2000 as a result of the dissolution of the House of Representatives. In September of the same year, a new Juvenile Law amendment bill was introduced before the extraordinary session of the Diet as lawmaker-initiated legislation amid the continued occurrence of vicious crimes by juveniles. In addition to all the proposals included in the previous government-sponsored bill, the new amendment bill introduced new proposals, including the lowering of the age limit for referral to the public prosecutor as amenable to criminal punishment from 16 to 14, in-principle mandatory referral to the public prosecutor for certain serious crimes, and applicability of life imprisonment to offenders who were below 18 years of age at the time of their crimes, with a right to appeal in the original bill upgraded to a right to lodge a petition for the acceptance of an appeal. The new bill was passed by the Diet and took effect in April 2001. It is required that the enforcement status of the amendment be reported to the Diet five years after its taking effect, with any necessary measures, including the introduction of new legislation, taken according to the findings.

In July 2003, a first-year male junior high school student abducted a boy aged 4 and killed him. In June 2004, a sixth-grade female elementary school student killed a female classmate during lunchtime. The occurrence of a series of serious crimes committed by law-breaking juveniles under 14 years of age, who cannot be held criminally responsible, including the above two, has again prompted the Minister of Justice to refer the feasibility of an amendment of the Juvenile Law and other laws to the Legislative Council. Changes being considered include the granting of authority to investigate cases involving law-breaking juveniles to the police, inclusion of a protective measure based on custody at a juvenile detention center for juveniles under 14 years of age as an option, possibility of a family court to order custody at a juvenile detention center or some other measure for juveniles on probation who have breached probation conditions subject to application by the director of a probation office.

## **2. Enactment and Amendment of Anti-Child Prostitution and Pornography Law**

At the World Congress against the Commercial and Sexual Exploitation of Children held in Stockholm in 1996, it was pointed out that the Japanese Government's action against Japanese child sex tourism in Southeast Asia, the flood of child pornography on the Internet, and the like was insufficient. With this as a catalyst, the need for the introduction of legislation aimed at cracking down on child prostitution and pornography was recognized. Against this background, the Law concerning the Punishment of Acts Relating to Child Prostitution and Pornography and Protection of Children (Anti-Child Prostitution and Pornography Law) was enacted in May 1999 as legislator-initiated legislation, taking effect in November of the same year. As well as engaging in a sexual act with a child prostitute as a punishable offense, the law introduced a heavier punishment for the procurement of a child prostitute, etc. compared to procuring under the Prostitution Prevention Law. Regarding child pornography, the distribution, production with the intention of distribution, possession, etc. were made punishable offenses. In addition, provisions aimed at trafficking in children for the purpose of child prostitution or production of child pornography were introduced. These punishments were made applicable to offenses committed by Japanese nationals in foreign countries. In June 2004, the Anti-Child Prostitution and Pornography Law was amended through legislator-initiated legislation to take into consideration the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography and the Convention on Cybercrime, to which Japan was a signatory, effective from July of the same year. In the last amendment, the scope of punishable acts relating to child pornography was expanded, with the supply of child pornography, production of child pornography by having a child pose (regardless of whether its supply, etc. was intended), supply of a magnetic recording medium carrying images of children in pornographic poses, its storage with the intention of supply, and the like newly included as punishable acts. Statutory penalties relating to child prostitution and pornography

were also increased. Although there was an argument for the introduction of provisions aimed at cracking down on the possession of child pornography without intention to supply, etc. (simple possession) and child pornography featuring nonexistent children as punishable acts, they were left out.

### **3. Enactment of Child Abuse Prevention Law and Amendment**

Against a background of growing public awareness of child abuse, the Law concerning the Prevention of Child Abuse was enacted in May 2000 as legislator-initiated legislation, taking effect in November of the same year. As well as stipulating the prohibition of child abuse by any person, this law introduced provisions for mandatory reporting to a child counseling center by a person who had discovered an abused child, measures to be taken by the director of a child counseling center upon receiving such a report, authority of child counseling center personnel and others to engage in an on-the-spot investigation, provision of assistance by police personnel during the discharge of official duties, such as checking on child safety, and so on. The supplementary provisions of the law stipulated that a review of enforcement status, etc. be conducted roughly three years after its taking effect, with any necessary measures taken according to the findings. After the law took effect, however, serious child abuse cases, including those resulting in the death of a child, continued to occur. Against this background, the law was amended again in April 2004 through legislator-initiated legislation, taking effect in October. The amendment clarified the definition of the term “child abuse” and tightened the requirement for mandatory reporting to a child counseling center from “a person who has discovered an abused child” to “a person who has discovered a child suspected to have been subjected to abuse”. The provision for “assistance by police personnel” was also elaborated as “an assistance request to the chief of the police station, and the like”. In addition, new provisions were introduced, including the duty of the director of a child counseling center or other person to request assistance from the chief of the police station when necessary from the viewpoint of confirming and ensuring child safety. Although the stipulation of the authority of police personnel to enter private property was discussed during the amendment bill drafting process, it was left out of the bill.

### **4. Amendment of Minor Smoking Prohibition Law and Minor Drinking Prohibition Law**

To strengthen measures to prevent minors from smoking and drinking amid growing public attention to juvenile delinquency, the Minor Smoking Prohibition Law and the Minor Drinking Prohibition Law were amended in 2000 and 2001, both times through legislator-initiated legislation. Against the background of these amendments was the recognition of the need to strengthen the social control on the sale of alcoholic beverages on the back of the ongoing deregulation of the liquor licensing system. In the 2000 amendments,

the statutory penalties for noncompliance with the ban on the sale of cigarettes, etc. and noncompliance with the ban on the sale or supply of alcoholic beverages were increased, while a provision for the punishment of both the employer and employee was introduced regarding noncompliance with the ban on the sale of cigarettes, etc., effective from December of the same year. The 2001 amendments introduced the requirement to put in place an age check and any other measures necessary to prevent smoking or drinking by persons under 20 years of age, effective from December of the same year.

## **5. Establishment of Internet Dating Site Control Law**

Around 2001, the problem of Internet dating sites encouraging prostitution by girls became widely recognized, and a number of cases in which juveniles fell victim to crime as a result of the use of such sites occurred. Against this background, a bill called the “Draft Law for the Control of the Enticement of Children Using Internet Dating Sites and Other Acts” was introduced before the 2003 ordinary session of the Diet and passed in June 2003, taking effect in September of the same year with the exclusion of some provisions. The law bans the act of inducing a child to become a partner in sexual intercourse or a similar act, inducing a child to become a dating partner in exchange for a reward, inducing a person to become a partner in sexual intercourse with a child or inducing a person to become a dating partner of a child in exchange for a reward through the use of an Internet dating site, and sets penalties for these offenses. It also obliges Internet dating service operators to include a warning that clearly states that children are banned from accessing their sites to prevent the use of Internet dating services by children.

## **6. Establishment of Juvenile Police Activity Regulations**

Until recently, juvenile police activities were regulated through the Juvenile Police Activity Guidelines, introduced in 1960 as a notification of the Deputy Commissioner General of the National Police Agency. In response to the growing importance of juvenile protection measures against a background of the worsening juvenile delinquency situation and emergence of new issues in the forms of child prostitution and pornography and child abuse, however, Juvenile Police Activity Regulations were established in September 2002 as a regulation of the National Public Safety Commission with the aim of further strengthening and fine-tuning juvenile police activities, effective from January 2003. These regulations require that juvenile police activities be undertaken with a spirit of promoting the healthy development of juveniles and special consideration to the improvement of their sense of social norms and rehabilitation as basic principles. They also set activity standards for police personnel with regard to activities aimed at preventing juvenile delinquency consisting of street guidance and other general activities and activities relating to delinquent minors, as well

as activities aimed at protecting juveniles, including those relating to juvenile victims of crime.

### **III Issues of Juvenile Police for Immediate Future**

As discussed above, various laws and ordinances have been introduced in response to the recent situation surrounding juvenile delinquency and other issues. In December 2003, the Juvenile Development Promotion Headquarters, which is headed by the Prime Minister, adopted a Policy Outline for Juvenile Development to show the Government's policy direction regarding juvenile development. On the heels of this, the National Police Agency established the Guidelines on Comprehensive Measures for Juvenile Delinquency Prevention and Protection in April 2004. In the future, it will be necessary to actively undertake juvenile police activities to contribute to the healthy development of juveniles on the basis of the above regulatory framework. In the following sections, issues of juvenile police for the immediate future will be discussed.

#### **1. Realization of Appropriate Treatment of Delinquent Minors through Proper Investigation of Juvenile Crimes, Etc.**

To ensure the healthy development of juveniles, it is necessary that juveniles who have committed a crime receive appropriate treatment, and this gives rise to the need for proper investigations by the police. To deal with the difficulties associated with the determination of facts in juvenile proceedings, the 2000 amendment of the Juvenile Law has introduced the involvement of a prosecutor in juvenile proceedings, but this only applies to crimes in which the victim dies as a result of an intentional criminal act or crimes equivalent to adult crimes punishable by death, life imprisonment, or short-term imprisonment or penal servitude lasting two or more years, so that juvenile proceedings for theft and other minor offenses, which account for the majority of juvenile crimes, are still conducted without the attendance of a prosecutor. When handling a juvenile crime case, therefore, it is necessary to thoroughly scrutinize the credibility of the statements made by the accused juvenile and collect ample evidence to back them up during the investigation stage by fully recognizing the difficulties associated with the establishment of facts regarding the alleged act of delinquency in juvenile proceedings compared to an adult criminal trial, where the juvenile denies the allegation. Moreover, whereas the objective of the adult criminal justice system is to clarify the truth about the case and apply the relevant punitive law or ordinance properly and promptly, that of the juvenile justice system includes the implementation of a protective measure for the delinquent minor for the purpose of correcting his/her deficient character and improving his/her environment with a view to promoting his/her healthy development. For this reason, juvenile proceedings examine the protective need of the accused juvenile, as well as the facts about the alleged act of delinquency. Accordingly, the Criminal Investigation Code calls for a detailed investigation of the cause and motive of a crime, and character, behavior, history, educational background, environment, family situation and association of the alleged juvenile perpetrator during the investigation stage. Indeed, investigations for juvenile cases have



different characteristics from those for adult cases, and their appropriate execution necessitates the establishment of a special unit consisting of personnel who have received appropriate training in the investigation of juvenile cases. The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), which were adopted at the UN General Assembly in 1985, mention the necessity of specialization within the police organization, and call for the establishment of a police unit specializing in juvenile police in large cities. In this regard, Japan has over the years made systematic efforts to enhance the juvenile police system. To date, a division primarily specializing in juvenile police has been established in the police headquarters of 45 prefectures across the nation. In recent years, a move to further enhance the system is underway in several prefectures through, for example, the separate establishment of a division specializing in handling juvenile cases and another specializing in enforcing juvenile delinquency prevention measures. In the future, there will be a continued need to maintain an appropriate juvenile police system in tune with juvenile crime trends. It also appears necessary to study how best to process cases involving juvenile criminals which are so minor and low in protective need that juvenile proceedings are not needed. In the case of law-breaking juveniles and crime-prone juveniles who are subject to juvenile proceedings, steps such as an investigation, referral to a family court and notification of a child counseling center have traditionally been taken upon identifying those juveniles. However, the legal basis of these activities is not necessary clear at present, and they have been understood to be part of the optional activities to be undertaken as far as necessary to fulfill the police duties as specified in Article 2 of the Police Law. In this regard, further amendment of the Juvenile Law, etc. is being investigated to institute changes such as the granting of powers to conduct investigations relating to law-breaking juveniles and crime-prone juveniles to the police and enabling of forcible property-related actions such as seizure, search and verification in cases involving law-breaking juveniles. In the event of the introduction of such an amendment, it should be properly enforced.

## **2. Cracking Down on Offenses Detrimental to Welfare of Juveniles and Juvenile Protection Measures**

Mirroring the adults' world characterized by a flood of sex-related information and growing commercialization of sex, girls today seem to have a reduced aversion to prostitution. Even so, it is totally unacceptable to induce girls into prostitution and profit from it or engage in sexual acts with a child prostitute by taking advantage of it. The production of child pornography is also an activity that is extremely detrimental to the healthy development of depicted girls, and profiting from child pornography by selling pornographic materials, etc. is an equally despicable act. The police need to actively crack down on offenses such as the act of having children engage in illicit sexual activities in violation of the Child Welfare Law and sexual exploitation of children in violation of the Anti-Child Prostitution and Pornography Law. To prevent children from falling victim to sexual crimes, it is also important to

thoroughly enforce the Internet Dating Site Control Law. In recent years, the area coverage of offenses punishable under the Child Welfare Law has been expanding due to Internet use, etc., and the need for police services in different prefectures to coordinate their investigations has been increasing. Japanese child sex tourism to Southeast Asia is still thriving, and there is a need to properly crack down on this activity through the active utilization of the overseas offense punishment provision of the Anti-Child Prostitution and Pornography Law. The investigation of offenses committed overseas requires cooperation from the local law-enforcement organization in terms of the identification of the child victims, compilation of their statements as admissible evidence, identification of the place of the offense, and the like, highlighting the importance of strengthening the cooperative relationships with law-enforcement organizations in Southeast Asian countries. To this end, an annual conference aimed at facilitating information exchange between Japanese criminal investigators and their overseas counterparts has been held in Tokyo since 2001. In the future, there will be a continued need to maintain and further develop cooperative relationships with overseas law-enforcement organizations. Regarding assets derived from offenses such as the act of having a child engage in an illicit sexual activity as defined in the Child Welfare Law and procurement of a child prostitute or supply of child pornography to an unspecified number of people as defined in the Anti-Child Prostitution and Pornography Law, the active utilization of the Law concerning the Punishment of Organized Crimes, Control of Criminal Proceeds and Other Matters should be considered in light of its applicability to them as criminal proceeds. It is necessary to give due consideration to the protection of juvenile victims right from the investigation stage by making efforts not to hurt the victim's feelings unnecessarily. Regarding juveniles who have been physically and mentally affected by those offenses, it is important to take measures geared towards facilitating their healthy development. In this regard, the Anti-Child Prostitution and Pornography Law stipulates that relevant administrative organizations, in close cooperation, take appropriate measures to provide child victims with adequate protection according to their physical and mental state, ranging from counseling and guidance to temporary protection and admission to an institution, with a view to enabling them to physically and mentally recover from the adverse effects and grow and develop with dignity as human beings. Typical measures that need to be implemented by the police service include: protective monitoring in cooperation with community volunteers called "juvenile victim supporters" according to the state of individual juveniles; notification of the child counseling center to enable them to take appropriate welfare measures, where juveniles do not have a guardian or it is not appropriate to let the guardian take care of the juvenile due to poor guardianship; and referral to the family court as a crime-prone juvenile to enable the correction of the juvenile's deficient character and adjustments to his/her environment, where the juvenile exhibits a crime-prone tendency.

Regarding child abuse, an issue that has become a focus of public attention in recent years, the police need to take appropriate action in cooperation with child welfare

organizations. Being abused by a parent or guardian, a person whom a child usually trusts most, leaves the child with serious physical and psychological trauma and hinders his/her healthy development. Furthermore, experience of abuse often leads abused children to exhibit problematic behavior later in life. The police need to identify abused children as early as possible through juvenile police and other police activities and notify the child counseling center, etc. to enable them to receive appropriate care. If the notified child counseling center makes a request for assistance in connection with its intended action, such as a safety check or temporary protection under the Child Abuse Prevention Law, appropriate assistance must be provided in accordance with the Police Personnel Duty Performance Law, etc. When a child abuse case in which the child dies as a result of abuse despite the knowledge or suspicion of a child counseling center or other public organization about it occurs, blame is sometimes laid on inadequate cooperation between relevant organizations. To prevent this from happening, the police need to strengthen their cooperation with other organizations by, for example, participating in the child abuse prevention network formed by relevant organizations. It is also necessary to conduct an appropriate investigation by treating child abuse as a criminal case such as body injury, depending on the nature of the case.

### **3. Juvenile Delinquency Prevention Activities and Support for Recovery**

While there is no denying the importance of ensuring the appropriate treatment of delinquent minors, cracking down on offenses detrimental to the welfare of juveniles and protecting juvenile crime victims, it is equally important to undertake activities aimed at preventing juveniles from becoming delinquent or falling victim to offenses detrimental to their welfare from the viewpoint of facilitating the healthy development of juveniles. To prevent the delinquent behavior or victimization of juveniles, it is necessary to actively provide police guidance to misconduct juveniles. The Juvenile Police Activity Regulations define misconduct juveniles as “juveniles who, though not classified as delinquent minors, engage in drinking, smoking, late-night roaming or any other behavior that causes moral degradation to themselves or others (misconduct)”. The regulations stipulate that, upon identifying a misconduct juvenile, police personnel provide police guidance consisting of a caution about the misconduct and advice or guidance aimed at preventing subsequent delinquent behaviors and, where necessary, notify the guardian (the guardian and any other person concerned if there is a particular need to notify the school or workplace as well). Drinking and smoking have harmful effects on the minds and bodies of juveniles, and roaming adult entertainment districts late at night presents juveniles who lack sound judgment about drug or sex-related crimes with a high risk of becoming embroiled in such crimes. For these reasons, when a juvenile engaging in such behavior is discovered, it is necessary to notify the guardian to let him/her know about what the juvenile is up to and ensure appropriate custodial care, as well as giving an appropriate caution to the juvenile. At present, the legal basis of police guidance for misconduct juveniles is rather tenuous, with only Article

2 of the Police Law, which defines police duties, providing it, apart from a few provisions of the Juvenile Police Activity Regulations. It is planned to clarify the legal basis and concept of misconduct through further study in the future, taking into consideration the recommendations of experts. Against a background of the ongoing deregulation of alcohol sales, the sale of alcoholic beverages at convenience stores has become commonplace, and this has given rise to the need to strengthen measures aimed at preventing drinking by minors. Regarding smoking, the serious health risk of tobacco is now widely recognized. The Framework Convention on Tobacco Control was adopted in May 2003, and Japan became a signatory in June 2004 by depositing an instrument of acceptance. In addition to specifying regulatory requirements for tobacco advertising and package labeling, the convention obliges signatories to adopt and implement effective measures to prevent the sale of tobacco products to minors as defined in their respective domestic laws. For these reasons, the police must strive to uncover minors' tobacco and alcohol supply sources through police guidance activities and demand that vendors check the age of customers trying to purchase tobacco or alcohol and properly manage their vending machines for the purpose of preventing smoking and drinking by minors, while dealing firmly with unscrupulous vendors with arrests.

To prevent juveniles from becoming delinquent or falling victim to crime, it is important to improve their sense of social norms. In recent years, there are signs that the abuse of cannabis and synthetic drugs by juveniles may be spreading, and the number of juveniles given police guidance for smoking or drinking has been on the increase. These developments may be partly explained by low awareness of the adverse effects of those drugs on growing bodies and minds on the part of juveniles. There are also numerous Internet dating sites and other harmful Internet sites, which often provide a trigger for juveniles becoming caught up in crime or some other hazard. In this regard, the police need to play an active role in educating juveniles about the dangers of abusing drugs, using Internet dating sites, etc. by, for example, holding delinquency prevention classes in cooperation with schools.

Regarding juveniles who are not immediately crime-prone but may become delinquent or fall victim to offenses detrimental to their welfare if appropriate action is not taken because of problematic behaviors they exhibit, including repeatedly running away from home and having joined a motorcycle gang or other delinquent group, there is a need to study the suitability of providing ongoing guidance upon identifying such juveniles so as to assist in their recovery.

The Juvenile Police Activity Regulations define the term "ongoing guidance" as follows: "If deemed necessary to prevent a juvenile who has received counseling from becoming delinquent, advice, guidance or any other form of police guidance shall, with the consent of the guardian, be provided on an ongoing basis until considerable improvements have been achieved in the juvenile's environment in terms of the family, school, friends, etc." To provide ongoing guidance effectively, communication and coordination with student

counseling personnel at the school needs to be established, where the juvenile is a student, and cooperation with child welfare organizations, local volunteers and others may be desirable depending on the nature of the case. Regarding the desirable form of the juvenile support structure based on cooperation between relevant organizations and others, an agreement was reached at a meeting of central government division directors on juvenile delinquency held in September 2004. The agreement envisages inter-organizational cooperation based on the formation of a support team, in principle, for each juvenile, and this has given rise to the need to promote the provision of effective and well-coordinated support through a support team according to the nature of each case. Assistance in the rehabilitation of a delinquent minor or the like is an area where great hopes are pinned on the role of juvenile guidance officials who have received training in counseling techniques, etc., and it is important to develop a secure recruitment system for these officials and enhance their training so as to provide effective assistance in rehabilitation.

An important problem in juvenile delinquency prevention and control is the inadequacy of the mechanism to provide delinquent minors with opportunities for self-reflection and rehabilitation. "Restorative conference" is an approach to rehabilitation that has already been introduced in North America and Europe, reportedly with some success. In a restorative conference, the delinquent minor, his/her guardian, the victim and others discuss the delinquent minor's action under a coordinator, who may be a police officer or some other person, with a view to facilitating the rehabilitation of the delinquent minor, recovery of the victim and restoration of the safety of the local community. The National Police Agency plans to study the introduction of the restorative conference approach in Japan.

## **Conclusion**

In the area of juvenile delinquency, the number of juvenile Penal Code offenders is still at high levels, and there are signs that the abuse of drugs, etc. is spreading. The healthy development of juveniles also appears under threat as a result of the frequent occurrence of offenses that sexually exploit girls and child abuse cases. For these reasons, the situation surrounding juveniles is serious. While the importance of education and child welfare measures in the healthy development of juveniles, who are the future of the country, cannot be overstated, the police also have a significant role to play in this area in terms of the treatment of delinquent minors and others, law enforcement against offenses detrimental to the welfare of juveniles, prevention of juvenile delinquency and victimization, and the like, thus carrying a heavy responsibility. Juveniles, who are only halfway through their character building journey, are still quite malleable, and susceptible to the influence of their environments. In modern society, the ability of homes to protect children and ensure their healthy development appears to have diminished as illustrated by the child abuse problem, and the now-ubiquitous Internet directly exposes children to the dangerous side of society. Indeed, growing up sound and healthy in modern society may not be such an easy task for juveniles. However, being malleable means having great potential to recover from adversity, and this applies to both juveniles who have engaged in delinquent behavior and those who have suffered physical and mental damage, typically by falling victim to offenses detrimental to their welfare. Although the tasks of juvenile police are wide-ranging, the most important thing is to maintain steady efforts to tackle them while always keeping in mind the potential that all juveniles have.

# Establishment of Rule of Juvenile Police Activity and Future Tasks

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## **Introduction**

The Rule of Juvenile Police Activity (National Public Safety Commission Regulation No. 20 of 2002, hereinafter referred to as the “Regulations”) was promulgated in September 2002 and took effect on January 1, 2003.

This paper explains the purpose of the establishment of the Regulations and their content, and provides a future outlook of juvenile police activities. In this regard, it should be noted that all views expressed herein are the author’s own.

## **I Purpose of Establishment of Regulations**

### **1. Increasing Seriousness of Juvenile Situation**

Illustrated by continued high levels of felonious offenses and violent offenses, it is obvious that the juvenile delinquency situation has been quite serious in recent years. In 2001, when the study into the establishment of the Regulations began, the number of juvenile Penal Code offenders taken into custody rose to 138,654 (up 4.8% from the previous year), registering a first increase in three years. Of these, 2127 arrests were for felonious offenses (homicide, robbery, arson and rape), up 0.3% from the previous year, exceeding the 2000 mark for the fifth straight year. The robbery share of arrests was 1670, up 2.0% from the previous year, marking the third consecutive increase. Juveniles accounted for 66.5% of street robbery arrests and 71.2% of purse snatching arrests <sup>1)</sup>.

On the other hand, there were 41,507 Penal Code offenses known to police in which juveniles became victims in 2001, up 16.4% from the previous year, highlighting the rapid increase in the number of juveniles falling victim to crime, and of these, 2019 were attributed to felonious offenses, up 5.4% from the previous year. A particularly worrying trend is the jump in the number of sex crimes (rape and indecent assault) in which juveniles were victims. There were 6898 such crimes, up 23.0% from the previous year <sup>2)</sup>.

### **2. Necessary Measures**

The growing seriousness of the situation surrounding juveniles has given rise to the need for efforts to nip delinquency in the bud and prevent juveniles from perpetrating crimes, in

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<sup>1)</sup> The number of juvenile Penal Code offenders taken into custody between January and November 2002 (a preliminary figure compiled at the end of 2002) stood at 130,248, up 3.3% from the same period of the previous year. Of these, felony offenders accounted for 1899, down 4.0% from the same period of the previous year. The juvenile shares of street robbery arrests and purse snatching arrests were 64.1% and 68.7%, respectively.

<sup>2)</sup> From January to November 2002, there were 375,431 Penal Code offenses known to police in which juveniles became victims (a preliminary figure compiled at the end of 2002), down 1.0% from the same period of the previous year.



addition to making arrests for juvenile-related cases by conducting criminal investigations. While drinking, smoking, late-night roaming and other acts of misconduct are often taken lightly as “just a misdemeanor, not a crime”, leaving problematic behavior unchecked at that stage only serves to reduced juveniles’ sense of social norms and may let it develop into full-blown delinquency. To prevent juveniles from becoming delinquent, it is necessary to detect problematic behavior early on using street guidance, juvenile counseling and other methods and provide them with the necessary caution, advice, guidance, etc. as well as ongoing guidance, if necessary <sup>3)</sup>. A study of juveniles who committed peculiar and vicious crimes that shook society <sup>4)</sup> has revealed that most juveniles, including those who “just snapped” <sup>5)</sup>, had displayed precursor behaviors, such as hinting at the perpetration of a criminal act, the collection and carrying around of knives, animal cruelty and self harming, thus illustrating the need to catch potential juvenile criminals at the stage of problematic behavior.

A similar thing can be said of juvenile protection. As more and more juveniles fall victim to crime, the importance of early detection through juvenile counseling, appropriate advice, victim counseling and other measures aimed at juvenile victims has been increasing. The emergence of child prostitution, child pornography and child abuse as serious social problems led to the enforcement of the Law concerning the Punishment of Acts Relating to Child Prostitution and Pornography and Protection of Children (Anti-Child Prostitution and Pornography Law) and the Law concerning the Prevention of Child Abuse in 1999 and 2000, respectively, thus highlighting the importance of efforts to tackle these problems.

### **3. Need to Establish Regulations**

For the reasons stated above, street guidance, juvenile counseling, ongoing guidance, counseling for juvenile victims and other non-investigative activities were growing in importance around the time of the establishment of the Regulations. Nevertheless, the importance of such activities (juvenile police activities) was not fully appreciated even within the police service itself. Despite the fact that activities undertaken in cooperation with volunteers, particularly social participation activities and activities aimed at creating a place to

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<sup>3)</sup> The Juvenile Police Activity Guidelines define ongoing guidance as advice and guidance provided to problem juveniles found not to be delinquent minors as a result of an investigation and juvenile minors under 14 years of age, who are unamenable to transfer or referral to a family court or juvenile counseling center due to the nonapplicability of criteria set by the Child Welfare Law, where deemed necessary from the viewpoint of preventing delinquency (see item 7). In 1996, misconduct juveniles were added to the list of juveniles targeted for ongoing guidance.

<sup>4)</sup> Based on “An Emergency Survey Report concerning Precursors, Etc. in Recent Peculiar and Vicious Crimes Committed by Juveniles” released in December 2000 by the Juvenile Division, National Police Agency and the National Research Institute of Police Science.

<sup>5)</sup> The type of juvenile criminals who commit a serious crime such as murder without any history of arrest or police guidance, i.e. apparently normal youngsters.

settle in for juveniles, were becoming more and more important <sup>6)</sup>, they were in reality just supported by a small number of dedicated police personnel. The notion of “the police being only responsible for investigations and police guidance and counseling being of little use” seems to have persisted within the police service, much more so than among the general public.

To promote the healthy development of juveniles and help the recovery of those who have fallen victim to crime or child abuse by preventing juvenile delinquency and providing appropriate protection, it is necessary to put in place a mechanism that enables street guidance, juvenile counseling, ongoing guidance, counseling for juvenile victims and other activities to be undertaken properly. Apart from the Juvenile Law and the Criminal Procedure Law, the Criminal Investigation Code (National Public Safety Commission Regulation No. 2 of 1957) has been in place to provide a regulatory basis for criminal investigations for juvenile cases. However, juvenile police activities long lacked a comparative regulatory framework in the form of a national public safety commission regulation, and activity standards were provided only through the Juvenile Police Activity Guidelines (hereinafter referred to as the “Guidelines”) <sup>7)</sup> and other notifications. To rectify this situation, a decision was made to introduce the Regulations. In concrete terms, the Regulations aim to set standards for juvenile police activities and further optimize, improve and strengthen those activities in view of their importance, as well as promoting the healthy development of juveniles, including the rehabilitation and recovery of delinquent minors and juvenile victims, through such activities.

Outside the above stated purpose, the Regulations appear to have secondary effects of making police personnel aware of the importance of juvenile police activities as opposed to criminal investigations and fostering confidence and pride in police personnel assigned to those activities.

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<sup>6)</sup> For details, see “Juvenile Police and Volunteers” (Araki J.), the first feature of this special issue.

<sup>7)</sup> The Juvenile Police Activity Guidelines were established in 1960 as a notification of the Deputy Commissioner General of the National Police Agency (NPA-B-Security No. 6 of March 18, 1960) to provide general standards for juvenile police activities, and were overhauled in 1996 (NPA-B-Community No. 13 of October 16, 1996). They were repealed at the end of 2002 upon the taking effect of the Regulations.

## **II Content of Regulations**

In this section, the content of the Regulations is explained, focusing on points that differ from the old Guidelines.

### **1. Organization of Regulations**

The Regulations consist of four chapters: Chapter 1 “General Provisions”, Chapter 2 “General Activities”, Chapter 3 “Activities Aimed at Preventing Juvenile Delinquency” and Chapter 4 “Activities Aimed at Protecting Juvenile Victims”. Article 1, paragraph 1, of the Regulations state: “These regulations specify matters necessary to carry out police activities aimed at promoting the healthy development of juveniles through juvenile delinquency prevention and protection (hereinafter referred to as “juvenile police activities”).” As is clear from this, “activities aimed at preventing juvenile delinquency” and “activities aimed at protecting juveniles” are the two pillars of juvenile police activities, and these are the subjects of Chapters 3 and 4. Chapter 3 specifies activities relating to delinquent minors and misconduct juveniles, while Chapter 4 specifies activities relating to juvenile victims and juveniles in need of protection. At any rate, activities such as street guidance and juvenile counseling target all four categories of juveniles, i.e. delinquent minors, misconduct juveniles, juvenile victims and juveniles in need of protection, and therefore feature in both activities aimed at preventing juvenile delinquency and activities aimed at protecting juveniles. Moreover, activities such as juvenile social participation, information supply and the control of harmful environments concern juveniles as a whole and community residents in general, let alone delinquent minors and juvenile victims. These activities may therefore be considered to form the foundation of activities aimed at preventing juvenile delinquency and activities aimed at protecting juveniles. For this reason, they are specified in Chapter 2 as “general activities” before activities aimed at preventing juvenile delinquency and activities aimed at protecting juveniles, which are covered in Chapters 3 and 4, respectively.

Although investigations for juvenile cases form an important part of juvenile police activities, they are not included in the Regulations, except for a brief passage reading “in addition to criminal investigations and ...” in Article 12, paragraph 1, as they are already covered in the Criminal Investigation Code. The inclusion of investigations for juvenile cases and other activities relating to delinquent minors as part of activities aimed at preventing juvenile delinquency may raise questions, as they are, after all, aimed at juveniles who have already engaged in delinquent behavior. In light of the purpose of the Juvenile Law, however, investigations for juvenile cases are geared towards the rehabilitation and healthy development of juveniles who have committed crimes rather than their punishment, and in that sense it is appropriate to call them “activities aimed at preventing juvenile delinquency”.

## **2. Characterization of Juvenile Guidance Officials and Juvenile Support Centers**

Article 2 defines the major terms used in the Regulations. The definitions given in subparagraphs 1 to 9 are basically the same as those found in the Guidelines, although the term “guardian” defined in subparagraph 9 has a narrower scope than “guardian or the like” in the Guidelines.

A major significance of Article 2 of the Regulations is the clarification of the status of juvenile guidance officials and juvenile support centers through a national public safety commission regulation. In the past, juvenile guidance officials and juvenile counseling experts were specified in Articles 3 and 4, respectively, of the Guidelines, but these did not have the authority of a national public safety commission regulation<sup>8)</sup>. Established under nationwide prefectural police headquarters, juvenile support centers were not specified anywhere until 2000, not even in the Guidelines, despite playing the central role in juvenile police activities other than criminal investigations.

Article 2, subparagraph 10, of the Regulations defines a juvenile guidance official as a person appointed from employees of a prefectural police service (excluding police officers) with the necessary knowledge and skills in juvenile counseling, ongoing guidance, ongoing support for juvenile victims and other juvenile police activities requiring specialist knowledge and skills by the police chief (the Superintendent-General of the Tokyo Metropolitan Police Department or the chief of a prefectural police headquarters), and this definition of a juvenile guidance official encompasses both a juvenile guidance official and juvenile counseling expert as defined in the Guidelines. The omission by the Regulations of a separate definition for a juvenile counseling expert is attributable to the fact that the activities of the two have become almost indistinguishable over the years. The main contributing factors are the improvement of the knowledge and skills of many juvenile guidance officials to a comparable level to those of juvenile counseling experts as a result of various training programs and growing expectations for juvenile counseling experts to be involved in juvenile police activities requiring a broad knowledge and skills regarding the characteristics of juveniles, in addition to juvenile counseling. As a result, the need to maintain a regulatory distinction between the two types of personnel has now been virtually eliminated, thus allowing the traditional regulatory concept of “juvenile counseling experts” to be taken over by “juvenile guidance officials”. However, this does not exclude the continued use of the term “juvenile counseling experts” by prefectural police services that distinguish it from “juvenile guidance

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<sup>8)</sup> Juvenile guidance officials and juvenile counseling experts (Article 3 and 4) were introduced through the 1996 overhaul of the Guidelines. Until then, the Guidelines only contained the following provision: “The police chief shall consider mobilizing police personnel other than police officers in juvenile police activities, if deemed appropriate in relation to the implementation of such activities” (Article 15 (Utilization of Police Personnel Other Than Police Officers)).

officials” to signify personnel who possess a higher level of expertise in counseling than in guidance for purposes such as recruitment, appointment and job description.

Article 2, subparagraph 11, of the Regulations defines a juvenile support center as an organization that satisfies the following three criteria: (i) an internal organization of the Tokyo Metropolitan Police Department, a prefectural police headquarters or a district headquarters, (ii) staffed with juvenile guidance officials or police officers with knowledge and skills in juvenile counseling, ongoing guidance, ongoing support for juvenile victims and other juvenile police activities, and (iii) designated by the police chief or chief of the district headquarters to play the central role in juvenile police activities requiring specialist knowledge and skills or ongoing implementation. As long as these criteria are satisfied, any organization qualifies as a juvenile support center under the Regulations, regardless of its name or size. A juvenile support center does not have to be physically based in the police headquarters building, and can be set up in a police station. Setting up a juvenile support center inside a local government or private sector facility can alleviate people’s reluctance to visiting a police facility, so that it should be actively pursued.

### **3. Basic Principles of Juvenile Police Activities**

Article 3 of the Regulations specifies the basic principles of juvenile police activities, namely the basic attitude towards juvenile police activities. Although Article 10 of the Guidelines had similar provisions, Article 3, subparagraph 1, of the Regulations calls for “special consideration to the improvement of juveniles’ sense of social norms and their rehabilitation” in addition to a spirit of promoting the “healthy development of juveniles” as the purpose of juvenile police activities <sup>9)</sup>. This provision reflects the fact that the improvement of the sense of social norms is an essential element of the prevention of juvenile delinquency and that rehabilitation and recovery of juveniles is an essential condition for the achievement of the healthy development of juveniles as the main purpose of the Regulations. Subparagraphs 2 (understanding of the characteristics of juveniles), 3 (personalization of treatment) and 4 (privacy protection) roughly echo subparagraphs 2, 3 and 6, respectively, of the Guidelines.

Subparagraph 5 has introduced a new requirement for thorough consideration to international trends regarding juvenile delinquency prevention and protection. In concrete terms, this concerns the move to review juvenile justice procedures at the United Nations and

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<sup>9)</sup> Article 10, subparagraph 1, of the Guidelines stipulated: “Spirit of promoting healthy development — Juvenile police activities shall be undertaken with a spirit of promoting the healthy development of juveniles, keeping in mind the fact that the purpose of those activities is to prevent juvenile delinquency and promote the welfare of juveniles”. Article 3, subparagraph 1, of the Regulations, on the other hand, calls for “a spirit of promoting the healthy development of juveniles and special consideration to the improvement of juveniles’ sense of social norms and their rehabilitation”.

international efforts geared towards the prevention of crimes relating to child prostitution and pornography, as well as the need to properly enforce the Convention on the Rights of the Child, which Japan ratified in 1994. Amid accelerating globalization, cross-border crimes look certain to increase in the future, and international law enforcement efforts will intensify accordingly. In line with these trends, prefectural police services need to make active efforts to crack down on Japanese overseas child prostitution cases, Internet-based child pornography cases, etc.

#### **4. Juvenile Social Participation Activities, Etc.**

Article 9 of the Regulations provides for considerations to be made when implementing “volunteer activities and other community service activities based on broad participation of juveniles and hands-on experience activities geared towards improving juveniles’ sense of social norms or fostering their awareness of being members of society, including judo, kendo (Japanese fencing) and other sports activities” — namely social participation activities, sports activities, etc. Social participation activities encompass community servicing activities, traditional culture learning activities, production experience activities, etc., while community service activities include, among other things, environmental beautification activities (e.g. park cleanup and graffiti cleanup) and visits to welfare facilities. Apart from juvenile judo and kendo classes, typical sports activities included baseball tournaments and soccer tournaments<sup>10)</sup>.

The purpose of police encouragement of juvenile participation in these activities is to prevent juveniles from becoming delinquent and ensure their healthy development by helping them learn rules and etiquette, improve their sense of social norms and awareness of being members of the community, acquire social skills, etc. In recent years, efforts have been underway to energize the juvenile police volunteer system and create a place to settle in for juveniles based on the idea that giving such a place to juveniles as their mental and physical basis of existence is important for juvenile delinquency prevention and protection, and Article 9 of the Regulations was introduced along these lines.

#### **5. Information Supply**

In view of the importance of concerted efforts of the family, school and local community in juvenile police activities, Article 10 of the Regulations provides that information held by the police be actively supplied so as to widely inform the general public of the situation surrounding juvenile delinquency as a means to win their deep understanding and active support for juvenile police activities and promote and support volunteer activities by the general public, relevant organizations, volunteer groups and others.

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<sup>10)</sup> See pages 51 to 52 of The White Paper on Police 2001.

Here, the use of the term “information supply” instead of “public information and education” highlights the article’s intention to supply information as it is to serve the diverse needs of the general public, and this is based on the stance that the police and community residents are equal partners, rather than the police being superior to community residents, as has been stated in the paper entitled “Juvenile Police and Volunteers”, the first feature of this special issue.

The article also provides that care be taken in information supply so that the police’s specialist knowledge, skills and information regarding juvenile police activities be passed on to the activities of relevant organizations (e.g. schools) and others geared towards the healthy development of juveniles by, among other things, explaining the state of police efforts geared towards juvenile delinquency prevention and protection through the concrete exchange of information with them via school-police liaison councils and joint forums and provision of active support for seminars, etc. organized by them.

## **6. Advice and Other Measures Aimed at Delinquent Minors**

As has already been explained, the Regulations focus only on activities other than criminal investigations, as working rules for investigations included in the Criminal Investigation Code are applicable to investigations for juvenile cases. Regarding delinquent minors, Article 12, paragraph 1, provides for the timely implementation of various actions designed to fill the gap which may arise between the time they leave police jurisdiction and the time a permanent action is taken based on the premise that delinquent minors are to be referred to a prosecutor, family court or juvenile counseling center and subsequently subjected to an action decided on by the relevant organization. These actions include advice to juveniles or their guardians, and notification of schools and other relevant organizations. Without them, juvenile minors may become quite unstable depending on individual cases, thus compromising their treatment. In a sense, it is quite natural that a caution, advice, guidance and other actions are taken for delinquent minors outside procedures such as investigation, referral and notification, and Article 12, paragraph 1, provides a regulatory confirmation for it. Nevertheless, it is emphasized that the intention of these actions is to complement referral and notification, rather than letting delinquent minors off lightly with a caution, guidance, etc.

Here, a brief explanation of the school notification system is provided, along with some suggestions. Whether to inform the school in a juvenile delinquency case involving students has long been considered a difficult issue. The police are bound to handle personal information carefully, and Article 3, paragraph 4, of the Regulations provide for privacy protection.

However, the prevention of juvenile delinquency and healthy development of juveniles cannot be achieved by the police alone, and the cooperation of guardians and schools is essential. A school is a place where students spend most of their time during the day, so that

teachers have a significant role to play in students' supervisory care, which is only second to their guardians' role. In cases where the guardian lacks the ability to properly care for the juvenile, his/her homeroom teacher may even be expected to play the role of a "substitute parent". From the viewpoint of preventing juvenile delinquency and promoting the healthy development of juveniles, therefore, it is often necessary to inform the school about the problem the juvenile has and have it reflected in the school's student guidance activities, instead of keeping it from them out of excessive consideration for the student's privacy. For this reason, it is desirable to establish a school notification system that is subject to certain criteria, but in reality, the approach to delinquency cases varies from prefecture to prefecture, police station to police station and school to school, partly because the attitude towards privacy varies with the locality. In particular, in the case of a senior high school or private school, the police seem to feel more obliged to be cautious about contacting the school out of concern that it might cause the expulsion of the student, thus undermining the rehabilitation process by robbing him/her of a place to settle in.

Before a school notification system can be established, it is necessary to sort out at least the following issues through consultation with the Board of Education and the association of private schools. The first issue is privacy protection, and it is not a good idea to let everyone know everything. Divulging more information than necessary from the viewpoint of the prevention of juvenile delinquency and promotion of the healthy development of juveniles may lead to a violation of the privacy protection ordinance of the prefecture concerned. For example, it is necessary to set up clear-cut contact points on both the police and school sides, and the assigned police personnel should only talk to his/her school counterpart. Moreover, the scope of disclosure should be limited to the most basic facts, such as the type of offense and method used, with finer details withheld as confidential. In the case of a private school, assurance for privacy protection should be obtained from the school. The second issue is expulsion and other disadvantageous actions. It is necessary to have the school fully understand that expulsion and other hastily-decided disadvantageous actions are counterproductive to the prevention of juvenile delinquency and healthy development of juveniles, which are the purposes of the notification system. Furthermore, it must be made clear that any blame laid by the juvenile or his/her guardian over a disadvantageous action taken contrary to the spirit of the notification system should be borne by the school alone.

To sort out these issues, it is desirable to prepare a written agreement in advance <sup>11)</sup>.

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<sup>11)</sup> The Miyagi Student Support System introduced by the Miyagi Prefectural Police Service in October 2002 provides typical examples of agreements drawn up between the police and school organizations (e.g. Board of Education and associations of private junior and senior high schools).



### **III Future Tasks**

At a time when the number of Penal Code offenses known to the police is approaching the 3 million a year mark, the old maxim “there is no better crime prevention than making arrests” no longer applies. On the contrary, crime prevention is one of the most pressing issues. The juvenile share of Penal Code offenders now exceeds 40%, and juveniles account for some 20 to 30% of all street robbery and purse snatching arrests. Indeed, the prevention of juvenile crimes holds the key to the restoration of public order. As has been discussed, there is a need to detect juveniles’ problematic behaviors early on through street guidance, juvenile counseling and other methods and take appropriate action, such as advice and guidance, as well as creating a place to settle in for juveniles in cooperation with volunteers.

Until recently, the need for these activities was not fully recognized, not least within the police organization. Moreover, there was inadequacy in the efforts to inform the general public about the importance of the juvenile delinquency issue and activities undertaken by the police in this area and win their understanding and support. To tackle these problems, the Regulations have been introduced, but this is only a first step.

The ultimate goals will be the proper implementation of juvenile police activities based on the full understanding of the purpose of the Regulations by each police personnel and strengthening of concerted efforts of the community and police towards the healthy development of juveniles. To this end, the senior personnel of the juvenile police division must ensure the proper enforcement of the Regulations.

# Activities by Juvenile Support Centers for Protecting Juveniles

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### Concluding Remarks

## **Introduction**

In the midst of trends toward worsening victimization due to reasons such as juvenile delinquency and crimes, police policy programs including “Establishment of Juvenile Support Centers” were formulated in June 1998 for the purpose of dealing with present-day problems such as juvenile delinquency. As soon as the above-mentioned “Establishment of Juvenile Support Centers” was announced, the Juvenile Division of the National Police Agency was flooded with inquiries like “What is a Juvenile Support Center? What activities does such a center perform?” and initiative approaches such as “Is there anything that we can do by way of cooperation?” Thus the present writers remember fully realizing how high the interest and morale were regarding juvenile issues and how large the expectations were for Juvenile Support Centers. Ever since April 1999, the more actively the establishment of Juvenile Support Centers have been promoted by police organizations throughout the country, the larger expectations for activities of such centers were entertained by local residents and related organizations / bodies dealing with juvenile issues.

Such being the case, the present writers think that sustained efforts should be made so that Juvenile Support Centers, which are organizations specializing in juvenile issues, will become entities that meet people’s expectations and are truly recognized socially.

In addition to intending to systematically grasping Juvenile Support Centers, this paper is designed to have the following done: a general view will be taken of the intent and the course of events of the Juvenile Support Center concept; mention will be made of the status of establishment and operation of Juvenile Support Centers in prefectural polices, as well as points of view of juvenile protection; and moreover, specific instances in prefectural polices will be presented.

It is hereby affirmed that any statement pertaining to opinions in what follows is a personal view of the present writers.

# 1. Course of Events of Juvenile Support Center concept

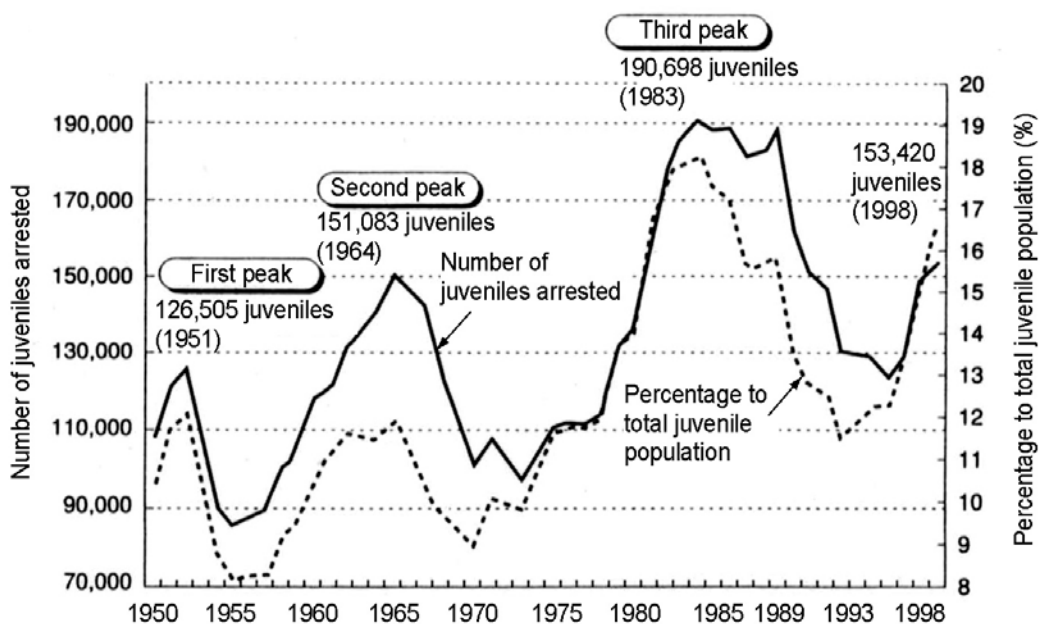
As mentioned at the outset, the concept of Juvenile Support Centers can be said to have been created in response to a truly national and social request to the effect that in the midst of trends whereby matters such as juvenile delinquency situations are worsening, juveniles, who will play important roles in the future, be protected from delinquency and crime victimization, and that such juveniles be fostered soundly. Here, a general view is intended to be taken of the course of events of the concept of Juvenile Support Centers.

## 1.1 Aggravation of juvenile issues as seen in a historical background

In 1993, juvenile delinquency entered the fourth largest increase phase after World War II in the following background: there was progress in brutality and violence, for example, due to weakening of model awareness of juveniles themselves, as well as indifference of families and local societies; and there was aggravation of problems such as contamination of juveniles with drugs like stimulants and expansion of deviant sexual acts (Chart 1). Moreover, qualitative changes are observed in that conspicuous phenomena are that “children of ordinary families” who apparently do not seem to have any problems in terms of economy commit “abrupt” type delinquency.

Furthermore, by way of a problem very closely connected with worsening of juvenile delinquency, the issue of crime victimization pertaining to juveniles is in an extremely serious situation. Particularly conspicuous nowadays are cases where children in low age brackets are victimized.

**Chart 1 Changes in numbers of juvenile criminal offenders arrested and percentages of such juveniles to total juvenile population**



## 1.2 Activities by the government

In the midst of the situation where matters such as juvenile delinquency were worsening, it was declared in the policy speech given by Prime Minister Hashimoto in the 142nd Diet session (on February 16, 1998) that juvenile issues would be addressed by the entire government as well as by the whole society.

Particularly, in 1998, juvenile delinquency became a big problem from a social point of view in that, for example, vicious crimes using cutting implements like butterfly knives occurred in succession starting at the beginning of the above-mentioned year <sup>(Ref. 1)</sup>. Such being the case, in March 1998, the “Expert Committee for Deliberation on Juveniles Playing Important Roles in Next Generation” (police-related participants being the Chairman of the National Public Safety Commission [the cabinet member concerned] and Mr. Iwao, member of the National Public Safety Commission [an expert]) was established under the Prime Minister. In April of the above-mentioned year, this Expert Committee not only indicated the basic recognition that it would be necessary for the entire government to deal with juvenile issues but also gave recommendations to ministries and agencies concerned to the effect that studies should be made on specific policies <sup>(Ref. 2)</sup>. Those items in these recommendations on which the police was requested to make studies can be said to be “strengthening of recognition / handling functions regarding problem behavior of juveniles,” “strengthening of case solving functions,” “strengthening of functions of transmitting information for forming model awareness and for arousing common problem awareness of society regarding the actual situation of juvenile delinquency,” and “strengthening of functions of purifying social environments surrounding juveniles” (Chart 2).

## Chart 2

“In the interest of juveniles playing important roles in the next generation”  
 — Interim Report of the Expert Committee for Deliberation on Juveniles Playing Important Roles in Next Generation (April 1998)

“Aiming to protect children from delinquency”  
 — Guidelines on Measures to Be Taken by Police (June 1998)

Assistance in home education  
 — Such as assistance in child care

Assistance in school education  
 — Such as open schools, as well as education of minds

Creation of “places where juveniles belong”  
 — Such as participation in society, as well as nature-based experience

Handling of problem behavior  
 — Specialist assistance, as well as assistance in formation of model awareness

Purification of social environments surrounding juveniles  
 — Mass media, as well as countermeasures against misdeeds

Establishment of “Juvenile Support Centers” with juvenile probation officers as cores  
 — Promotion of delinquency prevention measures in cooperation with related organizations

Strengthening of capabilities to investigate juvenile cases  
 — Appropriate handling of vicious delinquency

Enrichment of information transmission setups  
 — Handling of problem with model awareness of juveniles, as well as indifference of local societies

Promotion of juvenile protection measures meeting the trend of the times  
 — Handling of problems with social environments changing shape rapidly

### 1.3 Formulation of policy programs at police

In August 1997, the police formulated the “Essentials of Promotion of Comprehensive Countermeasures against Juvenile Delinquency” (a notice by Vice-Director of the National Police Agency), and have been promoting comprehensive measures pertaining to matters such as juvenile delinquency in such a way that the basic philosophy is to implement “strong and kindhearted” juvenile police operations <sup>(Ref. 3)</sup>. In the midst of the times when the juvenile delinquency situation was worsening, all countermeasures conceivable at relevant time points were implemented for the purpose of not only coping with present-day problems of juvenile delinquency but also establishing countermeasures based on a hard look at the background of these problems. On the other hand, comprehensive studies were made from a more medium- and long-term viewpoint in such way that courses of action shown in the above-mentioned recommendations of the Expert Committee were also taken into consideration. As a result, a report titled “Aiming to Protect Children from Delinquency — Present-day Problems of Juvenile Delinquency and Activities Implemented by Police” was prepared in June 1998.

In this report, the following four pillars were mentioned as policy tasks that need to be addressed by the police: “establishment of ‘Juvenile Support Centers’ with juvenile probation officers as the cores,” “strengthening of capabilities to investigate juvenile cases,” “enrichment of information transmission, for example, by holding drug abuse prevention classes with information cars utilized,” and “promotion of juvenile protection measures meeting the trend of the times.” Currently, juvenile police departments in the whole country are pushing forward activities for concretizing these policy tasks and for further establishing and deepening them, in cooperation with departments concerned and related organizations / bodies.

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## **2. Purport of Concept of Juvenile Support Centers**

### **2.1 Problem recognition and courses of action**

The concept of Juvenile Support Centers was created by following such a course of events. The following problem recognition is at the starting point of this concept. Namely, in the midst of the situation where matters such as juvenile delinquency trends become increasingly serious, the police, which is commonly the first to recognize juvenile problem behavior, is most probably required to take more appropriate actions than ever before with respect to parties such as juveniles in the stage of delinquency that could be a sign of serious misdeeds, juveniles victimized by incidents like crimes, and families of such juveniles.

In specific terms, what follows, for example, were pointed out as tasks.

The following activities should be enriched.

- Advice and guidance to juveniles from a specialist point of view
- Advice and guidance from a specialist point of view to families to which juveniles belong
- Continuous guidance and assistance to juveniles, if necessary
- Introduction of the following, if necessary: appropriate consulting organizations depending on problems carried by juveniles or their families; and social participation activities that can be “places where juveniles belong”

Moreover, the following should be promoted by way of what can serve as foundations for these activities.

- Routine exchange of information with related organizations / bodies, with the aim of enriching assistance to entities such as juveniles and their families; and establishment of networks through exchange of opinions
- Implementation of joint guidance activities together with entities such as juvenile police volunteers, school-related persons, and municipal juvenile guidance center staffers, in such a way that improvement of delinquency prevention functions of society is also taken into consideration.

### **2.2 Utilization of human resources of police**

On the other hand, it has often been the case rather than otherwise that expert staffers such as juvenile guidance staffers and juvenile consulting expert staffers, who are expected as pillars of these activities, are dispersed to front-line police stations, thus being subjected to fixed assignment and management.



Such being the case, the following course of action was hammered out: juvenile guidance staffers and juvenile consulting expert staffers, who can be said to be experts on juvenile issues in the police, should be managed in a concentrated manner, for example; “Juvenile Support Centers” should be established with such staffers as the cores; these centers should be regarded as specialist organizations for juvenile guidance and protection in the police; and systematic activities should be implemented.

Besides, under the budget for fiscal year 1999, the National Police Agency took steps to develop infrastructures (including mobile guidance center cars and information communications equipment) for establishing Juvenile Support Centers throughout the country.

### **3. Status of Establishment and Operation of Juvenile Support Centers**

#### **3.1 Basic concept regarding establishment of Juvenile Support Centers**

As mentioned above, Juvenile Support Centers are organizations aimed at the following.

- In terms of personnel management, juvenile guidance staffers and juvenile consulting expert staffers are managed in as concentrated a manner as possible, thereby taking advantage of scale merits in the aspect of activities.
- In terms of the contents of activities, necessary assistance actions should be performed systematically and in an expert manner, with regard to juveniles who committed delinquency and were taken into custody by organizations such as local police departments of police stations, as well as with respect to victimized juveniles who were protected.

As regards the specific way that such organizations should be, actual circumstances of prefectural polices such as the following should naturally be taken into consideration: setups for juvenile guidance staffers and juvenile consulting expert staffers; geographical conditions; and actual situations of juvenile delinquency and crime victimization.

Even before the “concept of Juvenile Support Centers” was worked out, attempts were made in some prefectural polices to establish “Juvenile Support Centers” as organizations specialized in performing assistance activities for entities like juveniles who committed delinquency, victimized juveniles, and their families, in such a way that juvenile guidance staffers and juvenile consulting expert staffers were subjected to concentrated management at police headquarters. In setting up Juvenile Support Centers throughout the county, organizations compatible with actual situations of respective prefectural polices are established, in such a way that the pertinent aim is borne in mind.

#### **3.2 Status of establishment and operation of Juvenile Support Centers**

Currently, Juvenile Support Centers are established in 46 prefectural polices in Japan. In the only prefecture where such a center is not established yet, specific studies are being made with the aim of establishing the center within this fiscal year.

A look at the establishment status of Juvenile Support Centers at prefectural polices shows the following: in the main, such centers are established at locations of police headquarters and in major cities, in that, for example, a main center (which is ranked in many cases as an organization affiliated with a juvenile section) is established in the section in charge of juveniles in a police headquarters, and a number of sub-centers are established in appropriate places. Besides, there are cases where consideration is given so that psychological pressure will not be applied to users such as juveniles or their guardians, by having the following done, for example (in spite of factors such as budgetary limitations): facilities

independent of police headquarters and police stations are leased; or in cases where a Juvenile Support Center is established as an annex to a police headquarters or a police station, the entrance to such a center is built separately, or an exclusive juvenile consulting room is located inside the Juvenile Support Center.

In the next place, a look at the operational status of Juvenile Support Centers shows that operations are performed by having the following done, for instance: a single Juvenile Support Center performs work covering a number of police stations; all juvenile guidance staffers and juvenile consulting expert staffers are assigned to the section in charge of juveniles of a police headquarters, since a Juvenile Support Center serves as a base for a network for related organizations / bodies to be mentioned later; or personnel like juvenile guidance staffers are subjected to concentrated management at a relatively large police station and are made to serve concurrently for the said police station and for the section in charge of juveniles of the pertinent police headquarters. Furthermore, in some prefectures, management is performed in the following manner due to factors such as geographical conditions or organizational problems involving personnel like juvenile guidance staffers: Juvenile Support Centers are established; however, personnel like juvenile guidance staffers are left assigned to neighboring police stations; and such personnel carry out activities together with Juvenile Support Center employees, as necessary.

As mentioned above, the current situation is such that establishment and operation of Juvenile Support Centers are not uniformized nationwide. However, in order for Juvenile Support Centers to function as organizations taking root in local societies, it will be important, rather than otherwise, that these organizations be configured in such a way as to be compatible with actual situations of respective prefectures.

It goes without saying, however, that these systemic, facility-related matters should be further expanded and developed in such a way that factors like the needs of local residents are taken into account in the course of enriching and strengthening setups for personnel like juvenile guidance staffers and juvenile consulting expert staffers as well as activities of Juvenile Support Centers.

#### **4. Activities of Juvenile Support Centers with Perspective of Juvenile Protection taken into Account**

The establishment of Juvenile Support Centers is merely a “starting point” for the police to promote further strengthening of “prevention of juvenile delinquency” and “protection of juveniles.” For this reason, each prefectural police is promoting activities compatible with the actual situation of the relevant prefecture so that the pertinent Juvenile Support Center will be brought up as an entity that meets the expectations of the people and are truly recognized from a social point of view.

Here, mention is intended to be made of matters for which activities are pushed forward on a nationwide basis.

##### **4.1 Establishment of networks among related organizations / bodies with Juvenile Support Centers regarded as “linchpins”— Taking the lead in addressing juvenile issues in the whole society**

As regards cooperation in juvenile issues among related organizations / bodies, the following activities are promoted, among others: establishment of “networks for prevention of juvenile abuse.” However, as for “cooperation” among related organizations / bodies, it is true rather than otherwise that there took place, in the past, actions such as “transfer of business” and “notification” regarding matters on the basis of trust relationship among staffers at the working level. But it is considered difficult to say that the following are sufficiently the case: “cross-organizational” schemes and “person-to-person” relations are systematically established among related organizations / bodies; and moreover, such schemes and relations are functioning in real terms.

It is indispensable for juvenile issues to be addressed by the whole society. Nothing is more important than for related organizations / bodies to strengthen cooperation, thereby addressing these issues in unison. As is recognized by all organizations / bodies dealing with juvenile issues, it can be said to be an urgent task to have the following done in light of the fact that problems carried by juveniles and their families are complicated and diversified: comprehensive setups should be developed in which depending on various problems, larger numbers of organizations/ bodies provide wisdom and labor, thereby giving assistance aimed at solving problems. In planer language, it will be necessary to deal with juvenile issues encountered by the whole society including the people, in such a way that so-called “bureaucratic sectionalism” should be wiped out and that “cooperation” should truly be the keyword.

In order to promote strengthening of such cooperation among related organizations / bodies, it is considered extremely effective that the police, which is commonly the first to recognize juvenile problem behavior, should make positive approaches to related

organizations / bodies. Juvenile Support Centers established across the country are pushing forward activities aimed at establishing networks, by taking such a standpoint.

#### **4.2 Enrichment and strengthening of information transmission functions — Providing “practical information”**

Matters such as lack of juvenile model awareness, as well as indifference of families and local societies, are pointed out as some of the backgrounds of recent aggravation of juvenile delinquency. In order to form juvenile model awareness and to arouse joint issue awareness in local areas, it is effective that actual “practical information” obtained in police activities be provided to the society. Juvenile Support Centers are expected to function as the very key stations for this purpose. The effectiveness of provision of “practical information” mentioned above applies also to juvenile victimization due to incidents like crimes, which is closely connected with juvenile delinquency.

##### **(1) Accosting juveniles**

For example, the following can be mentioned as the background of the situation where contamination of juveniles with drugs is still feared: circumstances are such that even juveniles can easily obtain stimulants from traffickers including Iranian secret dealers at places such as downtown areas and railroad station squares; besides, juveniles have a mistaken perception that stimulants are “effective for dieting”; or, for example, juveniles call stimulants “S (es),” “Speed,” or otherwise, resulting in a diluted sense of resistance; and thus juveniles lack an awareness of the danger and harmfulness of drugs, as well as illegality of the use of drugs.

In order to deal with such problems, thereby protecting juveniles from contamination with drugs, the police is making efforts to hold drug abuse prevention classes that are conducted by sending police staffers to schools. In the future, it will be necessary that schemes and cooperative relations with schools that have been developed through such activities be expanded to the extent of holding “delinquency (victimization) prevention classes” aimed at preventing other types of delinquency, as well as prevention of victimization due to incidents like crimes, in such a way that Juvenile Support Centers will serve as the cores.

##### **(2) Accosting adults**

Development of computerization and changes in lifestyles in recent years have brought great convenience to daily lives. On the other hand, the following problems are pointed out as the “negative aspects”: attenuation of parent-child relationships; lack of model awareness on the part of parents themselves; dilution of sense of solidarity in local societies; and spread of indifference.

In order to promote activities on juvenile issues in the whole society, it is important that entities such as local residents, related business circles, and private volunteers recognize and execute their social roles according to their respective footings, in such a way that these entities share a common understanding of matters such as juvenile delinquency situations. In the future, it will be necessary to provide enlightenment regarding ideal adult societies for preventing juveniles from committing delinquency and for protecting juveniles from being victimized by incidents like crimes. For example, there exist various types of mass media by way of typical means for the people to be informed of the juvenile delinquency situation. It is considered that when the amount of information on “negative aspects” of juvenile issues becomes small, a large number of people may have an understanding that the juvenile delinquency situation is calming down. Particularly, when information on quantitative decrease of juvenile delinquency is received, such an understanding may tend to be fallen into. This being so, it is necessary that Juvenile Support Centers push forward publicity enlightenment regarding juvenile issues on a wide-ranging and detailed basis in such a way as to always take medium- and long-term viewpoints. The importance of such an approach will increasingly rise in promoting activities in the whole society.

#### **4.3 Enrichment and strengthening of intradepartmental cooperation — Functionalizing two aspects of “prevention of juvenile delinquency” and “protection of juveniles”**

Juvenile Support Centers are organized in such a way that juvenile guidance staffers and juvenile consulting expert staffers, who are experts on juvenile issues in the police, form the cores. Such centers are expected to display their technicality to the utmost in all activities for “prevention of juvenile delinquency” and “protection of juveniles.”

Therefore, it goes without saying that the ranking of Juvenile Support Centers in juvenile police activities should be established. Besides, cooperation with other departments and with police stations should be further strengthened in theaters of specific activities. For example, in the case of protection of victimized juveniles (assistance in mitigation of mental damage), ideal cooperative activities with investigatory departments involving the following, among others, will constitute central points: the issue of timing as to at what time point Juvenile Support Centers are to be made to perform crisis intervention from the viewpoint of relations with investigatory activities; and the issue of balance with investigatory activities with regard to how to push forward approaches for protection. In fact, these types of issues are to be studied individually depending on cases. Prompt transmission, to Juvenile Support Centers, of information on cases where juveniles are victimized is a minimum indispensable factor in preventing victimized juveniles from encountering secondary victimization. It is necessary to establish systems for this purpose.

In order to strengthen such intradepartmental cooperation, Juvenile Support Centers should make efforts to accumulate satisfactory records utilizing technicality, thereby winning the understanding and confidence of other departments.

## 5. Instances of Activities in Prefectural Polices

Among various activities performed at Juvenile Support Centers, “strengthening of cooperation with related organizations / bodies” is one into which Juvenile Support Centers across the country puts particular efforts. Here, specific instances of this item in prefectural polices are intended to be presented.

### 5.1 Strengthening of cooperation with related organizations / bodies

#### (1) Establishment of networks

The purpose of establishing networks between the police and related organizations / bodies is to make it possible that the most appropriate organization or the like will deal with incidents, depending on problems carried by individual juveniles involved in cases such as delinquency and crime victimization. For this purpose, it is necessary to establish a “flow” in which such cooperation is nothing special but is carried out naturally. Activities are pushed forward in a way compatible with actual situations of prefectural polices so that functional and continuous networks will result. Related organizations’ / bodies’ networks that have so far been reported to the National Police Agency can be broadly classified into the following patterns (including similar ones).

[Pattern 1: Teams consisting of staffers of related organizations / bodies are organized depending on individual cases, thereby dealing with problems.]

This pattern is such that networks consisting of working level staffers of related organizations / bodies are established, and that “Juvenile Support Teams” are organized by necessary organizations / bodies depending on individual cases (Hokkaido Prefectural Police, Aomori Prefectural Police, Toyama Prefectural Police [Chart 3], and Kyoto Prefectural Police)

[Pattern 2: Teams consisting of staffers of related organizations / bodies are organized depending on the contents of activities, thereby dealing with problems.]

This pattern is such that networks consisting of working level staffers of related organizations / bodies are established, and that relevant teams are organized depending on activities like juvenile guidance, juvenile consulting, continued assistance, environmental purification, and investigative research (Miyagi Prefectural Police as well as Mie Prefectural Police [Chart 4]).

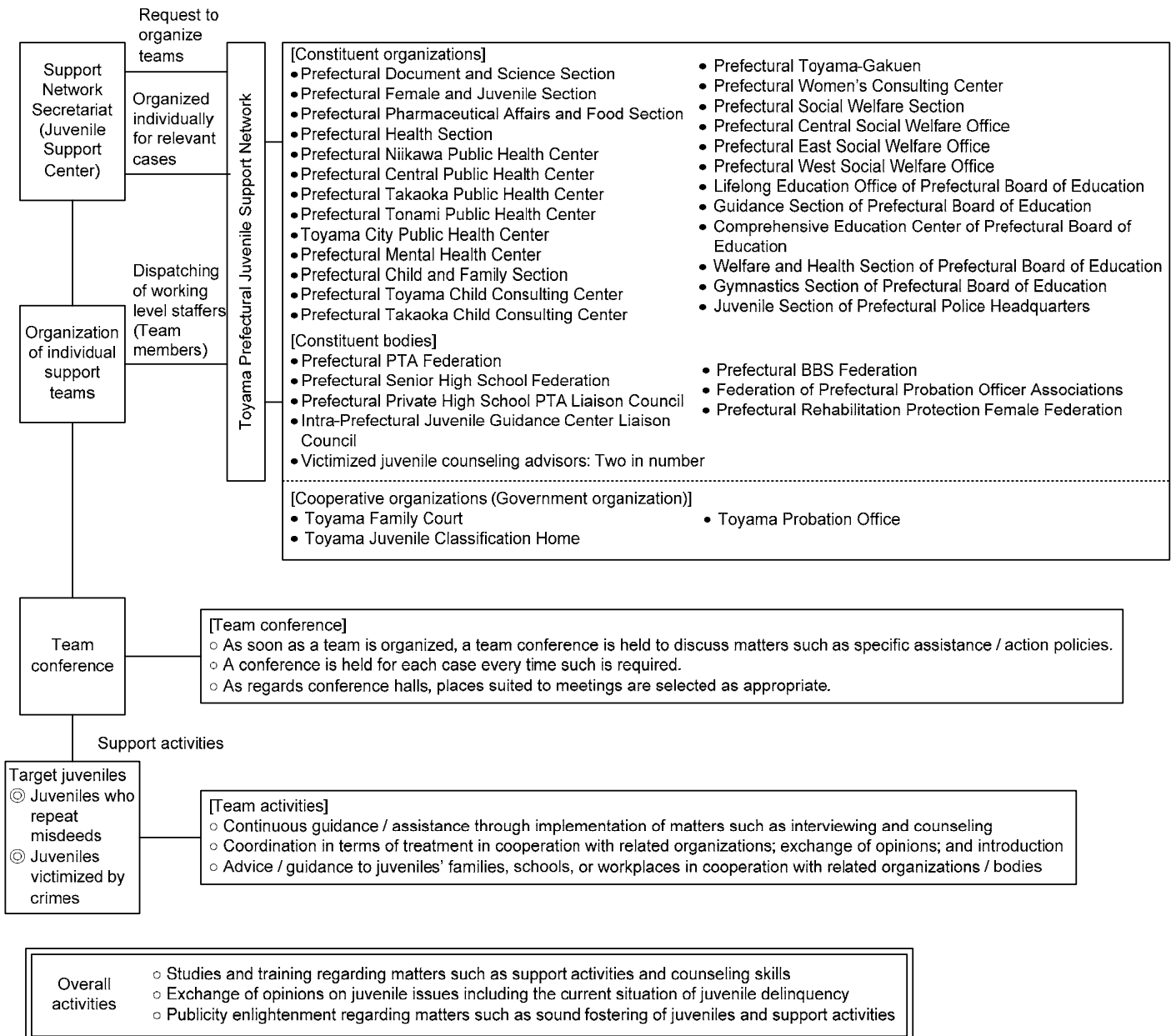
[Pattern 3: Existing entities such as conferences and councils are networked, thereby dealing with individual cases.]

This pattern is such that various existing entities like conferences and councils (consisting of prefectural police chiefs and staffers in the department manager class)

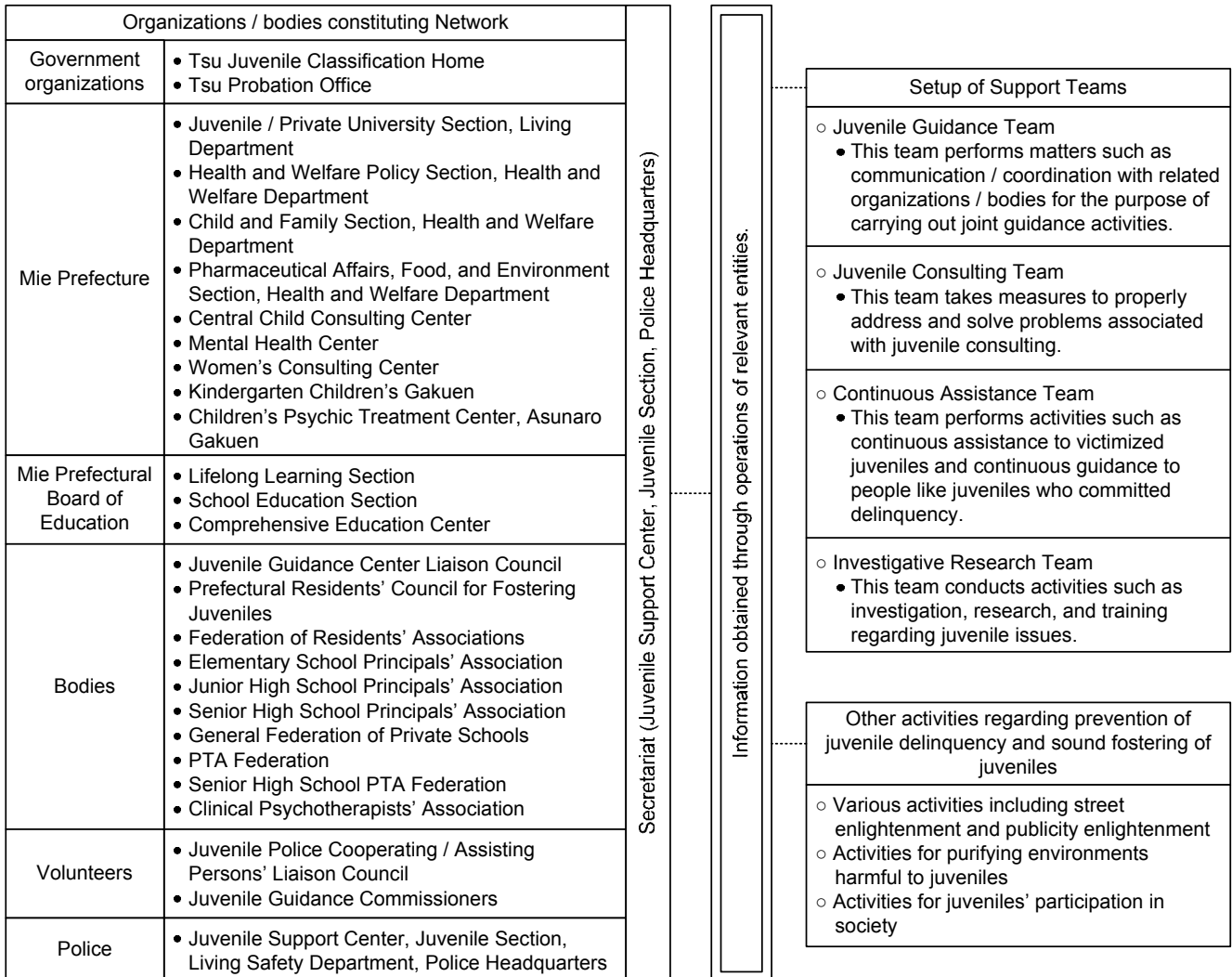


are networked, and that councils consisting of working level staffers (in the section manager class) of related organizations, bodies and promotion headquarters (consisting of working level staffers of entities like constituent organizations) are established as executive organizations, thereby jointly dealing with problems depending on individual cases and the like (Osaka Prefectural Police [Chart 5]).

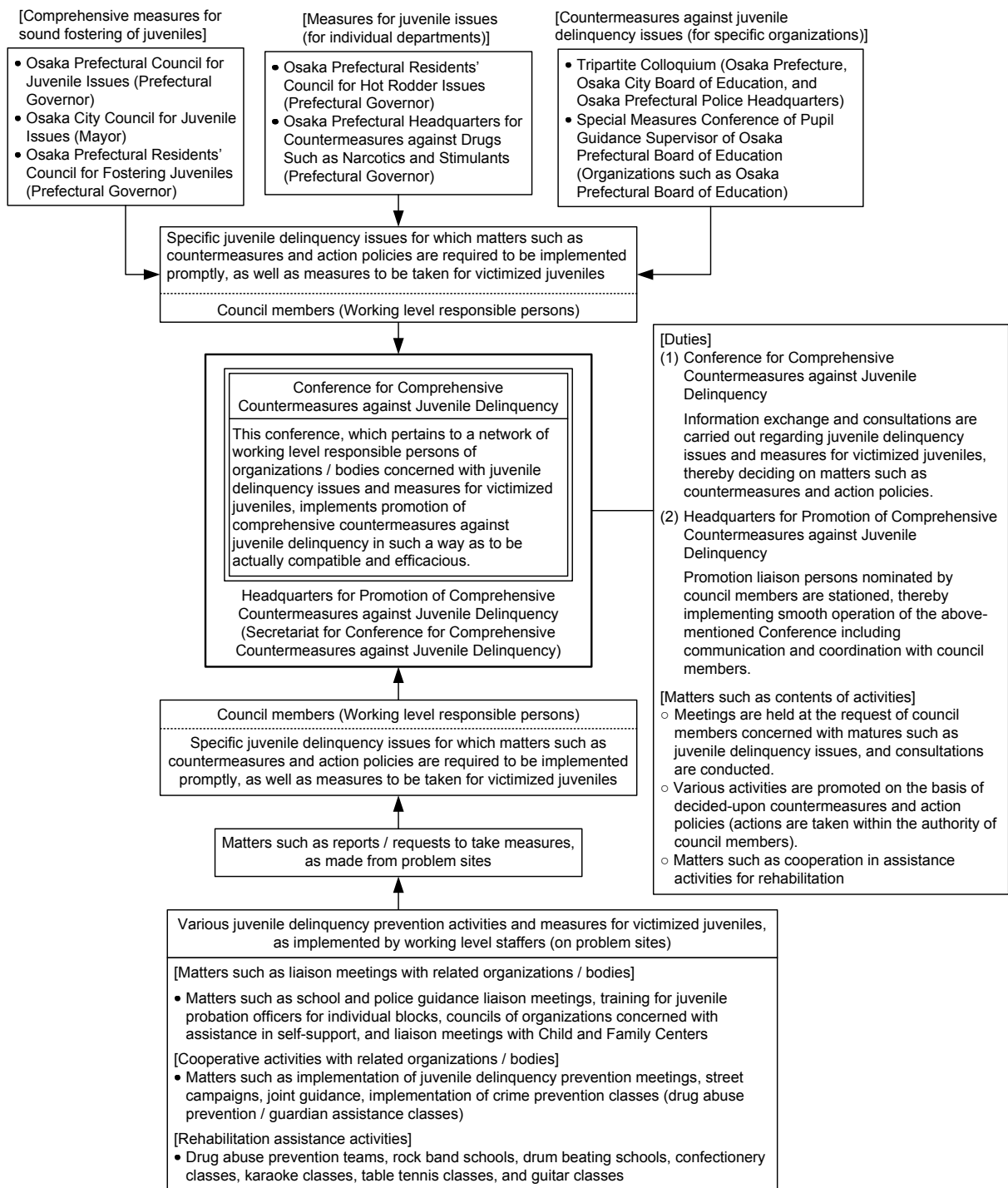
**Chart 3 Juvenile Support Network (Toyama Prefectural Police)**



**Chart 4 Mie Wakakashi Juvenile Support Network (Mie Prefectural Police)**



**Chart 5 Council for Comprehensive Countermeasures against Juvenile Delinquency  
(Osaka Prefectural Police)**



[Pattern 4: Systematic cooperation setups are established, thereby dealing with individual cases.]

This pattern is such that systematic cooperation between the police and related organizations / bodies is systematized, that working level staffers receive advice and guidance from related organizations / bodies or collaborate with working level staffers of related organizations / bodies, depending on individual cases handled by the police, thereby dealing with problems depending on individual cases and the like (Hyogo Prefectural Police, Tokushima Prefectural Police, and Fukuoka Prefectural Police [Chart 6]).

[Other: Fax or E-mail networks are established, thereby transmitting information.]

This pattern is as follows. Fax or E-mail networks (Internet networks) are established with schools and related organizations / bodies in such a way that Juvenile Support Centers serve as key stations. Information on the following, among others, is transmitted and exchanged, thereby arousing a joint awareness: actual situations of juvenile delinquency as well as juvenile victimization by incidents like crimes; and problems regarding measures to prevent delinquency and provide protection (Gunma Prefectural Police, Saitama Prefectural Police [Chart 7], Ishikawa Prefectural Police, and Mie Prefectural Police).

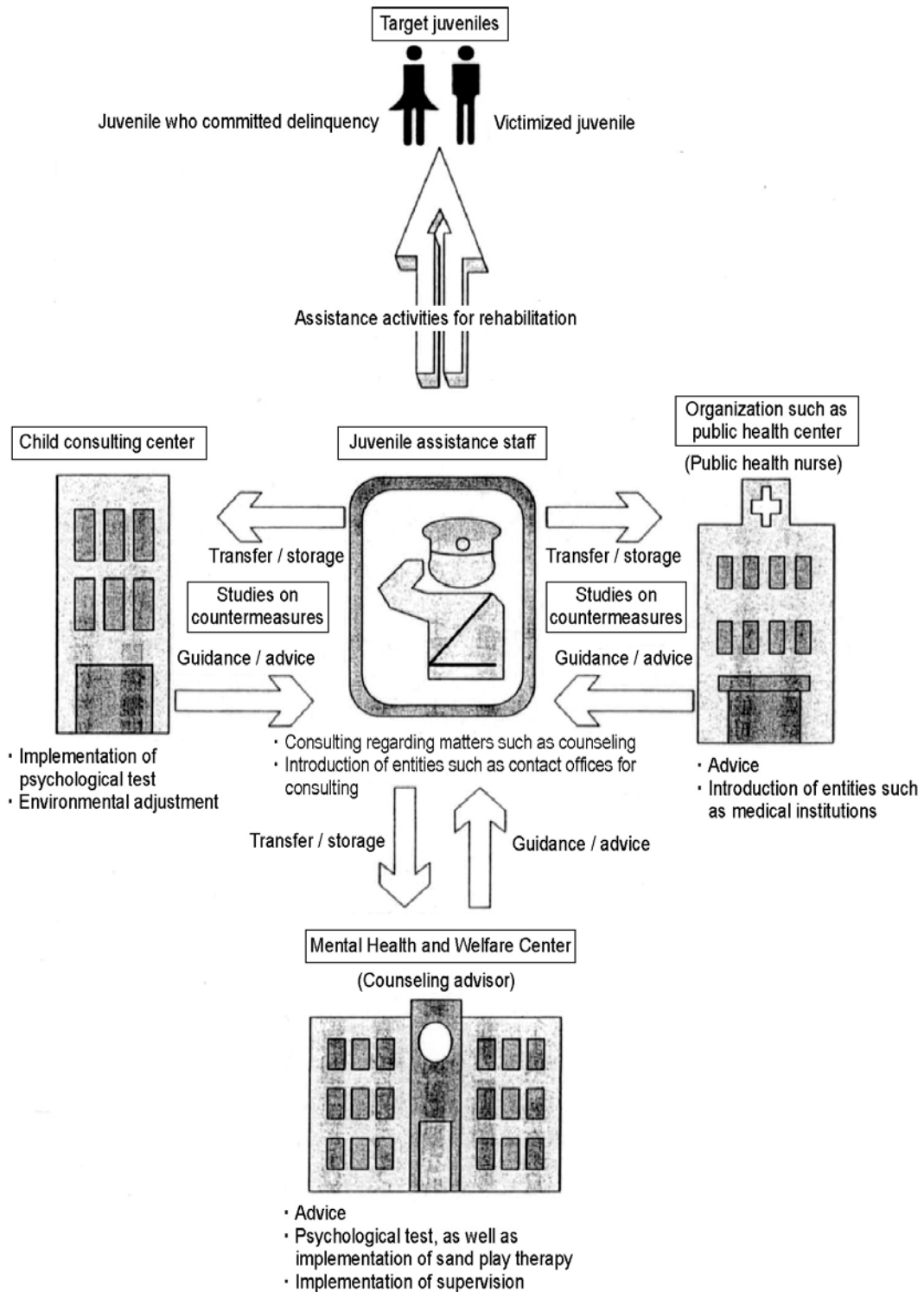
(2) Commissioning of private volunteers assisting in activities of Juvenile Support Centers

In some prefectural polices, private sector volunteers for assisting in activities of Juvenile Support Centers are newly commissioned, apart from existing juvenile police volunteers, thereby promoting assistance activities and the like in cooperation with Juvenile Support Centers.

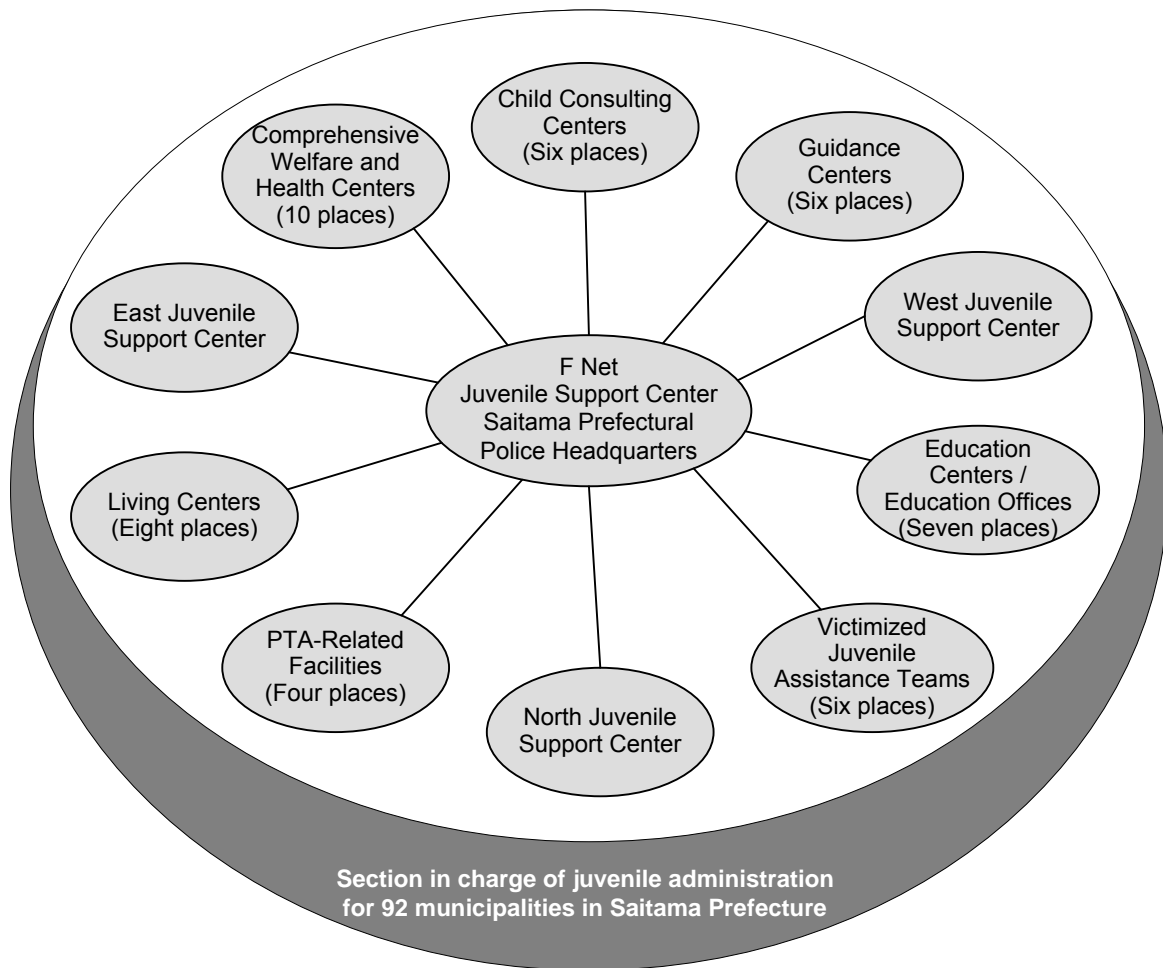
[Ibaraki Prefectural Police]

In Ibaraki Prefectural Police, the following is performed for the purpose of effectively promoting activities such as continuous guidance of juveniles who committed delinquency, continuous guidance to victimized juveniles, and handling of difficult juvenile consulting. Namely, support advisors (those who provide advice and the like from expert viewpoints including psychological aspects) and regional supporters (those who provide assistance in cooperation with support Center staffers), all of whom are private volunteers not doubling as conventional juvenile police volunteers, are commissioned, thereby aptly dealing, in particular, with cases requiring continuous expert assistance.

**Chart 6 Juvenile Assistance System (Fukuoka Prefectural Police)**



**Chart 7 Juvenile Support F Net System (Saitama Prefectural Police)**



## **5.2 Instances where cooperation was carried out with related organizations / bodies**

### **(1) Continuous assistance to victimized juveniles**

[Mie Prefectural Police]

- Continuous assistance was provided to a victimized (injured) juvenile in cooperation with a victimized juvenile counseling advisor of the Prefectural Board of Education.

A request for consulting was received regarding a juvenile (female junior high school student) who became a truant due to persistent violence inflicted by a classmate. Necessary advice was given, and developments were observed. The mental damage of the victimized juvenile was so intense that a continuous assistance team was organized which consisted of a Juvenile Support Center staffer, staffers of the Board of Education (the School Compulsory Education Section and an adaptation guidance class), and a victimized juvenile counseling advisor. Under expert advice of a victimized juvenile counseling advisor, this continuous assistance team made repeated

house visits, thereby providing assistance including counseling (in this connection, the suspect juvenile was taken to the relevant family court with due notification given.)

[Shimane Prefectural Police]

- Crisis intervention was performed at the time that the relevant case was recognized, thereby providing continued assistance to the victimized juvenile (victim of indecent assault).

At the point in time when the police recognized the relevant indecent assault case, a juvenile guidance staffer (female) was dispatched to the problem site to accompany the victimized juvenile (female senior high school student). Thus not only was this staffer made to perform crisis intervention, but also assistance activities were pushed forward in parallel with required investigative actions.

## (2) Handling of child abuse

[Hokkaido Prefectural Police]

- In cooperation with a child consultation center, a victimized child was coercively taken into custody by applying Article 28, Clause 1 of the Child Welfare Law (Kushiro District Headquarters).

A request to hold a Support Team meeting was received from a child consultation center with regard to a case of child abuse by a real father. Consultation with related organizations was started regarding protection measures for the victimized child (boy, who was in temporary custody). By way of a protection policy, the Support Team meeting decided that the first action be to hand the child over to a grandmother of his. At a point in time two months after handing him over, a statement was received from the grandmother to the effect that “she was unable to take custody of the child.” Besides, the real father stubbornly refused to have the child accommodated in a home for abused children. The Support Team meeting reached the conclusion that it was appropriate to finally accommodate the child in the home from the point of view of protecting the child. As a preliminary step, the child was taken into temporary custody, and attempts were made to persuade the real father. However, it was not possible to obtain the approval of this person. Therefore, it was decided to apply the measures in Article 28, Clause 1 of the Child Welfare Law, thus pleading the relevant family court for approval (as well as for preservative measures for the child). As a result of adjudication, the plea was approved, and the child was accommodated in the home for abused children.

[Miyagi Prefectural Police]

- A victimized child was taken into custody in cooperation with entities such as a child consultation center and a victimized juvenile supporter.

A request for assistance was received from a police station in the interest of a victimized child (boy) who was assaulted by his real father. The situation was such that the father, who was jobless, was not enrolled in the National Health Insurance program, with the result that the child was unable to receive medical treatment. Therefore, a continuous assistance team consisting of related organization staffers and volunteers was organized. This continuous assistance team located the real mother, who had been missing, in such a way that the relevant Juvenile Support Center and the Welfare Section of the pertinent town played central roles. Besides, repeated home visits were made, thereby performing adjustment of the living environment. As a result, the real mother indicated her intention to take on the child. The child consultation center took him into temporary custody, and subsequently handed him to his real mother.



## **Concluding Remarks**

“The 32nd Nationwide Training for Juvenile Guidance Staffers” was held for three days from October 20 to 22 this year in the interest of juvenile guidance staffers, juvenile consulting expert staffers, and police officers in charge of juveniles. The present writers were given an opportunity to be engaged in administrative work of this event. In This training, discussions were made regarding the current situation, problems, and countermeasures, with priority given to the tree themes of guidance of juveniles who committed delinquency, protection of victimized juveniles, and handling of child abuse cases. From these discussions, the present writers learned that staffers on problem sites are dealing with individual cases while being anguished between the following aspects: difficulty of cooperation with departments concerned and related organizations / bodies; and great expectations entertained by entities such as juveniles and their families. Such “cooperation” was mentioned as an issue that truly concerns the activity foundation of Juvenile Support Centers. Staffers on problem sites encounter this issue on a daily basis and provide assistance to juveniles and their families by groping for the best method.

Moreover, it was repeatedly mentioned that the establishment of Juvenile Support Centers is merely a “starting point” in promoting “prevention of juvenile delinquency” and “protection of juveniles.” Namely, Juvenile Support Centers were not created out of a kind of boom, but were established on the basis of requests from within and without with consideration given to future juvenile issues. For example, even if juvenile delinquency decreases in quantity, such issues are expected to be addressed from medium- and long-term viewpoints.

Juvenile Support Centers, which originated from the problem recognition as to “what the police ought to do,” should keep making efforts with the aim of achieving a new theme of “how to take the lead in addressing juvenile issues in the whole society.”

# Clinical Psychology-Based Community Support for Delinquency

— Cooperation strategy for relevant organizations —

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Yuji Kaji\*\*

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- II Where Problems Life
- III Concept of Support Team
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Community Support Based on Clinical Psychology for Delinquency — Measures to co-operate with relevant organizations —

## **I Introduction**

This paper reports on case studies of a mechanism called “support team”, which clinical psychologists who work for public organizations and give counseling on delinquency and other deviant acts, crime victimization, and the like have set up with working-level personnel from other organizations as a means of facilitating cooperation among relevant organizations. The support team system became operational in September 1996, with the authors’ organization serving as the secretariat. To date, it has a membership of more than 20 organizations, including a child counseling center, mental health and welfare center, public health center, public hospital, board of education, welfare office and women’s center.

Although this report focuses on delinquency, the authors believe that the practical approach and method contained in it are also applicable to other problems, such as domestic violence, mental disorders, refusal to go to school and social withdrawal, as a model for collaboration and cooperation for various working-level personnel from various organizations to be achieved around concrete cases by overcoming the traditional sectionalism of public administration.

## **II Where Problems Lie**

The deviant behavior of a juvenile involves a range of contributing factors, including family relationship problems, economic problems, and problems in community and school life, let alone the juvenile’s personal problems, so that there is a great need for various organizations concerned with children and families to closely cooperate in addressing the issue. This is particularly true in today’s society, where community ties are weak due to shrinking family size and the absence of relatives living nearby, and families and communities have a limited capacity to cope with juvenile problems, thus necessitating greater involvement of public organizations and others. Typical examples are Cases 1 and 2-1. Nevertheless, when a personnel assigned to a particular case at one organization tries to make contact with his/her counterparts at other organizations in search for a solution, problems similar to the ones listed in Table 1 often occur.

### **Case 1:**

The only child from a single mother family had often been absent from school since fourth-grade of elementary school, and the child counseling center was providing counseling through a family and child commissioner in the community. Isolated from both her former husband and relatives, the mother was on welfare. Soon after enrolling in junior high school, the girl withdrew to her room, and the mother began visiting the psychiatric department of a hospital. Around that time, severe domestic violence started, and the mother, at the end of her tether, rushed to the police for help. (In this case, the school, family and child commissioner, child counseling center, hospital and police worked together.)

**Case 2-1:**

A group of around 20 second and third-year male and female junior high school students repeatedly engaged in delinquent behaviors, such as extortion, thinner inhalation, truancy, late-night roaming and sleeping over without permission.

Although the group was not very cohesive, students hung out at homes where parents were out, parks and other places and passed the time with no particular aim. Notably, the group comprised diverse types of students, including those who repeatedly perpetrated extortion, those with a tendency for drug dependency, those who had nowhere to go due to family problems despite no history of criminal acts, and those with a tendency for absenteeism and withdrawal. (In this case, the school, child counseling center, welfare office, mental health and welfare center, district juvenile guidance center, police and other organizations worked together.)

**Table 1 Problems Commonly Encountered When Seeking Cooperation**

1. Mutual mistrust: Different organizations, even those in regular contact, do not fully understand one another's operations, and often think: "This is their responsibility. Why haven't they done it? They are not doing their job."
2. Passing the buck: Administrative organizations try to avoid involvement in a case by interpreting one another's scopes of powers and responsibilities more narrowly than they actually are: "We do not have jurisdiction over this case."
3. Monopolization of information: An administrative organization flatly refuses access to information on a case to other organizations by using the duty of confidentiality as an excuse.

### III Concept of Support Team

Table 2 is part of a message prepared to request other organizations to participate in a proposed support team by explaining its purpose.

**Table 2 Explanation of Purpose of Support Team**

A support team aims to provide the juvenile with the best possible support through the coordinated efforts of relevant organizations by clarifying what each individual organization can and cannot do according to their scope of operations. It explores what can be done through the combined efforts of relevant organizations on the basis of their normal operations or at least tries to avoid a passing-the-buck attitude. Each organization is entitled to file a request for the formation of a team with the Support Team Secretariat on any case it is working on, yet it is allowed to turn down the request for participation for any particular case depending on its internal circumstances. Namely, each organization is free to request the formation of a team according to the need arising from the delivery of its services and participate or refuse to participate in a team formed on the basis of a request filed by another organization.

It is fairly common that even organizations that are in regular contact over the

handling of individual cases do not fully understand one another's operations. As a result, when one organization approaches another and asks it to take charge of a particular case, believing that it is best suited to do so, the outcome is often negative. This kind of situation may be resolved relatively easily by discussing it at a team meeting as it will give participants a better understanding of what individual organizations can and cannot do, including things that are very difficult although not impossible and those that are possible only under certain circumstances.

As mentioned above, a support team aims to enable relevant organizations to find a flexible and smooth solution in the handling of a concrete case. Please take part to make it work.

The cooperation of relevant organizations often means bringing together top officials or personnel in managerial positions from these organizations and having them engage in general discussion or argue about one another's organizational positions. However, a support team is formed around a concrete case and brings together working-level personnel who are able to make practical contributions to it — two of the most significant characteristics of a support team (see Table 3). In other words, the support team approach is able to provide highly practical and detailed support for the case at hand. It may be likened to working-level personnel with various backgrounds working together at “a common clinical psychology site” in close contact with one another.

**Table 3 Characteristics of Support Team**

1. Formed for each individual case.
2. A grouping of working-level personnel from organizations collectively able to meet the needs of the case.
3. Respect for the independence of individual organizations (e.g. whether to participate or not left to individual organizations).
4. Individual organizations required to contribute to the support team only within their respective scopes of normal operations. No other contributions required (more precisely understood to be “impossible”).
5. Promotion of mutual understanding on the premise of inadequate understanding of one another's operations (the source of “mutual mistrust”).

Though this may sound obvious, “respect for the independence of individual organizations” and “individual organizations required to contribute to the support team only within their respective scopes of normal operations” are also major characteristics of the support team. This means that if an organization receives a request for participation in a support team, the decision as to whether to comply is left to the organization, even when there

is a compelling reason for it. In this regard, however, any insincere response could attract criticism from other organizations and the general public as negligence or breach of duty.

When tackling a case through concerted efforts, mutual distrust often arises even among organizations which are positively trying to work together. In the case of cooperation between a school and the police, for example, if the school requests the police to take action against “students with behavioral problems who are hanging out around the student entrance gate and menacing other students”, police officers or police juvenile guidance officials can only tell them to “go home”, as those students are not actually engaging in misconduct. If the school is well aware of this, there is no problem, but in reality, the school ends up complaining about “police inaction”, saying: “We called the police to take delinquent students away but they did nothing.” The police are equally unhappy, thinking “It wasn’t our fault that there was little we could do. The school should stop relying on us for everything, and start doing something themselves.”

A support team assumes and expects the existence of such mutual distrust and plans to discuss “ what individual organizations can and cannot do, including things that are very difficult although not impossible and those that are possible only under certain circumstances” on that basis. The above example illustrates that some actions do depend on circumstances. Namely, if any of the students had been smoking, the police officers would have been able to take him/her to the police box for questioning and order the group to break up. Similarly, if the police officers had given guidance to the juvenile before and built enough trust in him/her to be able to say “let’s have a chat at the police box”, the course of events would have been different. Before both sides can realize these differences, they must significantly strengthen mutual understanding.

#### **IV Support Team Meetings**

Before the actual activities of a support team can proceed, a meeting must be held with the participation of working-level personnel from all organizations. For different parties to meet in face-to-face discussion paves the way for smooth cooperation. After the meeting, the participants will mainly rely on the telephone for communication, but having seen the way others speak at the meeting makes mutual understanding easier.

The initial meeting has the purposes listed in Table 4. Although the “sharing of information” is greatly needed when dealing with a concrete case, the “duty of confidentiality” can pose a problem in this regard.

**Table 4 Purposes of Support Team Meeting**

- |  |
|--|
| <ol style="list-style-type: none"><li>1. Recapping and sharing of background information, including events leading up to the formation of the support team, among participating organizations</li><li>2. Decision-making on a support policy</li><li>3. Decision-making on the division of roles among participating organizations</li><li>4. Confirmation of the inter-organizational communication structure for participating organizations</li></ol> |
|--|

In team activities, the organization which proposed the formation of the team, in principle, is required to obtain consent from the client, i.e. the target for support, regarding the use of a team approach. In the case of a juvenile delinquency case, consent needs to be obtained from the guardian. Depending on the case, the juvenile concerned and his/her guardian may attend team meetings as well. However, in exceptional cases, such as child abuse cases, a team may be formed without obtaining consent from the guardian. At the beginning and end of a team meeting, the importance of privacy protection must be emphasized. As all participants are subject to some kind of duty of confidentiality regarding personal information to which they become privy in the course of their work, the attention of the participants must also be drawn to this fact. In this regard, the concept of “a collective duty of confidentiality” (Hasegawa, 2001) may be of interest.

Reference materials for the meeting are prepared by individual organizations, but it is not compulsory. Namely, how much information to disclose at a team meeting is left to individual organizations and their working-level personnel. A clinical psychologist working as a school counselor once attended a team meeting as a member, and at times found himself agonizing over what kind of information to reveal and in what manner, as he, as a clinical psychologist, was subject to the same obligation as other members not to carelessly reveal the personal information of the juvenile concerned, i.e. his client. However, the clinical psychologist decided to make information available based on his professional judgment from the standpoint of working out the best solution for the case with other participants. The clinical psychologist’s remarks were very informative for other participants, even when they were just general views.

A team meeting is designed to discuss a case that an organization found difficult to handle and sought cooperation from other organizations, bringing together working-level personnel who struggle with similar cases day in day out, with a focus placed on how to provide support in concrete terms. As a result, it often serves as a forum for essential information exchange based on the professional judgment of each participant, with due consideration given to the duty of confidentiality. Since a support team is a gathering of working-level personnel, cooperative relationships are usually formed relatively smoothly.

Next, a support policy is decided on. In reality, only overall directions are discussed as specifying too much detail could infringe on the independence of individual organizations. The division of roles, including the role of the main organization (personnel), are then determined, with the personnel of the main organization directly handling the case.

The division of roles is very important, since not specifying who should do what and where to start likely leads to wholesale paralysis and inaction even after the sharing of information and understanding and expression of readiness. Wait-and-see can be a support strategy, but positively choosing not to take action is completely different from just looking at one another's faces in the hope that somebody else will do something. Indeed, determining which organization should — or, depending on the case, should NOT — do something is essential.

In this regard, it is important not to leave everything to the main personnel even after deciding on such personnel. Namely, it should be agreed upon in advance that if and when the main personnel encounters difficulties, other team members will provide assistance. This means that other organizations will come to the rescue if and when such circumstances arise. This kind of arrangement will not only make smooth cooperation possible but also reassure the main personnel by reminding him/her that he/she is not all alone in handling the case. This fact is often mentioned during a recap meeting held after the conclusion of team activities. For example, a schoolteacher once said, "I was able to hold out because people from the child counseling center, public health center and police were right behind me".

It is also necessary to discuss what kind of information to pass on and to whom. This is what the confirmation of the inter-organizational communication structure is about. This may sound minor, but it is important to prepare a list of participants complete with contact numbers, including extensions, when holding a team meeting, to keep other participants readily reachable. According to the authors' experience, copies of a participant list with participants' titles are often distributed at a meeting aimed at promoting cooperation, but a list containing contact information is rarely seen. This is quite surprising, and makes one wonder about the level of enthusiasm for cooperation behind such a meeting.

As an example of a team meeting, an outline of the first team meeting for Case 2-1 is shown in Case 2-2.

**Case 2-2: Team Meeting (Outline)**

Participants:

Board of Education (staff member assigned to student guidance)

Junior High School A (principal, assistant principal, manager of student guidance department, and homeroom teachers of all second and third year classes)

Child Counseling Center (chief of section in charge of district and personnel assigned to case)

Welfare Office (chief of section in charge of district and personnel assigned to case)



Mental Health and Welfare Center (counselor assigned to case)

District Student Guidance Center (all guidance officers)

Police (chief of juvenile section from police station with jurisdiction and juvenile guidance official and juvenile psychology specialist (clinical psychologist) from juvenile support center)

Venue: Library of Junior High School A

Date and time: May 19, ####, 3–6 p.m.

Outline:

The meeting was held on the basis of the school's request to form a support team. Prior consent to cooperation with relevant organizations had been obtained from the guardians of the students concerned.

The juvenile psychology specialist from the juvenile support center, which served as the secretariat, acted as the chairperson. The meeting began with a request by the chairperson as follows: "At today's meeting, matters concerning the privacy of individuals are likely to be discussed. Please pay due attention to privacy protection in accordance with the duty of confidentiality as applicable to your respective workplaces."

Sharing of information:

- Self-introduction covering names and organizations only
- After a background briefing by the manager of the student guidance department, homeroom teachers explained individual cases.
- The child counseling center, welfare office, juvenile guidance center, and police explained cases they had been working on.

Decision-making on support policy and division of roles:

- Although the delinquent group is not very cohesive, several core students play a leadership role in deviant behaviors. Support therefore should focus on these students.
- As these students have diverse problems, the division of roles should be determined by taking into consideration the nature of problems, history of organizational involvement and other factors.
- Students A and B, who play the central role in extortion, should be handled by the juvenile guidance official and juvenile psychology specialist from the juvenile support center.
- Student C, who has a serious thinner inhalation habit, should be handled by the child counseling center for the time being with the support of the mental health and welfare center, taking into consideration that the student's mother is trying to rectify the situation. However, the possibility that police handling of the case may become necessary in the future should be kept in mind.
- Student D, whose mother is on welfare and rarely comes home, should be handled by the personnel from the welfare office with the support of the child counseling center.
- Student E, who is a serial truant with a tendency towards being withdrawn at home, should be handled by the district student guidance center, which the students' parents have been visiting, although the involvement of the child counseling center, mental health and welfare center, police and other organizations may be considered depending on future developments.
- Other students should be handled by the school, with requests for assistance made to other organizations depending on future developments.

Confirmation of communication structure:

- A contact person is chosen for each organization represented by more than one participant, and participants are encouraged to actively communicate with one another using the telephone and other means, with the accuracy of the contact information contained in the participant list confirmed.

Duty of confidentiality:

The meeting is closed after participant's attention is again drawn to the importance of privacy protection.

## V Management of Team Meeting

Regarding the management of a team meeting, the authors et al. attach importance to the not-knowing attitude, which is observed in the solution-focused approach (SFA) of brief therapy (Berg IK, 1994; Dejong P et al, 1998). It fully embodies a therapist's stance in nondirective therapy: "ask the client if you want to learn about him/her". Namely, personnel representing organizations that make up the team are all specialists in their own fields, so that any professional questions asked of them must be put forward with the following humble attitude: "ask the experts if you want to learn about their fields". Needless to say, if the real intention of the person asking the question is to shift responsibility, thinking "This is your job. Why don't you do something?", the person answering the question becomes defensive, in terms of both attitude and the content of the answer, just as in the therapist-client relationship in personal therapy. The authors have experienced time and time again that showing a strong interest and enthusiasm as well as a humble attitude of "I don't know this, so please teach me" when asking questions is rewarded by truly interesting answers that can only come from a person with intimate practical knowledge, as well as strengthening mutual understanding: "OK, that was what it was." In addition to the not-knowing attitude, other SFA techniques, such as the one-down stance and compliments, are used. In the context of a support team, the one-down stance represents a method of leading the team from a humble "one down" position, while compliments can be used to encourage team members in various situations. Apart from SFA techniques, the systems approach-based family therapy (Yoshikawa S et al, 2001) technique is used as a means to facilitate communication of the team as a whole, which encompasses, among other things, the client and team manager, by regarding it as a system.

These methods are explained through case studies of team meetings. Chairpersons in Cases 2-3 to -5 were authors et al.

### Case 2-3: Team Meeting (for Student D)

Chair: I've heard that Student D's mother rarely comes home.

Personnel E from welfare office: I took on this case this spring. After that, I tried to contact Student D's mother many times by phoning and making home visits for a month and a half, but each time, whether day or night, I found that only Student D was home. It was only last week that I was able

to reach her by phone. I scheduled an interview for yesterday, but she didn't show up.

Chair: You kept phoning and visiting for a month and a half. That's tough. Is it true you tried to contact her at night as well?

Personnel E from welfare office: There are a variety of families. It is not uncommon for me to make phone calls and pay home visits before work or at night, as long as it is convenient for my clients. As Student D virtually lives alone, I've been concerned about him. Actually, I was thinking about consulting the child counseling center.

Chair: You work with the child counseling center? I didn't know that was also part of your job. In the future, how is Student D's family going to be handled?

Personnel E from welfare office: Although the mother may have her reasons, if she remains elusive like this, we may have to take a different approach.

Chair: A different approach? (rest omitted)

In Case 2-3, the chairperson listens to the personnel from the welfare office using a one-down stance and showing a not-knowing attitude, while complimenting the speaker as appropriate. In Case 2-4, the chairperson reshapes the discussion by shifting the focus from how to handle juveniles exhibiting problematic behaviors to what members can do to assist the teacher who is responsible for the case but at a loss to handle it within their respective scopes of normal operations.

In Case 2-5, where a support method for students with behavioral problems is being worked out, homeroom teachers, who spend longer hours with those students, are asked to describe their behavior when they are not engaging in misconduct (no student engages in misconduct all the time) to shift the focus from the students' problematic behaviors to their potential to change. This is equivalent to exception-finding in SFA.

#### **Case 2-4: Team Meeting (for Student C)**

Teacher F (homeroom teacher of Student C): The student's mother often asks me for advice. I have visited their home several times in response to a phone call from the mother. On those occasions, she was distressed about the smell of thinner coming from her son's room. However, by the time I got there with my colleagues, the student had disappeared, so I've never seen him actually doing it. Whenever I ask him about it, he denies it. According to his mother, he leaves home totally stoned, with glazed eyes and unsteady feet, and if the mother tries to stop him, he pushes her away or shakes her off with all his might. Although the mother is tall and looks rather harsh, she seems to be unable to stop him. As the student doesn't admit to it, we don't know where to start.

Chair: Teacher F, you seem to be at a loss about how to begin. Mr. G. from the child counseling center, I've heard you have experience in providing guidance to juveniles inhaling thinner. Do you have any advice for Teacher F?

Personnel G from child counseling center: If the teacher and the mother are on good terms, I suggest that the mother be advised to come to the child counseling center. Of course, it'd be better if the student also came, but it looks difficult. There is a possibility that a change in the mother's

approach to the student may lead to a change in his behavior.

### **Case 2-5: Team Meeting (for Students A and B)**

Manager of student guidance department: Students A and B, who extort money whenever they come to school, seem to be sleeping until late afternoon and playing around all night. A number of students have now begun following them around. I've heard that they steal whatever bicycles come their way and ride them around, but we have little idea about what else they're doing at night. I'm particularly concerned about their influence on other students.

Chair: The group may not be very cohesive, but Students A and B are the ringleaders, aren't they? Even so, they aren't engaging in misconduct all the time, are they? Could you tell me what their behavior's like when not engaging in misconduct? How about you, homeroom teachers?

Teacher H (homeroom teacher of Student A): When not engaging in misconduct? The only thing he does when he shows up these days is scrounging... Any way let me think. Actually, he's good at soccer and other sports, and in his second year, when I first became his homeroom teacher, he acted as a leader on certain occasions, especially during the ball game carnival, and I thought he was doing a good job uniting his team.

Teacher I (homeroom teacher of Student B): Student B has an amiable side, and when we are alone, he talks frankly and listens to me. Unfortunately, as soon as he is joined by his friends, all the promises he makes to me completely go out the window. But sometimes he comes to me afterwards, and apologize, saying "I'm sorry I broke my promise. I just couldn't ignore the others".

Chair: Hmm, Student A is good at sports, and even has a leadership quality. Student B, on the other hand, still has a naïve, childlike side. Perhaps, he's craving for his teacher's affection. Teacher H and Teacher I, is there anything else?

Another important issue is the variability of the professional framework from one participant to another, whereby people from different fields use different terms for the same deviant behaviors. For example, what educational people call "scrounging" or "blackmailing" is "extortion", an offense punishable with a penal servitude of up to 10 years, for judiciary people, while psychologists use terms such as "conduct disorder", "oppositional defiant disorder", or the like. Because of this, people with different professional backgrounds sometimes have difficulty understanding one another, giving rise to the need for the chairperson to clarify each member's professional framework and make it understandable to others by asking appropriate questions using a not-knowing attitude and compliments as in Case 2-3.

In team meetings, particular efforts are made not to create a villain. In the heat of discussion, a certain party occasionally becomes the villain, be it the parent, who is at the receiving end of derogatory remarks such as "what a poor boy with such a terrible parent", or a specific organization which is singled out as the culprit for the collective failure to solve the problem, possibly through an atmosphere of blame, rather than open remarks. If this happens,

blame shifting soon follows, and the entire energy of the system will be wasted on finger-pointing, instead of being directed towards a solution.

It is true that there are parents who use brutal violence against defenseless children in child abuse cases, while some personnel take part in a team only perfunctorily and do everything to avoid responsibility. When an abusive parent attends a meeting, therefore, a psychologist among the team members may be asked to explain the psychological state of an abusing parent and that of a social worker handling the case, as necessary. Sometimes, experts in child abuse, domestic violence, drug abuse, etc. are invited to the meeting for this purpose. If the flow of discussion points to the likelihood of a specific participant being cast as a villain, efforts must be made to redirect the discussion by emphasizing the positive side of the participant's remarks using comments such as "so you are saying ABC is possible" and "in other words, if conditions ABC are satisfied, XYZ can be done, right?" or asking other participants questions such as "by the way, what kind of support can your organization provide, Mr. A?". Instead of dwelling on "impossibility" or "difficulty", concentrating on support measures that are "possible", even if they are relatively minor, usually leads to a better solution. Moreover, it helps energize the team, and could cajole passive participants into action by creating a buzz around them.

## **VI Management Considerations**

To date, the authors et al. have been involved in about 30 support teams. Although no major problems have been encountered, there has been a case in which a complaint was received from a guardian because a team was formed without obtaining his consent to an inter-organizational approach due to its urgency. In this case, the guardian subsequently accepted the explanation that the support team was a vehicle to find the best solution through the involvement of various organizations, but the guardian's prior consent is, in principle, a prerequisite. The notable exception is special cases involving abuse, where a support team may be formed without the consent of the guardian or others. In such cases, participating organizations should be thoroughly informed of that fact, while there is a need to explain the involvement of various organizations to the guardian and seek his/her understanding at every opportunity.

In another case, a team meeting produced almost no results because it was only attended by representatives from a school and the police. While one of the basic requirements for the formation of a support team is the involvement of three or more organizations, the meeting was held with the participation of only two organizations, as the personnel at the third organization had to attend an urgent matter on the day of the meeting. Although it may vary from case to case, team meetings attended by personnel with diverse professional backgrounds tend to be more fruitful because of the rich array of ideas presented. The effects of the involvement of a fairly large number of participating organizations has so far been all

positive, or at least neutral, with no obvious problems, such as a deterioration in the relationship between organizations and a negative impact on the case, encountered.

The authors et al. have been contributing to the management of support teams as both public employees and clinical psychologists. Simply put, public employees are “servants of the whole community”, while clinical psychologists must “respect the rights of individuals”. Nevertheless, there is no real incompatibility between these two roles. Namely, the ultimate goal of serving the whole community is to protect the rights of individuals, and respecting the rights of individuals does not mean ignoring the interests of the whole community. According to the experience of the authors et al., such a dual role causes no more than occasional anguish over what decision to make, and a serious internal conflict or contradiction has never been encountered.

For example, when the authors et al. took on the counseling of Student A, one of the ringleaders in Case 2, he showed some promise of growing out of his delinquent behavior if support efforts aimed at breaking the vicious cycle of delinquent behavior-rebuke-rebellion-delinquent behavior or delinquent behavior-“delinquent” label-sense of alienation-delinquent behavior continued to be made. Nevertheless, Student A’s scrounging had already significantly escalated, and his influence on other students was very strong, thus raising concerns that some of the students who had been drawn into repeated scrounging by him might develop serious delinquent behavior, if left unchecked. The majority opinion among member organizations and within the organization to which the counselor belonged was that Student A should be separated from other students because of his strong influence.

Despite the anguish of the counselor who took care of Student A, the authors et al. have experienced that in this kind of situation, taking a forcible measure as a “strong signal of prohibition” is more likely to prove effective. However, the success of this approach, to a large extent, depends on the counselor’s attitude towards the juvenile. Namely, if the counselor and Student A developed a mutually-agreed line of acceptable conduct, he would more likely accept the consequences of his acts that crossed this line, thinking, “I did something bad so I must make up for it.” In this way, the counselor would also be able to maintain a good relationship with Student A.

Experience tells us that if the client engages in deviant behavior, such as crime or delinquent act, it is better to let him/her know that violation of the law is unacceptable, while remaining tolerant towards him/her as a person. This is “limit setting” in delinquency clinical psychology, and this approach often solves the dilemma felt by counselors who are both public employees and clinical psychologists. Whether one is prepared to keep asking the fundamental question of clinical psychology “What is the best thing I can do for this person?” (Kawai, 1970) by thoroughly adopting the attitude described by the old saying “Condemn the offense, but pity the offender.” provides an acid test for a clinical psychologist.

## **VII Conclusion**

With support teams, the authors, et al., who are clinical psychologists, have been playing the leadership role using their clinical psychological knowledge and skills, particularly by presiding over team meetings. Even outside chairpersonship, the inclusion of such participants has a significant impact on a support team or any other cooperative arrangement geared towards providing concrete support.

Some may wonder whether such activities are really part of clinical participants' duties. However, the move of people from so many organizations to work together to find a solution itself creates a therapeutic magnetism around it and energizes the personnel handling the case and the juvenile to whom support is directed. If so, creating and managing this kind of setup can well be regarded as part of clinical participants' duties. In this regard, experience has shown us that psychotherapeutic methods and techniques, including systems approach-based methodology and techniques from SFA and family therapy, are extremely useful in carrying out such work.

Given that the weakness of human relationships around them has been a major contributing factor to various problems involving juveniles in recent years, the support team approach may have a significant impact on the juveniles and their guardians by enriching human relationships around them and providing them with comprehensive support. Moreover, it may serve as a catalyst for juveniles as well as guardians and other adults, including those who provide support, to develop new community relationships.

The above inter-organizational move to deal with juveniles' deviant behaviors may, at times, also be needed in other clinical psychology sites, as work that concerns "people" almost always involves "relationships" with other people. The authors would be delighted if this paper proved to be of help in such situations.

The case looked at in this paper has been constructed from about 30 cases in which the authors et al. have so far been involved while giving due consideration to the privacy of the juveniles and others concerned.

The establishment and management of support teams has only been possible with the support and cooperation of various organizations, including the one to which the authors et al. belong, as well as their personnel. In addition, the authors et al. have been able to learn many things from the juveniles and others to whom the efforts of the support teams have been directed, and it would not have been possible to put together this report without that knowledge. Taking this opportunity, the authors et al. would like to express their deep gratitude to all those concerned.

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### Notes:

- 1) These two publications are introductory works to the solution-focused approach. They contain detailed explanations on not-knowing, one-down and compliments and other techniques.
- 2) This provides a simple and easy-to-understand overview of the solution-focused approach
- 3) The authors were introduced to this publication by Prof. Koichi Sensu (Hokkaido University of Education) in the course of preparing this report. Compiled from field interviews, it is a report on the state of cooperation between counseling organizations at prefectural and municipal levels in 1985 and 1986. It is a very useful reference resource when exploring a cooperation strategy suitable for the given local conditions.
- 4) It provides a historical overview of family therapy based on a systems approach and features detailed case studies. It is also a treasure trove of quotes and references.