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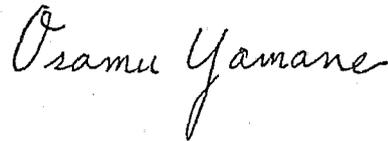
P R E F A C E

ACQUISITIONS

Since the establishment of the Criminological Research Department within the Research and Training Institute of the Ministry of Justice in 1959, it has been the practice for the Institute to publish the results of its annual research activities with a view to contributing to the planning and formulation of social defense policy in Japan. The publication is entitled "Bulletin of the Criminological Research Department." The twenty first issue of the Bulletin has been published lately.

Because of rather frequent inquiries from overseas researchers and criminologists regarding research projects completed or in progress at the Department, the Institute has proceeded with publishing a summary of the Bulletin in English from 1964, also in the hope that useful comments by overseas readers would enrich the research activities in Japan. The Bulletin of the Criminological Research Department No. 21 (1978) is a bulky and detailed document of 183 pages covering all the research activities undertaken during the year of 1977 comprising final reports. The Summary in English contains 31 pages. To prepare a summary of this kind is not an easy task, particularly when it involves lengthy analytical process of voluminous data. The interests of readers might also vary from methodological particulars to conclusions with all the necessary qualifications. In some cases, I am afraid, clarity and accuracy might have been sacrificed for conciseness. We will continue to try our best to satisfy the interest of as many readers as possible and the dual requirements of this kind of publication, clarity and conciseness.

This English version of the Summary was prepared by the faculty staff of the United Nations Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders (UNAFEI). I gratefully acknowledge their valuable contributions.



Osamu Yamane

President

Research and Training Institute

Ministry of Justice

Japan

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A Study on Crimes of Bribery

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In Japan, the measure for the prevention of crimes of bribery has become an important issue again in recent years with the successive exposure of large-scale bribery cases. Taking such situations into consideration, this study was conducted on the idea that it is necessary to clarify the actual conditions of crimes of bribery by analysing bribery cases comprehensively which were investigated recently, and to pigeonhole and examine basic problems for the prevention of these crimes from the viewpoint of criminal policy.

I. A Study of the Legal Systems on Crimes of Bribery and Their Enforcement

When we look at the legislative provisions on crimes of bribery in various countries comparatively, we can find quite a few differences in the categories of crime and punishment because of differences of historical and social backgrounds and different views of the crime in respective countries. In not a few countries, provisions relating to crimes of bribery in the penal code are applicable to the employee of private companies, etc., thus covering pretty wide range of bribery. Compared with the Japanese legal system, the fairly strong sense of criminality of bribery in general can be seen in the legal provisions and, as penal sanctions for these crimes, disciplinary measures such as suspension from office, removal from office, etc. as well as imprisonment and fine are provided. Therefore it seems that the court has a fairly wide discretion with regard to the application of these sanctions.

As to the enforcement of legal provisions on crimes of bribery in Japan, these offences have been prosecuted more and more in recent years and the rate of prosecution in 1976 was the highest after World War II, although there was not a big fluctuation in the number of bribery cases which were investigated. However, the rate of suspension of execution of sentence granted by courts has shown an increasing trend and recently it has been over 90% in both offences of conferring a bribe and those of accepting a bribe. Thus, different situations in the enforcement of the law of bribery can be recognized between Japan and the United States, etc. where severe sentence is given for white-collar crimes in general including bribery.

II. A Survey on Actual Conditions of Crimes of Bribery

In order to clarify actual conditions of these crimes, we conducted a survey based on the bribery case records kept at public prosecutors' offices. The subject of this survey was a total of 309 offenders who were disposed of on a charge of accepting a bribe at the public prosecutors' offices throughout Japan in 1976.

The items of the survey cover the characteristics of recipients of a bribe, modus operandi, the amount of a bribe, its consumption, the characteristics of bribers, etc.

According to the result of this survey, the characteristics of crimes of this kind are as follows:

- (1) Bribery was more prevalent among local public officials and of the total surveyed, 80.3% were cases in which offences were committed by them including those elective officials such as members of local assemblies;
- (2) The majority of bribery cases were related to the civil engineering and construction works undertaken by the central and local government offices;
- (3) The motives of the most bribery cases stemmed from "pleasure-seeking" deriving from a low degree of law-abiding spirit on the part of public officials;
- (4) Of the cases in which offences were committed by non-elective public officials, 69.3% were committed by supervisory public officials with the rank of sub-section chief or upward, and 30.7% were committed by non-supervisory public officials;
- (5) 62.5% of all cases of conferring a bribe were committed in an organized way for the benefit of organizations such as companies, and 37.5% were for the private benefit;
- (6) As to sizes of organizations in connection with the bribery cases which were committed organizationally, 52.8% of them were small-sized enterprises with less than 30 employees or capital at less than 5 million yen. However, 9.8% were large enterprises with more than 1,000 employees or capital at more than 1 billion yen.
- (7) Out of 309 offenders who were the subject of this study, 186 (60.2%) offenders were those who were investigated together with several other public officials in their same offices. This indicates that many offences of accepting a bribe have been often committed on an office-wide scale. As to the details of the offences of accepting a bribe on an office-wide scale, it is observed that such cases often took place in connection with the civil engine-

ering and construction works especially among local government officials; that the motives of the most such cases came from "pleasure-seeking on the whole": and that certain types of bribery had been routines in those offices between public officials and private enterprises concerned in local government offices in question.

III. Some Problems relating to Crimes of Bribery

According to the results of the survey, we cannot help but acknowledge the lack of a law-abiding spirit or a sense of ethics among some public officials. However, at the same time, it is observed that there are some administrative and managerial defects in the system of performance of official duties, which help to give rise to corruption in the entire offices. Although various measures for enforcing official discipline which have been taken so far by the central and local government offices are appropriate, the problem is that they have not been translated into action in a concrete and effective way. Therefore, it is necessary to review how to enhance the effectiveness of such measures.

Next, as to the matter of criminal legislation for the offences of this kind, enhancement of statutory penalty for an offence of accepting a bribe and enactment of presumptive provisions for proving a bribe are under consideration. The former aims at deterring the commission of bribery offences and expanding the range of its investigation through the enhancement of its punishment and, its subsequent extension of the period of limitations. The latter is considered as a measure to overcome the difficulty of proving a bribe in the investigation and trial of bribery cases. Although both seem to be an effective measure, it is under reconsideration because of the doubt about the necessity of both of them from the practical and reasonable viewpoint. In this connection, as to the system of grant of immunity from indictment prevalent in the United States as a powerful weapon for investigative agencies in the investigation into this kind of offences, it has been discussed in some circles whether it is effective in Japan. Its introduction into our criminal justice system should be carefully weighed in view of the nature of Japanese people and social justice.

Transnational bribery cases have become an important problem. In the United Nations, in order to ensure the sound development of international commercial transactions and the fairness of politics and administration in every country in the world, it is studied to criminalize corrupt practices such as illicit payment to foreign public officials by multi-national corporations. This is a matter requiring an important amendment of the legal system relating to bribery in every country, and indicates that an international consideration becomes now

necessary for formulating and enforcing criminal policies.

In general, the problem of bribery has been dealt with so far with much emphasis rather on recipients of a bribe. However, it seems necessary to consider bribery cases with wide repercussions in the society and on a large scale as enterprise or corporate offences with due regard to the deterrence of offence of conferring a bribe.

Furthermore, it is also necessary that causes for bribery and counter-measures against it are studied multilaterally from the viewpoint of not only criminology but also sociological criminology, public administration and political science. And the inter-disciplinary study on them is hoped too.

A Study on the Treatment of Young Adult Prisoners with Advanced
Criminal Tendencies

--- Third Report ---

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Introduction

This is the final report of series of studies entitled "A Study on the Treatment of Young Adult Prisoners with Advanced Criminal Tendencies." We analysed mainly consciousness and attitudes resulting from confinement and the correlation of them with conducts in institutions in the first report, took up the facet of environments in which prisoners were placed, especially psycho-social climates of institutions in the second report, and tried to find the treatment types for young adult prisoners with advanced criminal tendencies and to explore treatment measures corresponding to the said treatment types in this third report.

I. Purpose

The purposes of this study are as follows.

- (1) to find out the types of young adult prisoners with advanced criminal tendencies based on items of attributes derived from present offences and criminal or delinquent careers from among a group of prisoners of both Class YA (those under 26 years of age whose criminal tendencies are not so advanced) and Class YB (those under 26 years of age whose criminal tendencies are advanced); in addition, to find out the new type for the treatment from among prisoners of Class B (those not less than 26 years of age whose criminal tendencies are advanced) for reference.
- (2) to analyse the correlation of these types with several factors conducive to the effective treatment such as life history prior to imprisonment, family relations, personality traits, social attitudes and conducts in institutions.
- (3) to establish the treatment types on the basis of results obtained by the above analysis.

II. Method

Subjects are the same as those of the first and second report.

As a tool of finding the types, we used a mathematical method called Quantification Theory Model of Chikio Hayashi (in case of no criterion) or Optimal Scaling. We extracted basic patterns by this method from patterns which subjects showed in particular categories of attributes, explained the basic patterns from scores given to categories of attributes, and then gave names to the basic patterns as summarization. The basic patterns thus explained and named were defined as the types. On the other hand, the degree of approximation of each subject to these types was scored according to the pattern which each subject showed.

In this way, the correlation of the types with several factors conducive to the effective treatment was analysed by the use of scores given to individual subjects.

III. Results and Observations

We firstly explain each type and then touch upon the correlation of it with several factors which offer clues for the effective treatment.

1. Theft recidivist type

This is the type of offenders who had repeated habitually thefts at very short intervals, with the first commission of theft (delinquency) at low age and previous records of protective dispositions.

They have strongly neurotic, vainglorious and rash personality traits, and their way of thinking is egoistic and deviated. It is especially conspicuous that they lack prospects for the future and are selfish in social attitudes.

2. Marginal gangster type

This is the type of offenders who had committed many kinds of offences, but committed present offences relatively long after they had committed previous last offences, had not been referred to more serious protective dispositions than probation, have marginal positions in gangster organizations, and whose offences are not so closely connected with activities intrinsic to gangsters.

They have extratensive personality traits such as explosiveness, vaingloriousness and thoughtlessness. It is remarkable that they feel strongly controlled and lack self-control in their social attitudes.

3. Real gangster type

This type of offenders are those who have leading status in gangster organizations, whose present offences are connected with their own activities as members of the organizations, and who do not show special features in their criminal or delinquent careers.

They have relatively the high level of intelligence and similar personality

traits to those of marginal gangsters, to some extent, but have not marked personality traits. However, they are given the negative evaluation by staff in almost all items of behaviour observation. It is indicated in their social attitudes that they have strong basic needs in institutional life, lack prospects for the future and show strong submissive attitudes.

4. Submissive-multifarious category offence type

This type of offenders are those who committed the first delinquency at early age, have careers of being referred to serious protective dispositions, but had recommitted offences at relatively long intervals, have not special features in the kind of offences committed except for no connection with violent crimes, and follow accomplices to commit offences.

They are lacking in self-confidence and submissive in their personality, and obedient in their social attitudes, and are estimated as having strong desires to participate in the treatment.

5. Emotional-early first offence type

This type of offenders are those who committed the first delinquency at early age, but had recommitted offences at long intervals, and committed present offences under the impulse of emotion at the moment.

Their personality traits are extremely explosive, and their social attitudes are distinctive in that they have not strong basic needs in institutional life, have prospects for the future, and lack self-control. They have the strongest desires to participate in the treatment among the five types.

Besides, it was found that the five types of Class B found by the same method as one used in Class Y were fairly correspondent to those types of Class Y.

IV. Conclusion

It was found by the above analysis that classifying young adult prisoners with advanced criminal tendencies into several types was valid. We were able to establish the treatment types through analysing synthetically the correlation of the above types with several factors conducive to the effective treatment. Finally, we propose the most important principles of the treatment corresponding to these treatment types.

- (1) Theft recidivist type: to make them improve the narrow way of thinking based on present situations and selfish attitudes.
- (2) Marginal gangster type: to make them cultivate reflective attitudes and establish norms of behaviour.
- (3) Real gangster type: to make them convert antisocial senses of value.

- (4) Submissive-multifarious category offence type: to enable them to behave independently without following and depending on others.
- (5) Emotional-early first offence type: to enable them to express themselves frankly and manifest feelings naturally in their daily life.

Research on the Differential Treatment of Juvenile Delinquents

— Second Report —

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INOUE, Yoshitaka

SHINDO, Hitomi

I. The Purpose

In order to enrich classification and treatment measures for offenders and delinquents in our correctional settings, both institutional and non-institutional, this study sets up the purpose to explore and pursue "what type of treatment should be most effective for a given type of delinquent juvenile" by referring to the Interpersonal Maturity Level Theory.

To begin with, in carrying out the research, it is necessary to clarify the psychological structure and the characteristic feature of each type of the Interpersonal Maturity Level (hereinafter called I-level). Thus, this report aims to examine the following subjects:

1. To compare the I-level data gathered by us with those obtained from researches in America.
2. To formulate a statistical model by using the multivariate analysis for assessing I-level.
3. To grasp characteristics of I-level by analysing traits of each I-level.
4. To examine relations between I-level and factors contributed, that is, to explain by what sort of factors I-level would be affected.

II. The Method and Subjects

The specially designed questionnaire consisting of 30 items was sent to the staff of the Juvenile Classification Homes, Juvenile Training Schools and the Probation Offices and collected after being filled out by the staff. The study will be followed by the evaluation of the treatment effects by identifying finger-

prints of the subjects in the Fingerprints Identification Center of the National Police Agency.

This study aims at the analysis and discussion of the data obtained from the behaviour observation for I-level, which were assessed by the staff of Juvenile Classification Homes.

Data of 2,555 juvenile delinquents classified and recommended to be sent to either the Primary Juvenile Training Schools or the Middle Juvenile Training Schools by the staff of the Juvenile Classification Homes between January 1 and December 31, 1976 were collected, from which those of 60 boys were excluded due to the insufficiency of the data.

III. The Brief Summary of Results

1. The distribution by each level of interpersonal maturity in our study was compared with those obtained from researches conducted in America by applying the cross tabulation method. With respect to nine delinquent subtypes, in our study, the cultural conformist type -Cfc- outnumbered all other types, comprising 898 or 36.2 percent, the next asocial passive type -Ap- comprised 19.0 percent, followed by the immature conformist -Cfm- (13.7%), and the asocial aggressive -Aa- (10.4%). In American research results obtained from California's Community Treatment Project, California Youth Authority and C.F. Jesness', etc., the largest number of delinquents falls into the neurotic anxious type -Nx- and the next comes to the neurotic acting-out type -Na-, while the Cfc type shows the fifth standing. This difference seen in the results between Japanese and American researches is considered to be derived from cultural differences and characteristics in the personality development existing among two countries.

2. The discriminant function model for I-level was formulated by using the multivariate analysis technique without modifying the I-level assessment done by the staff of the Juvenile Classification Homes. The multiple correlation ratio of 0.526 was obtained when the I-level assessment was made by adopting six selected items of behaviour in the questionnaire. Further, when age and intelligent factors were added to the above items, the ratio was 0.547. This model would be of practical use for the summary assessment method of I-level stages.

3. Characteristics of I-level were discussed based on the factor matrix of the principal component analysis. Through the analysis, six factors which could be closely related to "interpersonal maturity," "aggression/hostility," "stress/nervousness," "immature/rigidity," "withdrawal/solitary" and "obedience/conformance" were obtained. Followingly, these six factors were further employed

to disclose characteristics of nine delinquent subtypes by patternizing on the profile. Results from the above analysis were as follows; As to juveniles fallen into Aa of I₂, remarkably strong "aggression/hostility," strong "withdrawal/solitary" and "immature/rigidity" tendencies and the lowest "interpersonal maturity" tendency among the subtypes were found. Concerning Mp of I₃, an easily influenced attitude with high "aggression/hostility" on the one hand, low "stress/nervousness," "withdrawal/solitary" and "obedience/comformance" on the other, were obtained. With respect to Ci of I₄, marked "interpersonal maturity" and "aggression/hostility" tendencies as well as above-average "obedience/comformance" and "immature/rigidity" tendencies were shown. On the other hand, "withdrawal/solitary" and "stress/nervousness" tendencies of this subtype were relatively low.

4. Such factors as cultural values, interpersonal sensibility, perceptual abilities, age and intellectual abilities have been so far recognized as contributable factors to I-level, thus, from among them, age and intelligence factors were taken up and discussed in the present study. Our research results indicated that one can acquire the higher level of interpersonal maturity when he has higher intelligence quotient and becomes older. Further, it was found that the age element exerts the most effect upon "interpersonal maturity" among the six factors mentioned in 3 above, when characteristics of I-level with no influence of age were led by using the partial correlation method for excluding the age element.

A Study of Psychodrama in the Juvenile Training School

--- Therapeutic Process and Suitable Conditions of Members ---

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TSURU, Motoharu

TAKADA, Akiko

I. Purpose

The purpose of this study is to clarify, as compared with the kinesi-thérapie, what attributes juveniles suitable for the psychodrama at the juvenile training school have.

For this purpose, we examined the recidivism rate with regard to both juveniles who participated in the psychodrama and juveniles who participated in the kinesi-thérapie, evaluated the therapeutic process of psychodrama by the rating scales to measure the effectiveness of psychodrama available in our previous study, and analysed the correlation of the evaluation with the recidivism rate and psychodrama members' attributes which had favourable influences on the therapeutic process of psychodrama.

II. Method

The subjects are (1) 36 juveniles who attended 16 psychodrama sessions or more (the psychodrama group) and (2) 31 juveniles who attended 16 kinesi-thérapie sessions or more (the kinesi-thérapie group) in connection with the main treatment to juveniles at the Tokyo Medical Juvenile Training School in the period from January 1971 to June 1974.

These juveniles were examined as to (1) attributes concerning delinquency, education, guardians and personality, and their conducts during stay at the School, and (2) recommitment to institutions or criminal dispositions for three years after release from the School. Moreover, each juvenile of the psychodrama group was evaluated in the therapeutic process of psychodrama.

III. Findings and Observations

1. Attributes and the recidivism rate of Juveniles

The frequency distribution of attributes of the psychodrama group and the kinesi-thérapie group was not different from each other except for the duration

of delinquencies, the kind of delinquencies, the situation of guardianship and the length of stay at the School.

Although the rate of recidivism was lower in the psychodrama group than in the kinesi-thérapie group, 35.1% in the former and 45.2% in the latter, the difference was not statistically significant.

Attributes correlated with the relatively low rate of recidivism in the psychodrama group were as follows: delinquencies were due to maladjustment to jobs; delinquencies were motivated by pleasure-seeking; the duration of delinquencies was short whether or not juveniles had experienced committal to institutions; the nature of delinquencies was heinous and sexual; their feelings towards the families were indefinite; and the intelligence quotient was less than 49 or more than 80. Consequently, it can be said that these attributes are suitable conditions for the psychodrama as compared with the kinesi-thérapie.

2. Correlation between the evaluation of the therapeutic process of psychodrama and recidivism

The therapeutic process of psychodrama was evaluated by the above mentioned 4 rating scales and its profile patterns, and correlation between the patterns and recommitting delinquencies was analysed. Those juveniles who recommitting delinquencies after release from the School were fewer among juveniles whose therapeutic process was evaluated as favourable by 3 out of the 4 rating scales and it was found that the psychodrama had favourable influences on preventing the recommitment of delinquencies.

3. Evaluation of the therapeutic process of psychodrama and attributes of juveniles

Those juveniles whose therapeutic process was evaluated as favourable by the above 3 rating scales relating closely to preventing the repetition of delinquent behaviours had the following attributes: their present delinquencies were heinous, sexual or violent and motivated by the desire for material gains or impulse; they had no previous records of being referred to institutions; their guardians were not real parents; they did not have experiences of drug abuses; and the length of stay at the School was short.

From the above attributes, it can be said that main suitable conditions for members of psychodrama are that the term of psychodrama conducted at the School may be relatively short (approximately 6 months), that juveniles are not self-restrictive but can express in any form their feelings of hostility and rejection, and that juveniles have images of their own delinquencies.

IV. Future Perspectives

1. Subjects of this study were mostly feeble-minded delinquents, but in the future we intend to increase the number of subjects with average intelligence and to apply the results of this study to wider areas.

2. In this study we clarified suitable conditions of members for one treatment technique, but hereafter we intend to attempt the treatment composed of several therapeutic techniques, and to analyse its effect, best conditions for composing techniques, and suitable conditions of members for the treatment.

Structure of Correlation between Delinquency and Personality Traits

— Third Report —

MATSUMOTO, Yoshio

TAKAHASHI, Eiji

WATANABE, Yoshio

TOKUYAMA, Takayuki

TSURU, Motoharu

SHINDO, Hitomi

Introduction

The present report is the Third Interim Report of the research series, the purpose of which is focused on the analysis of the correlation between delinquency and personality traits, by means of mathematical models. In the First Interim Report, the analysis was made on the relationship between types and contents of delinquent acts and personality traits through the clarification of the practical concept of delinquency by mathematical models such as multiple regression analysis. The Second Interim Report presented the analysis of the relationship between delinquency and personality traits, both of which were composed operationally on the assumption that they should be regarded as multidimensional. Following the above two Reports, this Report, based on the same idea as the previous one, intends to reinforce insufficient parts in the previous analysis and analyse the relationship between delinquency and both personality traits and social attitudes with regard to juveniles who are supposed to belong to the typical delinquency category such as juvenile delinquents with previous delinquency records who committed either property-offences or violent-offences.

I. Purpose

The particular purpose of this study, reported here, was as follows:

1. In the former study, the delinquency was composed in terms of the items closely related to juveniles' misconducts and their present delinquent acts as well as their previous records of delinquency. This time, it was re-composed by grouping it under some categories of offences.
2. The relationship between delinquency and personality traits of 1,020 male juvenile delinquents mentioned later as subjects group 1, was analysed by applying the specially designed method different from that available previously.

3. The relationship between delinquency and personality traits of juvenile subjects who have more than one previous record of property-offence was analysed. The same was done for the violent-offence juvenile group.
4. The relationship between delinquency and social attitudes was analysed by using data obtained from the same subjects mentioned in 3 above. Social attitudes were specially structured for the purpose of this study.

II. Methods and Subjects

The subjects of the present study are the following three groups of delinquent juveniles who were received by the juvenile classification homes throughout Japan:

1. A total of 1,020 juveniles singled out almost at random (hereinafter called the delinquent-in-general group).
2. A group of 856 juveniles whose present offence is property offence and who have more than one previous record of any offences (the property offence group).
3. A group of 392 juveniles whose present offence is violent offence and who have more than one previous record of any offences (the violent offence group).

Methods for the analysis employed here are as follows:

1. C. Hayashi's quantification theory model was utilized for composing delinquency.
2. The principal component analysis and the orthogonal rotation of the results were made for composing personality traits and social attitudes.
3. For analysing the relationship between composed delinquency and personality traits as well as social attitudes, subjects were classified into five groups based on the degree of delinquency, and, mean factor scores of personality traits and social attitudes for each group were computed.

Incidentally, in the process of composing personality traits and social attitudes, data obtained from MJPI, the Personality Inventory, and MJAT, the Attitudes Test, both developed by the Ministry of Justice, were used.

III. Results

1. Firstly, delinquency, which was previously composed in terms of the present delinquent acts and previous records of delinquency, was re-composed by integrating the present delinquent acts into some categories of offences. As a result of it, three dimensions, namely, "proleptic-confirmed delinquency," "delayed-occasional delinquency," and "mulifarious-passional delinquency" were found. These newly obtained results are almost similar to those in the previous study. However, the present results can claim to be more cogent than the previous ones.

The same names as those used in the previous study were given to the first two dimensions of delinquency among the above three in this study.

2. After examining the relationship between delinquency mentioned in 1 above and personality traits, the following results were drawn:

- a. the more advanced "proleptic-confirmed delinquency" one has, the larger "neurotic tendency" he shows in his personality traits,
- b. the more advanced "delayed-occasional delinquency" one shows, the smaller "exaltation" tendency he possesses in his personality, and
- c. no significant relationship was observed between "mulifarious-passional delinquency" and any particular trait of personality.

Concerning the relationship between personality traits and delinquency closely related to juveniles' misconducts which was described in the Second Interim Report, the following results were obtained from the present analysis.

- a. the more advanced "general delinquency" one shows, the larger "neurotic tendency" and the smaller "lack of will" tendency he has,
- b. the more advanced "delinquency formed through family conflicts at an early stage of life" one has, the larger "vanity" tendency he shows, and
- c. the more advanced "delinquency formed through spoiling upbringing at home" one has, the larger "exaltation" tendency he shows.

3. The relationship between delinquency and personality traits specifically seen in both property and violent offence groups was analysed. The results are as follows:

- a. in both groups, the more advanced "general delinquency" one has, the larger "explosive" and "neurotic" tendencies he shows.
- b. the "neurotic tendency" also increases in both groups according to the extent of the advancement of "delinquency formed through family conflicts at an early stage of life," though this tendency is more markedly seen in the property offence group, and
- c. again, in both groups, the "neurotic tendency" decreases according to the extent of the advancement of "delinquency formed through spoiling upbringing at home."

4. By composing social attitudes of juveniles in both property and violent offence groups, three factors or dimensions were obtained. Those were respectively named as "money-seeking," "pleasure-seeking" and "traditional-value-oriented" factors.

Then, the relationship between the above factors and delinquency closely related to juvenile's misconducts was analysed. The results are:

- a. in the property offence group, the "pleasure-seeking" attitude becomes greater, according to the extent of the advancement of "general delinquency." When the level of this delinquency is low, juveniles in the violent offence group have the more "traditional-value-oriented" attitude and they are more likely to oppose against the "money-seeking" attitude than juveniles in the property offence group do, though attitudes towards money and pleasure assumed by juveniles in both groups become more similar with each other in accordance with the advancement of "general delinquency,"
- b. according to the advancement of "delinquency formed through family conflicts at an early stage of life," the "pleasure-seekings" attitude increases and the "traditional-value-oriented" attitude decreases in the property offence group. On the other hand, the "traditional-value-oriented" attitude of the violent offence group does not decrease like that of the property offence group does, however advanced the level of delinquency is,
- c. when juveniles in the violent offence group have been advanced in "delinquency formed through spoiling upbringing at home," they are prone to appreciate the traditional value compared with the property offence group. In the meantime, in case they have been less advanced in delinquency of this dimension, they show more of the "money-seeking" attitude, while they show the stronger "pleasure-seeking" attitude with advanced delinquency.

IV. Conclusion

In concluding this report, the following results can be summarized:

1. The validity to grasp delinquency multidimensionally was proved.
2. In assessing delinquency, the "neurotic tendency" is the most important dimension of personality.
3. Some differences can be observed in the relationship between delinquency and personality traits between juveniles involved in property offences and those in violent offences.
4. Fairly significant differences were observed in the relationship between delinquency and social attitudes with regard to juveniles involved in property offences and violent offences.

V. Future Prospect

Although, through the series of studies so far, the relationship between "delinquency closely related to juvenile's misconducts" and personality traits, and, furthermore, the relationship between "delinquency noted in juvenile's previous records of delinquency" and personality traits were independently analys-

ed, the whole picture of correlations between those dimensions will be integrally described in the next final report.

A Study on the Process of Repeated Offences in the Larceny Cases

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INOUE, Yoshitaka

The study was aimed at clarifying following points statistically: (1) A prediction table composed of variables related to offender's life history and other personal traits can foretell the incidence of his recedivism to a certain extent; (2) The probability of the recidivism derived from such prediction method, however, will never remain constant, but will rise by the subsequent recidivism or decline by a lapse of time being free form crime; and (3) The crime-free period (the length of time from a certain period of time in which a person has not committed crime) will highly correlate with the repetition of crime in the future.

The subjects of he study were 248 prisoners and 219 adult probationers who had been the subjects of the recidivism prediction study conducted by Nakagawara et al. from 1961 on. All of them were Japanese male first offenders convicted of larceny with the age ranging from 20 to 30 at the time of their sentence becoming finally binding. Some of the original subjects of 250 prisoners and 250 adult probationers were excluded in this study owing to their death or their having been convicted of other concurrent crimes in addition to larceny or their previous convictions which were detected in the course of this study. The follow-up period of at least 12 years after having been released from prisons in case of prisoners and after the probation order becoming finally binding with regard to probationers was ensured for each of the subjects in this study.

Table I showed the distribution of offenders by the number of arrests in the follow-up period of 12 years in both prisoner and adult probationer groups in comparison with the Pólya-Eggenberger's distribution. It is clear that the actual distribution was quite similar to the Pólya-Eggenberger's distribution, meaning that the recidivism rate of larceny offenders was considered to be an accelerative evolution. Thus, why and how it evolved with acceleration phenomenon were the questions to be cleared up.

Assumption were that those who committed crimes and subsequently were sentenced have a relatively high probability of recidivism, but that this high probability would never continue for a long period, but decrease according to a passage of crime-free time with the said probability highest in the period im-

mediately after their discharge from custody. We examined whether this theory would be valid at any randomly selected time in the follow-up period. The particular dates after the passage of 3, 6, and 9 years of the beginning of follow up period were chosen so as to look into the correlation between the arrest-free period and the frequency of arrest. The arrest-free period was operationally defined as the length of time from the date when the offender was discharged from custody for the last time to the designated date. The number of offenders in the arrest-free periods within 3 years before the designated dates and just 3 years after the designated dates were examined and the results were shown in Table II (for convenience sake, the aggregated table was presented and tables by designated dates of 3, 6, and 9 years after the beginning of follow-up period were omitted). It was clearly revealed that the shorter the arrest-free period the higher the risk of recidivism, and vice versa.

This fact offers us some clues for explaining the accelerative evolution of recidivism. Some offenders pass a certain period of time after their release without committing further crime owing to certain conditions and circumstances, and gradually become ordinary, straight citizens, while others commit crime again in a relatively short period after their release, with the inevitable consequence of becoming habitual criminals.

The conceptual framework of the arrest-free period or crime-free period would facilitate to understand the implication of the fact that the curve of accumulated percentage of recidivism in a great majority of the follow-up study showed a sharp rise in the early follow-up period with subsequent decline in the increasing rate thereafter. The fact that persons with prior criminal records definitely reveals higher rate of committing crime in comparison with straight people without any criminal records may well be explained in the context of arrest-free period, that is, the former always have the shorter arrest-free period than the latter whose arrest-free period is tantamount to the length of time from their birth to the their age.

The study could identify only the significance of the arrest-free period in the prediction, but it is also crucial to take into consideration other time-related variables and the change of self-concept relating to the said variables so as to better understand the process of recidivism.

Table I Distribution of Offenders by Number of Arrests in the Follow-up Period of 12 Years

Nos. of Arrests	Prisoners		Adult Probationers	
	Nos. of Offenders	Nos. Based on P.E. Distribution	Nos. of Offenders	Nos. Based on P.E. Distribution*
0	92	84	85	79
1	56	60	48	55
2	26	39	36	34
3	21	25	15	21
4	19	15	16	12
5	7	10	6	7
6	7	6	6	4
7	3	4	4	3
8	3	2	2	1
9 & over	4	1	1	1
Total	248	246	219	217

Strictly speaking, the numbers based on P.E. distribution were not purely theoretical, but rather semi-empirical in the sense that they were calculated from the actual distribution and the theoretical Pólya-Eggenberger's distribution. They were rounded to the nearest whole number, so that the total number of P.E. distribution did not accord with the total actual number.

Table II Relations between the Arrest-free Periods in the Past 3 Years at the Time Points of 3, 6, and 9 Years after the Beginning of the Follow-up Period (Designated Dates) and the Rearrest Rates in the Period of 3 Years after the Designated Dates

Arrest-free Period	Rearrest Rates
3 years	14.0 (%)
2 - less than 3 years	37.9
1 - less than 2 years	47.9
less than 1 year	56.6
0 (being in prisons)*	70.9

* Offenders counted in this category were those who were incarcerated at the designated dates except those who were kept in prisons throughout the following 3-year period after the designated dates.

The Analytical Review of Rape Cases

SATO, Eiko

SUCHIHARA, Saduko

I. The purpose of the research

The research was conducted with a view to getting the overall picture of recent rape cases and, thereby, the characteristics of their suspected offenders and victims, the relationship between the said offenders and victims, their prosecutorial dispositions, etc.

II. The method and the subject of the research

The research was carried out in 10 district public prosecutors' offices with higher incidence of rape cases from 1955 on until now, such as Tokyo, Mito, Kobe, Tsu, Yamaguchi, Fukuoka, Miyazaki, Fukushima, Sapporo and Kochi District Public Prosecutors' Offices (all branches of individual district public prosecutors' offices are excluded) and dealt with all suspected adult offenders at the time of the commission of the said offence, who were subjected to prosecution or non-prosecution in 1976.

The data were gathered through research cards made from official documents which were filled in by competent officials in individual district public prosecutors' offices.

The said research card carries altogether 39 items, which are (1) the summary of offences, (2) the characteristics of suspected offenders, (3) the characteristics of victims, (4) the relationship between victims and suspected offenders, (5) ways and means of the commission of offences, and (6) others.

The 424 suspected offenders (one female suspected offender: the total number of cases 345; the number of victims 355) came within the purview of the research.

The breakdown of rape cases covered by the research shows consummate rapes by 167 persons (39.4%), attempted rapes by 105 (24.8%), injuries resulting from rapes by 140 (33.0%), and rapes in the course of robbery by 12 (2.8%). There are not any rapes resulting in death nor any death resulting from rapes in the course of robbery.

In rape cases mentioned above, about 57.5% of them were prosecuted and, as for rapes in the course of robbery, all suspects were indicted. The research was conducted against those 333 cases, in which the number of suspects was 411 and the number of victims was 343, excluding suspects charged with rape

in the course of robbery which is somewhat different from other rapes in nature and one female conspirator charged with attempted rape which was subject to non-prosecution on the withdrawal of its complaint.

III. The result of the research

1. The characteristics of recent rape cases

- (1) The source of detection of rape cases was common throughout the researched area and not different in Tokyo and other areas. The 90% of rape cases came to light through criminal reports and complaints to law enforcement agencies.
- (2) With regard to the month and the hour of offences, the difference was to be seen in Tokyo and other localities. As for the month of offences, the upper-most month was May in Tokyo and April and August in other areas. As to the hour of offences, they were committed mostly from 0 a.m. to 3 a.m. in Tokyo.
- (3) The scene of offences was mostly restricted to victims' residences. About 80% of them were committed indoors.
- (4) As regards complicity in rape cases, about 82.6% of offences in Tokyo and about 78.9% of offences in other areas were committed single-handedly.

In terms of the prosecutorial disposition of offences committed jointly and single-handedly, the prosecution rate of joint offences is about 68.9%, higher than that of single-offences.

- (5) As to the pre-meditation of offences, about 81.9% of offences in Tokyo and about 74.9% of offences in other areas were committed after they were thought out before-hand.

In the premeditated cases, of all scenes of offences, victims' houses took up the highest percentage and they were committed through breaking and feigned visits. Of premeditated rapes, the prosecution rate was about 57.7%.

- (6) With regard to ways and means of the commission of crimes, of all cases, violences such as beatings kickings, etc. took up about 46.0% and oral intimidation, about 20.4%.

2. The characteristics of suspects and their prosecutorial dispositions

Among the offenders, those in the 20's were 61.6%. As for offenders' professions, the unemployed were 17.0%, followed by company employees, drivers, drivers' assistants, those engaged in entertaining trades, factory workers, etc.

As to the marital status of offenders, about 60% of them were unmarried, yet, those in cohabitation or common law marriage run as high as 27.3%. With regard to their previous criminal records, about 17.0% of them carried previous criminal records related to sex-offences, and those with previous criminal records of violences were about 30.4% and those with other prior criminal records run about 39.4%. As regards their pleas of their charges, about 78.3% of them confessed to their offences. As for the breakdown of the prosecution rate of offences, as to offenders who didn't make the settlement with victims, about 76.1% of them were put on trial, and then the prosecution rate against those not acquainted with victims went about 63.0%, and the said rate against those acquainted with victims run about 47.0%. When victims were less than 12 years old, the prosecution rate was about 80.8% and, when victims were more than 60 years old, it was about 66.7%.

3. The characteristics of victims

The age bracket of victims ranges from less than 12 years to more than 60 years. Those from 16 to 24 years old took up more than half of all victims. As to occupations of victims, students, housewives, unemployed, and those working in entertaining trades were predominant. With regard to the marital status, the unmarried were about 65.9%. About 28.6% of victims were living by themselves. Regarding the fault on the part of victims, about 61.2% of victims ranging from 13 to 18 years old were assumed to have been at fault and, as the age bracket went up, the rate of victims' fault was decreasing. Of all victims, about 56.6% wanted to have their offenders punished severely, and about 32.1% condoned their offenders.

4. The relationship between offenders and victims

With regard to the age discrepancy between offenders and victims, it was recognized that the said discrepancy tended to widen, as the age of offenders became higher and higher. However, as to those offenders who were more than 50 years old, the age of victims was divided between that of less than 18 years old and that of more than 40 years old.

Those victims who had known their offenders were about 46.4% and, of them, about 64.8% had been their acquaintances. About 63.0% of those victims who had had no prior knowledge about their offenders and about 49.1% of those victims who had known about their offenders wanted their punishment, which connotes some interrelationship between victims' connection with their offenders and victims' aggrieved feelings.

IV. The further research in the future

The present research clearly shows that, of late, in Japan, rapes were committed indoors with premeditation, mostly at midnight single-handedly against acquaintances. These characteristics of rape cases in Japan are very similar to those of rapes in the U.S. However, this similarity on the surface doesn't mean necessarily that rapes in Japan and the U.S. have something in common in terms of psychological aspect of their offenders and victims.

Through scrutinizing rape cases more in detail from the psychological point of view, the nature of rapes in Japan which are a little bit different from those in foreign countries with increasing tendency will be grasped more correctly.

A Study on the Actual Situations of Stimulant Offences

SATO, Tsumoko

I. Purpose

This study was aimed at grasping the overall picture on the actual situation of stimulant offences in recent years and clarifying the characteristics of their suspects, the content of their offences, their other related offences, their prior criminal records, their prior records on the consumption of stimulants, and the relationship between the stimulant offences and the gangster group.

II. Subjects

The sample of this study consisted of 453 suspects, who were referred to eight District Public Prosecutors' Offices, namely Tokyo, Maebashi, Osaka, Okayama, Kumamoto, Sendai, Asahikawa and Matsuyama (excluding their individual branch offices) on the charge of violation of the Stimulant Drugs Control Law during the period from January to February 1977.

III. Method

The questionnaires concerning the type of suspected stimulant drugs offences, and related offences, previous criminal records, personal characters, prior records on the use of stimulant drugs, etc. with regard to suspects in question of the said offences, were sent to the aforementioned Public Prosecutors' Offices in order for every sheet of questionnaire per suspect to be filled in by the personnel in above individual offices.

The data thus collected were analysed to make clear personal attributes, social backgrounds, previous records on using stimulant drugs, prosecutorial dispositions, in the above District Public Prosecutors' Offices, etc. as regards above suspects in question.

In addition, in order to investigate the relationship between stimulant offences and gangsters, the subjects were divided into two groups, the gangster group and the non-gangster group, and the suspects in the former group were classified further into six categories according to their status in their own organizations. And then the analytical review was made to get the clearer picture of the characteristics of both groups through their comparison.

As far as the gangster members were concerned, of 436 suspects excluding 17 unknown cases, about half of them or 218 belonged to the gangster group.

The gist of this study may be summarized as follows.

IV. Results

1) Characteristics of suspects

To begin with, sex, age, employment and nationality of both groups were as follows.

Concerning sex, of 218 gangster members, 204 (93.6%) were males, and 14 (6.4%) females. On the other hand, of 218 non-gangster members, 166 (76.1%) were males, and 52 (23.9%) females.

Regarding the age bracket, the majority of them were adults and young adults in both groups, and in particular, the non-gangster group revealed a higher rate of young adults under 24 years of age.

As for employment, both groups had a high ratio of construction labourers, workers in the businesses affecting public morals (bartenders, waitress, etc.), self-management businessmen and the unemployed. Street vendors in the gangster group and traffic-related workers in the non-gangster group had a relative high ratio respectively.

Looking at nationality, the number of Japanese amounted to an overwhelming majority with 210 gangster members (96.3%) and 199 non-gangster members (91.3%). The rate of foreigners was higher in the non-gangster group than in the gangster group.

2) Type of stimulant offences

With regard to the type of offences, the delivery case in the gangster group and the receipt case in the non-gangster group had a slightly high ratio respectively.

It was characteristic that many users of stimulant drugs were involved in both groups, and that many users of stimulant drugs in the gangster organization belonged to the lower rank in it. There were six suspects charged with smuggling among subjects of this study and all of them belonged to the non-gangster group. Smuggling offences were committed mainly by gangster members in the past, but the smuggling committed by non-gangsters has been increasing recently in number.

3) Previous criminal records

In terms of previous criminal records, the gangster group had a higher rate of suspects with various previous criminal records than the non-gangster group. Especially, the rate of those having prior records of suspended prosecution, fine, suspension of execution of imprisonment with or without forced labour, and imprisonment with forced labour in the gangster group was two or three times as high as those in the non-gangster group, indicating 37.2%

(14.7% in the non-gangster group) in case of suspended prosecution, 63.3% (39.9% *ibid.*) in fine, 53.2% (29.4% *ibid.*) in suspended sentence and 45.5% (14.2% *ibid.*) in actual imprisonment with forced labour. Of all suspects or 9.6% who had no previous criminal record. Among those who have previous criminal records, there were fairly many suspects who had committed stimulant offences before. It should be noted that all of 68 leading members of the gangsters had some previous criminal records and 42 of them had some relating to stimulant offences.

4) Prior records of using stimulant drugs

With regard to motives, causes of its continuous use, frequencies and periods of using stimulant drugs, both groups showed the same tendency at large.

The main motives to use stimulant drugs came from curiosity (55.1% in the gangster group, 47.1% in the non-gangster group), and temptation (19.7% in the gangster group, 35.5% in the non-gangster group). It should be noted that not a few of non-gangster members were lured into the use of stimulant drugs by gangster members.

The main reasons for continuing the use of stimulant drugs derived from feelings of pleasure (35.4% in the gangster group, 36.6% in the non-gangster group) and incapacity to give up (24.2% in the gangster group, 20.3% in the non-gangster group). As for causes for the use of stimulant drugs, they were for playing gamblings (10.1% in the gangster group, 2.3% in the non-gangster group), doing jobs (1.7% in the gangster group, 11.0% in the non-gangster group) and seeking pleasures (12.4% of the gangster, 16.3% of the non-gangster).

Actual Situation and Control of Juvenile and Youth Crime in Asian Region

KONO, Masako

Until recently, the problem of juvenile delinquency and youth crime has not loomed up so large in Asian countries as in the United States, Japan or other developed countries. The reason for it might be that they have still taken the effective criminal policies to deter the offenders by imposing severe criminal punishment, to control the criminal activities by imposing administrative measures such as martial law, curfew, prevention detention, etc., or that they have been under the severe control of informal measures such as closely-knit family system, rural and municipal organizations, etc. However, under the influence or recent industrialization and urbanization, several Asian countries have faced the gradual increase of violent crimes and drug abuses committed by young people, even though a great number of juvenile and youth crimes are still traditional ones owing to the economic conditions such as poverty and unemployment.

It is obviously difficult to single out primary causes of juvenile and youth crimes. However, several reasons might be pointed out for the increase of such crimes. The high incidence of offences committed by young people may be attributable to the population migration, disintegration of family system, depraved living conditions in cities, unemployment, personal and economic maladjustment and frustration, maldevelopment of ego and super-ego, etc. Moreover, the process of urbanization has also conduced to the weakening of social institutions which have been playing an important part in controlling the behaviour of youth, and the increasing malfunctioning of these traditional measures of social control has been conducive to the increase of juvenile and youth crimes. Especially, the recent disorganization or weakening of tightly-knit family system, under which the head of family used to take all the responsibilities for caring for family members and controlling their daily activities, makes many young people frustrated and leads them to a careless life. Furthermore, the high incidence of juvenile and youth crimes in towns and cities under the process of industrial growth is related to the disruption of the traditional family system and consequent weakening of family authority and control over individual members, which are mainly caused by the lack of parental care and control, the increase in number of broken homes and earning mothers, etc. In other words, the characteristic features of the urban way of life such as extensive conflicts of norms and values, more rapid social changes, the increased mobility of the

population, the emphasis on material goods and individualism, the marked decline in intimate personal relation, and the influence of mass medial portrayal of violence have a close relation with the increase of juvenile and youth crimes.

It is clearly difficult in Asian region, under the present circumstances, to expect the effective countermeasures to be taken against juvenile and youth crimes, which are rapidly becoming the source of serious social concerns. Few countries have the well-organized juvenile justice system; for example there are many countries which have no special laws and proceedings applied to juvenile offenders and they are handled by ordinary laws for adults; there are no special juvenile courts at all, and even if there are, they are set up only in big cities; there are no special institution to detain the juvenile offenders, no probation system nor after-care services, and even if there are, they function only in dissatisfactory forms; in addition to these deplorable situations, there exist persistently social and economic minus factors to juvenile and youth crimes. In order to expect more effective countermeasures in the future, first of all they shall improve such defective juvenile justice system for the betterment of social and economic conditions. Now, in many Asian countries, more than half a population are of younger generations under 21 years of age, which means the number of potential criminal is increasing. They have faced therefore the urgent needs to promote and utilize the informal social control measures, diversion methods for avoiding the stigmatization of juvenile delinquents, or community-based treatment, in parallel with the effective enforcement of juvenile justice machinery.

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