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Desistance in Japan: culture and context

Adam James Hunt

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Abstract

This research is an exploratory study of desistance in Japan, looking to understand the phenomenon through examination of cultural factors in an environment far removed from the Western basis of much work done in the field. The thesis is a contribution to an emerging sub-field of desistance that seeks to understand how context changes and affects the process of moving away from criminal behaviour. The content of the thesis illustrates the careful steps needed for effective cross-cultural examination in an environment with little existing research. The exploratory research required a methodology that reflected the need to cultivate environmental and context sensitivity in order to accurately observe and analyse desistance. Thus, this work provides the findings from a 15-month period of ethnographic lived experience in Japan, during which ethnographic participation and observation took place, alongside 50 interviews with academics, experts, probation officers, voluntary probation officers, volunteers at charities, peer-supporting former offenders, and active desisters. This 'macro-to-micro' approach provided multiple perspectives. Through a focused analysis of specific desistance environments, the work relays how various factors in Japanese society overlap in the creation of highly personal desistance processes. The work provides insight into one support centre for adults run by former offenders and volunteers, alongside the desistance narratives of a peer-support network of former youth offenders. Through this, it is possible to identify how specific cultural factors influence not just the desisters themselves, but also the social dynamics around desistance. This research concludes that the cumulative features of Japanese culture enable and influence desistance, indicating that national context is important in facilitating specific sub-national, local and sub-cultural conditions with which the desister interacts. However, there are also cross-national and potentially universal features of desistance, as seen in the previous literature, that stem from desistance being a navigation of social (and therefore cultural) dysfunction.

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Declaration

I, the author, confirm that the Thesis is my own work. I am aware of the University's Guidance on the Use of Unfair Means (www.sheffield.ac.uk/ssid/unfair-means). This work has not been previously been presented for an award at this, or any other, university.

Chapter 1 Introduction

If one ever finds oneself in the heart of Kyoto, or any of the bustling streets of the famous metropolitan areas of Japan, it takes all but three seconds to realise the density of cultures and practices that exist. Walking through the humid 40-degree streets of Japan, clutching my umbrella in desperation against the sun, I vividly remember my early experience of Japan's unique cultures and a surprising sense of familiarity: designer fashion set in contrast to strict business code dress, or mobile phones surrounding a table full of teacups filled with green liquid (*matcha*). It was a world that was both fundamentally the same as what I experienced in England, but at the same time so different that it was almost impossible to understand. This paradox is a theme that comes up in much research on Japan for the scholar who has to communicate the impact that comes from living and working in what feels like a world so far away from one's own culture, yet at the same time, a world that is deeply familiar. Cultural research exists in the tiny world of variance above the more fundamental human structures that act as foundations for behaviour (the need to eat, co-operate, walk, work, and so on). In the world of cultural research, a person sees a mirror of themselves, but their attention rests solely on slight contrasts in dress, speech, and perspective. They have to communicate how their social construction of reality has been challenged, and in what places it remains unchanged.

In this thesis I relay my learning from an extensive period of research in Japan. I spent this period of my life not only living in Japan, but in focused study of its cultures, people and practice. My objective was to look for and examine desistance in this environment. I begin with a reflection on an early experience in Japan, because it allows for the reader to see my problem as I first came across it; I needed not only to find desistance, but also to gain the skills to see desistance within the many different social realities that exist there. This thesis is composed of two themes. The first is the approach and methodology applied to enable me to understand desistance in Japan. At the onset of this project, I had relatively superficial understandings of Japanese culture and a very basic level of Japanese language ability. Over the five years it took to complete this PhD, I left behind in Japan loved ones, friends and colleagues; connections I developed with slightly upgraded language skills. The second part of the thesis focuses on desistance within Japan, via a consideration of the data that were gained across 15 months of ethnographic lived experience and a variety of types of interview, observation and participation.

1.1 What is the goal of desistance study?

Desistance research is the study of why and how people stop offending. Research has found that most people who offend eventually move away from offending, with the peak age of

offending in the late teens or early twenties and a gradual decline thereafter, although some people never desist (Farrington 2017). Thus, scholars in this field aim to explain and test the decline in offending as people age. It is relevant to this study that exceptions and variations in the trend exist in different contexts; variations based on offending type, demographics or sub-cultures. For example, South Korea was found to have offending peaks for certain crime types in the late thirties (Lu 2024). Steffensmeier et al. (2020) provide evidence that challenges the invariance of the curve in South Korea, where they did not find offending peaks in adolescence. Furthermore, in Japan older people make up a significant proportion of the offending population; this is possibly related to economic and welfare conditions (considered in Chapter 2).

Desistance is now a well-developed field that is home to a variety of studies across domains such as psychology, sociology, and economics (Blonigen 2010, Chouhy et al. 2020). The theories within desistance draw attention to a person's narrative development (Maruna 2001), social-structural dynamics in the way people affect and are affected by the environment (Giordano et al. 2002), how pro-social bonds motivate a person away from crime (Laub et al. 2018), offending as a product of abuse, trauma, stigma and social dysfunction (Sharpe 2024), and the fact that the movement away from offending might require a commitment to a long and difficult iterative change process which often takes place over many years (Bottoms and Shapland 2011), or not at all despite a substantial desire to change (Shapland 2022a). The field has produced this understanding across quantitative and qualitative boundaries (Sagara et al. 2024) and there have been both small- and large-scale research projects (Bottoms and Shapland 2011). There is a depth and variety in methods used, with insights coming from cross-sectional research and longitudinal evaluations (Laub and Sampson 2003), and these projects might use any combination of methods; for example, ethnography (Salinas 2013), interviews (Nugent and Schinkel 2016), or statistical evaluation (Farrall et al. 2014). Desistance research is not limited to theoretical development; it is starting to be used to educate practitioners and policy makers in certain jurisdictions, such as Scotland (McNeill 2015).

The general consensus on the topic is that desistance has much depth, and that there exists tension between theorists over what needs to be emphasised or which theory takes precedence. Still, some scholars tell us that there are themes of concordance, such as an observation that support from others is important (Chouhy et al. 2020). Overall, the field has created a robust understanding of why and how people stop offending across a variety of jurisdictions, types of offending, and times in history. This project is an attempt to take core principles from this theorising and grow desistance theory in a jurisdiction and wider region that has seen little attention from desistance researchers (Barry 2017, Au 2020). The majority

of theories have been developed in the West region, with many outputs coming from the USA and England (Sagara et al. 2024). This thesis contributes to a small and growing field of cross-cultural examination that examines how contextual differences across jurisdictions and countries affect the mechanisms of desistance. Previously, there has been work comparing two countries (Fernando 2021, Segev 2018), taking a focused look at a specific country (Au 2020), or engaging in research to look at sub-national variations due to variations in culture or ethnicity within a single country (Calverley 2013).

1.2 What is the question asked in the research?

The specific focus of this thesis is to provide an understanding of how features of the Japanese context interact within a desistance process. This goal does not include providing a general picture of all the ways in which desistance occurs in Japan. Instead, attention is focused on obtaining a detailed view of singular desistance processes and of how specific features of Japanese society are relevant at different times and places in these journeys. The key research question is thus:

To what extent do cultural practices in Japan function to enable, or disable, offenders in their engagement with criminal activity, and in their movement towards law abiding lifestyles?

There are a few important words to explain in this question: 'extent' highlights that the unique features of the Japanese context may not be the dominant influence. 'Culture' is used here to refer to jurisdictional context, and the range of factors it provides that might affect desistance; explained in this thesis through ideological, social and structural factors. The goal here is to describe desistance as it has been observed and from the viewpoint of those experiencing it or close to those desisting, and then to explain, where relevant, the influence of the Japanese context, not to separate out specific features of Japan. The plural, 'cultural practices' highlights an awareness that Japan will accommodate many different practices. 'Enable' and 'disable' denote both positive and negative influences in desistance. The reference point of this question is existing theories of how the desistance process occurs across different cultures and nations. The aim is to consider, enrich, or contrast existing theory, which has largely been developed from field research in the West, with cultural elements in Japan.

1.3 Overview of the structure

Chapter 2 reviews theories of desistance and contemporary developments. The chapter draws together desistance theories most relevant to the current study's goals. The main feature of the chapter is an examination of how cross-national desistance research has developed and contributed to the field, providing a structure onto which the findings of this project can be

grafted. Some details of Japan's social context are provided that exemplify how and why desistance research in Japan has been thought to generate insightful theory.

Chapter 3 explains and justifies the methods of this research and their epistemology. The goal of this project is to develop understanding of desistance in Japan. This entails an understanding of desistance, an understanding of Japan, and observation of the desistance process within Japan. The chapter explains the approach that was undertaken to effectively find, observe and understand desistance in a physically and culturally distant place of study.¹ The research questions are developed further, clarifying how the previous chapter's discussion of desistance and culture is used to construct a methodological approach, with sub questions being created related to Japan's ideologies, social dynamics, and structural features. The work here is influenced by Nelken's (2017) recommendation to do research while living in a country, as that allows the researcher to understand its various and nuanced ongoingings.² Time is taken to stress the value of gaining sensitivity to a studied jurisdiction: this allows the researcher to make culturally-informed observations and limits critical interpretive mistakes. The chapter describes the process of living in Japan for 15 months in order to gain cultural sensitivity, conducting ethnographic participation in desistance related spaces, and undertaking 50 interviews with academic experts, state level and voluntary probation officers (explained in greater depth in Chapter 5), third sector desistance supporting actors, and desisters. From this chapter it should be clear why a multi method triangulation approach was adopted. Throughout the chapter, I reflect on the research process in a different country, one with relatively limited criminological development. The chapter also details access and ethical considerations.

Chapter 4 addresses some of the key lessons that were learned about Japan over the course of the research. In this chapter, the value of contextual knowledge is stressed. A conversation on similarity and difference is particularly helpful, as this allows for a confusing aspect of cross-cultural research to be explained. Types of observation are explained across visual and functional similarity and difference, building on the previous chapter's discussion of Nelken (2017). Within this chapter, potentially important features of Japanese society related to culture are explored. These include a critical reading of collectivism and individualism as they have been used in the past to understand Japan in ideological terms, and the choice to instead look at these concepts from the perspective of social organisation and power structures that actors

¹ 'Distant' is used here because it identifies the research's developmental base in England. Cultural 'difference' and 'uniqueness' are relative terms that suppose a central culture which is sometimes useful to frame a conversation, but not in this instance.

² 'Ongoingings' is used consistently in the thesis to refer to the extended list of things occurring within a social context; events, processes, actors, ideologies and so on. It relates to the definition of culture provided first in Chapter 2 and then extended in Chapter 4.

need to navigate. I explain how a more group-orientated organisational structure might change the way individual desires and goals are pursued. Actions considered selfless in Western dialogue can be seen as logical selfishness in the Japanese context; e.g. working long hours on a group project after work. In this chapter it is stressed that desisters experience a unique journey in society, in which social functions are in some ways not working. Thus, the national context requires careful consideration of the meaning it might have for desistance.

Chapter 5 provides an overview of criminal justice in Japan, detailing the various processes that a person can travel through; including police intervention, prosecution, courts, types of incarceration and probation. Two different criminal justice infrastructures for offenders are described: one for adults (aged above 20 in Japan) and another for juveniles. While going through each stage of the criminal justice system, time is taken to consider what role these services play in society and their significance to desistance. A few key points emerge. First, there is contention in the academic literature about what impact each part of the Japanese criminal justice system is having. Several scholars are concerned about human rights abuses by the police, prosecution, and in prison (Human Rights Watch 2023, Kita 2018). Second, in broad summary, the juvenile system seems orientated towards reform (punishment to change behaviour), while the adult system seems to be retributive (punishment to inflict pain). However, there are indications that practice might be quite varied based on locality. Third, the chapter provides context for discussion chapters that examine a 'utopian' view of crime control in Japan. The main purpose of this chapter is to illustrate the potential pathways that a desister might travel, and therefore to provide a framework to understand pathways of desistance experienced by my research participants. This will help the reader to understand that many different desistance pathways exist in Japan, and that the pathways explored in this work only represent a few of these.

The approach to the presentation of findings in Chapter 6 and 7 is designed to provide participants' perspectives in depth, but with very limited analysis at this point. This approach is highly useful in an exploratory study and is premised on inductive theory principles. Through this the reader will be able to understand the perspectives of desisters and other participants in this research, giving them a voice and developing the thesis through their guidance and insight. Throughout the chapter, perspectives from one set of participants are contrasted with perspectives from a different group or data point. For example, probation practice, as seen and explained by service providers, is then viewed from the service user perspective, and then again from a desister 10 years after completing probation. This enables the presentation of varied perspectives developed through the multi-method approach.

Chapter 6 first provides insight into the desistance process from adult pathway offending (criminal sanctions after the age of 20) from desisters who were receiving support from, or around, an atypical 'desistance support centre'. These desisters had moved from family, home or prison to join a centre many miles away in order to attempt a new life. They navigate a stigmatising society that has rejected them before and continues to reject them at every turn. The second part of the chapter provides the views of those who were on the youth pathway (criminal sanction before 20). These two contrasting desistance 'pathways' provide distinct experiences that are influenced substantially by the contextual features of Japanese society. Chapter 7 then presents the views of supervising probation officers and volunteer probation officers of the desistance process.

The discussion in Chapter 8 brings together themes from across the thesis to address the research aim of understanding desistance in Japan. The first point of the discussion centres on previous literature that has attempted to explain crime dynamics through unique features of Japanese social culture. The macro-to-micro model of Japan developed during the thesis is used to evaluate these explanations. This evaluation shows that simple causal association of crime rate to culture is not an appropriate foundation for theory. During this discussion, previous work from outside Japan is considered. This shows that the international objective to learn about the unique systems of Japan may have created a false 'utopian' image of both its informal and formal crime mechanisms, as research has been overly focused on points of contrast (Goold 2004). Interviews with Japanese academics conducted during the research provide helpful guidance when navigating these debates. There is a clear need for more criminal justice service user perspectives, as the few such outputs that exist are building up a picture of a crime landscape that is not utopian. In the topics that follow in the chapter, the 'utopian' view of criminal justice is shown to have taken root in Japan; orientating how desisters are considered and how they navigate their desistance.

Following this, the chapter directly considers how desistance is influenced in the Japanese context. First, when data are considered at a high level, desistance seems to be influenced by the national context in many small and large ways; in any one person's narrative across different points in time, structural, ideological and social features of Japan are relevant. Yet existing theory is not fully challenged. Instead, various aspects of the desistance process are augmented. This is then shown through an analysis of adult pathway desistance, which provides an opportunity to consider how a social context of 'criminal stigma' has necessitated a support programme led by former offenders - people 'knifing-off' culturally produced stigma. Next, within this new environment it is possible to see how dense social network structures give shape to a unique environment of support that provides an overlapping framework of former-offenders now helping others, volunteers from religious communities, and a variety of

other desistance related actors. Throughout, reflection on a youth pathway out of offending reveals a different desistance process rooted in family or state support. These two experiences indicate that if a desister is seen as redeemable by some feature of society, they might be supplied with resources to end their offending, or in contrast, provided with many barriers.

The final focus of discussion is probation in Japan. The goal of this discussion is to provide a tentative explanation of how a volunteer led probation service affects desistance, and to consider its purpose in Japanese society. The discussion of probation officer perspectives provides balance to the overall view of the effects of criminal justice on the desistance process in Japan. The role of probation appears to be to convince those around a current offender or desister (family, employer, etc.) to more actively engage in supporting them out of crime, rather than working directly with the desister. This discussion highlights the significance of relational desistance theory in a negotiation context with socially minded views about what crime is and why it happens.

The conclusion of the thesis is that Western theories of desistance are helpful in the analysis process, and are important to how the process occurs. Findings demonstrate the relevance of stigma, socio-economic conditions, criminal records, familial breakdown, obtaining a pro-social bond, and the need for support in the process of exiting from crime. Generally, exit from crime matches past studies that have explained the process as an ongoing and complex backwards and forwards journey of progression out of negative life circumstances. Desisters in this study exist in many ways outside of the standard social context; they are offending for any number of reasons that relate to some breakdown of their social reality. Thus, the significance of Japan's exceptional social features does not seem to be as relevant as once postulated in contemporary Japan (Braithwaite 1989). However, the thesis still found that Japan provides a variety of conditions, processes, and features that can change how, why, and if desistance occurs.

Chapter 2 Desistance literature and jurisdictional context: looking at Japan

2.1 Introduction

This chapter draws together the desistance literature and theorising on culture as it relates to cultural desistance study, explaining how an examination of Japan will provide innovative data.³ First, the chapter considers the literature on desistance, explaining the major theoretical schools and discussions. The age-crime relationship is used to explain the general decline in offending expected over time (Hirschi and Gottfredson 1983). Pro-social bond theory (Laub et al. 2018) and agentic models of change are used to describe how desistance is thought to occur (Bottoms and Shapland 2011), and during this explanation, the relationship between agency and structure is explored. Through the discussion, the role of cultural elements in the desistance process are highlighted (for example, marriage, employment, and family), and the general theme of support in helping people to desist is noted (Chouhy et al. 2020). Following this, the chapter identifies how comparative research is relevant to the desistance literature by explaining cultural elements' role in the process. The chapter then defines culture and explains how it can be divided into three aspects - structural elements, social relationships, and ideology. The way in which each aspect can be used to explain divergent desistance patterns across two jurisdictions is exemplified by looking at past cross-national desistance research (Au 2020, Fernando 2021, Osterman 2018, Segev 2018). The chapter concludes by looking at the context of Japan through a piece of research that has examined collective offending responsibility (Kita 2018). Her work is used to evidence the relevance of the chosen site of study and provides some indication of desistance mechanics that are considered in the later parts of this thesis (Chapters 6, 7 and 8).

2.2 Defining desistance

Desistance literature is a consideration of how people transition from offending, and has an understandably expansive literature. *Desistance* refers to a current offender's move away from crime. What will then count as *desisted* for the ex-offender is where a level of conceptual vagueness arises - has a person desisted from offending if it is six months, one year, or three years since their last offence (Rocque 2017; Maruna 2001)? Au (2020) sets out a table of the definitions used by various theorists, illustrating that definitional flexibility across the literature is vast.⁴ Very broadly, there are two schools of thought about how desistance should be

³ This study considers Japan's 'culture' and cultures within Japan, culture is discussed and defined in Chapter 3.

⁴ There are a total of 18 definitions listed. This evidences the degree of variation in the literature, as each theorist applies a subtly different definition; they include no offending for 1-year all the way to 10-years, and highly specific method related definitions (e.g. no offence after age 25, desister communicated reductions in offending, or a lack of convictions) (p.34-35).

defined. Certain theorists view desistance as a process that takes place over time (Shapland and Bottoms 2011), and others see desistance as the end of a person's offending - a turning point where offending stops (Laub et al. 2018).⁵ Bersani and Doherty (2018, p. 313) note there is "little consensus regarding how much change is needed to signal that the process of desisting has begun and how much difference in offending patterns is needed to distinguish" persisters and desisters. The process is complex; explanations range across fields and have yet to fully resolve into any collectively accepted model. This thesis is both a qualitative and exploratory consideration of desistance in an Asian culture that has seen minimal research in the field of desistance (Barry 2017). Thus, it makes use of a flexible definition of desistance that accounts for all of the above: *desistance is thought to be occurring at any point at which the offender's patterns of behaviour have changed in ways that limit or stop offending in a significant way*. This definition is primarily in line with views of desistance as an active and ongoing process (Giordano et al. 2002, Paternoster and Bushway 2009, Shapland and Bottoms 2011). It also acknowledges the body of work that makes use of the word *desisted* to mark an end to offending in dichotomous terms (Bersani and Doherty 2018, Laub et al. 2018). Additionally, as highlighted by Kazemian (2016), a desistance measure should recognise changes not directly tied to offending - improvements in mental and physical health, social bonds and integration, or improved personality traits.

Briefly, it is worth pointing out that desistance has received further classifications. These largely relate to theories of cognitive transformation. Maruna and Farrall (2004) explain 'primary desistance' as a period of time which is offence free, and 'secondary desistance' as internal recognition of oneself as an 'ex-offender', with McNeill (2015) explaining 'tertiary desistance' as external social recognition of an individual as a non-offender. Generally useful when discussing process-based desistance, these markers may misrepresent the complex backwards and forwards journey during which any one of these stages may occur first (Claes and Shapland 2017). Thus, Nugent and Schinkel (2016 p. 570) "propose [respectively] using the terms 'act-desistance' for non offending, 'identity desistance' for the internalization of a non-offending identity and 'relational desistance' for recognition of change by others."

(Relational desistance is returned to in section 2.8)

2.3 Age and crime

At the root of desistance study is an understanding of the age crime curve, featured below. The curve illustrates that most crime occurs in adolescence between the ages 16-25, and this

⁵ Early in their work Laub and Sampson (2001) acknowledge that desistance can be the reduction in offending. However, their 'turning points' show an instance of desistance as a dichotomous end due to external social factors.

curve has been found to be reasonably consistent across time and place (Farrington 2017, Blonigen 2010).

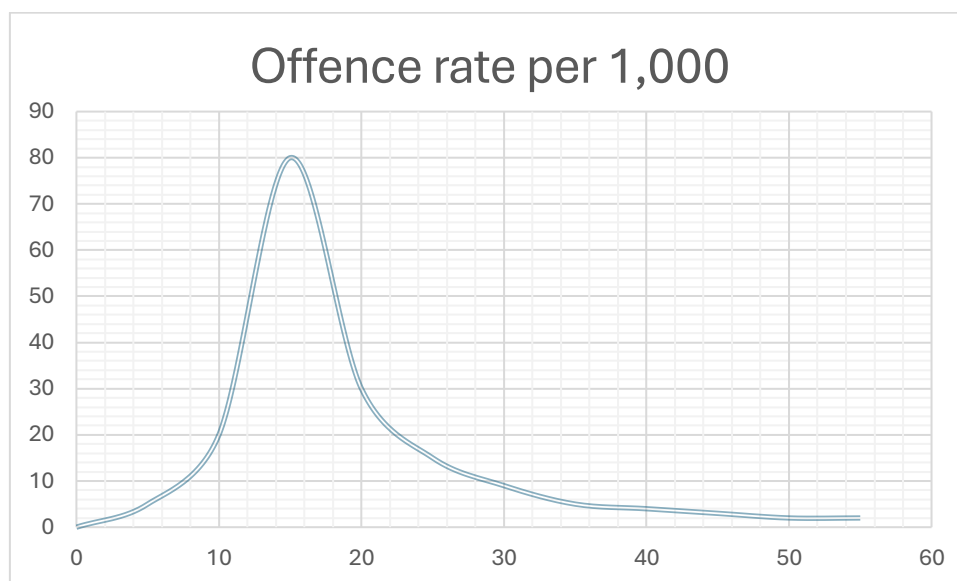


Figure 2.1 Example of the age-crime curve.

This figure provides an example of what the curve looks like in most cases.⁶ It is worth highlighting that a curve of the general offending population will hide the curves of different offending types, demographic, sub-cultures, trends or anomalies. Moffitt (1993, 2017) speculated that there are two distinct groups within the dataset; ‘adolescent limited offenders’ who have relatively short offending careers, and ‘life-course persistent’ offenders with longer careers. The second group has varying characteristics and is the focus of the majority of desistance research (Kazemian 2016). Hirschi and Gottfredson (1983) proposed maturation as an explanation of the curve; that a general aspect of ageing (self-control) acts to underpin the decline in offending behaviour. Modern considerations have found this simple theorising lacking, instead looking to more complex integrated theorising (Farrall et al. 2014, Au 2020). Self-control explanations assume symmetrical onset and desistance reasoning in terms of the factors involved, but this has not been found to be the case (Farrington 2017, Uggen and Piliavin 1998). There are certainly, however, aspects of ageing relevant to the process. Prior et al. (2011) explain how biological and psychological maturation continues until the age of around 25 - examples would be the ability to think critically and make long-term plans. Then, the shape of the world is built in relation to this process - education and employment structures

⁶ For copyright reasons this is a curve constructed by myself, and is thus inaccurate due to being made up. The peak of offending can vary and is perhaps skewed earlier than would normally be presented; with offending peaks common at ages 18-20. A true curve can be found in many desistance publications, for example Hirschi and Gottfredson (1983) on page 556. It is worth highlighting that such a curve can capture *offenders* or *offences* and will thus vary in appearance based on this, with some studies also making use of self-report longitudinal data rather than official statistics (Bottoms and Shapland 2011).

reflect the natural growth of people. Furthermore, much offending occurs in the period of time when children transition into adult roles (Siennick and Osgood 2008). As DeLisi (2015, p. 51) underlines, “sociology, psychology, neuroscience, and biosocial perspectives explain variance in the age-crime curve”. As will be shown, the decline in offending can be understood from various perspectives (Bottoms and Shapland 2016).

Stepping down from the macro perspective, research into individual-level desistance journeys has revealed “a unimodal-offending trajectory that peaks in late adolescence and declines with age ... the shape of offending trajectories over the life course appear similar across race, ethnicity, and gender” with eventual desistance from crime being the norm (Bersani and Doherty 2018, pp. 313-314; see also Claes and Shapland 2017). The curve itself is not totally representative of these criminal journeys on an individual level, as onset, frequency and offending seriousness are shown not to be consistent with age (Farrington 2017, Maruna 2001). The shape of the curve is also shown to change with different demographic characteristics. Piquero (2015) notes race/ethnicity as a factor that can change the shape of the distribution; for example, Blacks and Hispanics show higher degrees of persistence in America. Desistance is substantially hindered by structural marginalisation and discrimination in employment, housing and health, in addition to racist bias at various stages of criminal justice processing (Piquero 2015). Japan exemplifies a contradiction to the trend, with 25 per cent of arrests and those taken into custody being in the group aged 60 plus in 2015 (Statistics Bureau 2018).⁷ However, this datapoint is exaggerated by Japan’s exceptionally low rate of recorded crime (Miyazawa 2012) and reliance on informal mechanisms of social control that leave official statistics limited (Leonardsen 2004). Another example comes from work in South Korea, which has found older offending peaks (Lu 2024). Furthermore, Steffensmeier et al. (2020) explain that the ‘collectivist society’ of South Korea does not even have a general offending peak in youth, but later adulthood. Thus, relevant to the current study, call for more research in countries outside of western jurisdictions. The curve masks a myriad of interesting points of discussion, Sweeten et al. (2013) indicate the complexity of factors in the curve using a regression model devised from interview data with 1,300 ex-offenders, showing a large number of factors relevant to the trend.⁸ Overall, determining causality is notoriously difficult.

⁷ These data were calculated manually by the author from official Japanese statistics that collate total arrest rates for the age groups ‘13 and under’, ‘14-19’, ‘20-29’, ‘30-39’, ‘40-49’, ‘50-59’ and ‘60 and over’ - then rounded.

⁸ **Social control:** ‘biological parents’, ‘marriage’, ‘cohabitation’, ‘children’, ‘romance’, ‘employment’, ‘enrolment’, ‘probation’, ‘social support’. **Learning:** ‘gang’, ‘no. of friends’, ‘friend quality’, ‘antisocial peers’, ‘anti-social peer pressure’, ‘resistant to peers’, ‘strain’, ‘mobility’, ‘homeless’, ‘victimization’. **Psychosocial traits:** ‘impulse control’, ‘aggression’, ‘considers others’, ‘self-regulation’, ‘future outlook’, ‘psychosocial maturity’. **Rational choice:** ‘punishment of others’, ‘punishment of self’, ‘social costs of crime’, ‘social rewards of crime’, ‘procedural justice’, ‘procedural justice: cops’, ‘procedural justice: courts’, ‘police legitimacy’, ‘legal cynicism’ (Sweeten et al. 2013 table 1).

Additionally, the age crime curve is largely relegated to being an indication of a potential reality due to its limitations as a statistical measure.⁹ Firstly, when a curve is derived from detected offending it will gain any problems associated with this measure; measurement methodology will vary across jurisdictions and between studies (Miyazawa 2012, Leonardsen 2004); offenders can enter prison and gain long sentences; undetected offences that make up the majority of crime are not accounted for (Office for National Statistics 2018).¹⁰ Furthermore, early antisocial behaviour is not captured by the curve, and thus does not provide a complete view of the life course (Lahey and Waldman 2017). These problems are mitigated when a study makes use of longitudinal self-report data. However, this is rare and even in those cases generalisability is reduced, and data are constrained to the collection period (Loeber 2012). Nevertheless, data from both quantitative and qualitative research all point to a decline in offending with age.

2.4 Pro-social bonds

The age-graded theory of informal social control was developed from longitudinal data from male juvenile delinquents (Sampson and Laub 1993) and supplemented by in-depth qualitative interviews up to age 70 (Laub and Sampson 2003). The theory explains the significance of “pro-social” bonds in relation to the desistance process, arguing that desistance is facilitated primarily by the structuring effect of key life events such as marriage, employment, or relocation. These events are thought to “reorder short-term situational inducements to crime and, over time, redirect long-term commitments to conformity” (Sampson and Laub 2016, p. 327). The effects of turning points are explained in four ways. [1] The new event forcibly ‘knives off’ the previous self. For example, relocation causes a person to lose anti-social connections that previously facilitated offending (Cromwell et al. 1991). [2] New social environments provide increased levels of informal social control. For instance, employment provides more actors monitoring their behaviour. [3] The new situation will restructure routine activities. For example, marriage is understood to reduce time for offending (Horney et al. 1995, McGloin et al. 2011). [4] These new situations present the opportunity for identity transformation. The turning point model incorporates elements of desistance theorising from across the literature, drawing on the study of individual factors and incorporating ideas of social control, routine activities, and identity change (Laub et al. 2018). The predictive power of the model, however, is limited. Commonly understood pro-social turning points do not always have the same effect (Bersani and Doherty 2013). For example, Bouffard (2005) illustrated a divergent effect from

⁹ Bottoms and Shapland (2011) detail types of graphs which can be generated via cross-sectional offender-based methodology or cross-sectional offence-based methodology.

¹⁰ In England, for example, only one in ten crimes results in an offender being caught (Office for National Statistics 2018).

military enlistment in the US, finding a positive effect for African Americans but not for Hispanics and the lower classes. Craig and Foster (2013) explored data from the National Longitudinal Study of Adolescent Health, finding that marriage and not military service predicted desistance. However, sub-sample analysis showed that military enlistment led to desistance for females and not males. Theobald and Fattington (2011) found that later marriages (at age 25 or older) will have less influence on desistance. While turning points can be used to explain at an aggregate level that certain events are significant, it is clear that at an individual and demographic level there can be social contexts that modify or even nullify their significance (Cid and Marti 2016).

The inconsistent effects of turning points raise the question of whether the pro-social bond facilitates the start of a desistance process, or whether the pro-social bond is a consequence of a desistance process that has already begun. Laub et al. (2018, p. 308) acknowledge agency as a factor in their theorising: “agency is situated in context and is therefore a dynamic, rather than static, construct which is a relational characteristic rather than a property of the person or the environment”. In other words, they accept that the formation of pro-social bonds can be limited by a person’s agency to effect change, and that agency is constrained by a person’s environment and life circumstances (Kahneman 2011). However, despite varying situated levels of agency, almost all offenders are understood to eventually desist, including more persistent offenders (some exceptions are discussed in Chapter 8). Using a structural-subjective dichotomy for context-agency is now known to be misleading, although theorists still vary in where they place emphasis (Bersani and Doherty 2018). Laub et al. (2018) explain all offenders’ desistance as a consequence of time - with bonds eventually occurring as the environment resolves to provide opportunity. They render cognitive transformation as a secondary consideration next to the structuring effect of life events such as marriage or employment. However, it is possible to argue that more significant mechanisms exist which change how much agency a person has, and their commitment to applying agency to obtain change.

Before moving to explain more agentic theorising, it is useful to summarise one key point of the turning point model: pro-social activities in aggregate motivate a transition away from offending (Barry 2013). It is commonly understood that the *offending life* is a myth, as most of an offender’s time is spent engaged in non-criminal activities (Mustaine and Tewksbury 2000). In this life, the natural accumulation (or sight) of pro-social bonds both large and small should have an effect over time. To add to the above, Farrall and Calverley (2006) further consider research on becoming a parent, and there is a smaller collection of literature that identifies the significance of finding religion (Armstrong 2014, Roberts and Stacer 2016, Roman et al. 2007). This general effect is useful to consider when looking at identity transformation literature, as it

is a desire to engage more successfully with these elements that (in part) may motivate change (Bottoms and Shapland 2011).

2.5 Cognitive transformation, the agentic model and integrative theorising

The life of many offenders is cruel and painful, a confusing set of lessons that goes counter to what many experience: “life trajectories toward incarceration are characterized by intergenerational patterns of offending and criminal justice system involvement; sexual, physical, and emotional abuse; and drug and alcohol use and addiction” (Helfgott et al. 2020, p. 628).¹¹ Desistance from crime can in some ways be seen as a person slowly untangling themselves from their histories. Giordano et al. (2002) directly challenge the cumulative work of Laub and Sampson with their findings from longitudinal interview data. Their paper argues that more agentic mechanisms of desistance exist on the “continuum of advantage and disadvantage” (p. 1026). They position their work to address a place where structural disadvantage is not so oppressive that it totally inhibits pro-social bonds from forming, and not so advantageous that they form easily. Desistance is thought to begin when a person manifests a desire to transition away from crime and search out “hooks for change” (Giordano et al. 2002, p. 1000). Paternoster and Bushway (2009) introduce the concept of a “feared self” to explain why a person might engage in an active effort to shift their identity. If pro-social bonds can affect a pull forwards, then the feared self is the push away from crime. They explain that over time, offenders gain an understanding of who they may become should they not end their offending; a growing awareness not just of their own self-perception but of perceptions of them by society more generally. Thus, over time people find they have a growing desire to end their offending. Barry (2013, p.62) gives an example of such reasoning: “many of the respondents in this study gave up crime in anticipation of something constructive happening in their lives rather than in response to something already having happened”.

Bottoms and Shapland (2011, p. 70) present a model that explains desistance and how offending declines over time, basing their findings on a longitudinal study that explored desistance for a sample of young adults. The model explains offending behaviour as occurring in a pattern of roughly sequential stages. [1] “Current offending” is affected by triggers that prompt [2] a “wish to change”. This results in one [3] “beginning to think about oneself and surroundings differently”. [4] A person will start “taking action towards desistance”. [5] The desister “encounters [an] obstacle” and this might lead to relapse, and the person begins offending again. [6] Relapse is also possible during the next phase, when the desister “attempts maintenance”. Over time, people accumulate “reinforcers” (bonds to society that

¹¹ Helfgott et al.’s (2020) findings are based on 171 essays written by adult offenders, both men and women, in Washington State.

motivate and stabilise a [7] “crime-free identity as a non-offender”. The heuristic and interactive model of the early stages of desistance is explained as decreasing offending over time. Throughout this process, “pre-programmed potential” is theorised to influence the process. This potential is the person’s habitual and historic continuity of offending ‘need’ (e.g. economic and emotive). Social capital is also deemed to affect the level of success at each phase of the model. For example, in the case where a person maintains high social capital they might exit from crime quickly. These two ongoing influences are not static but evolve throughout the desistance process, as the desister is able to grow and accumulate resources from their experience. Model stage [2] should be noted, as this can be grown throughout an ongoing desistance process, providing a stronger and stronger desire to end offending.

Thus, Bottoms and Shapland (2011) view desistance as an ongoing process beginning with triggers and a desire to change. Their project began collecting data during the peak in offending on the age crime curve, while the young men were actively offending, and interviewed participants annually for four years. Thus, the work provides insight into early desistance as it occurs. A brief summary of the work is that “desistance, where it occurs, is usually a gradual, not a sudden, process” (Bottoms and Shapland 2011, p. 66, see also Farrall et al. (2014)). Also, while attempts to desist may fail, a person does not necessarily go back to square one.

Maruna’s (2001) redemption and condemnation scripts are the foundations of an entire literature that considers offender narratives and how they inform, and are informed by, the desistance process (Helfgott et al. 2020). The research looks at a group of 20 ‘persisters’ and 30 ‘desisters’, explaining desistance as involving the creation of a ‘redemption script’.¹² The research tells the story of offenders with long held desires to move away from offending. However, for the persisting sample a ‘condemnation’ script’ has formed to block that desire: an absolute view that a negative past will lead to a negative future. Maruna’s work is often noted in the core desistance writings despite apparent methodological weaknesses. Still, his seminal work has value as it showed how self-perception is related to agentic power and action; e.g. a view of being ‘changed as a person’ causing even greater commitment to ongoing progress towards an offence free life.

Assessing this aspect of desistance theory is difficult, as internal change and its relationship to the environment are complex. For any one person, the direction of agency and structural forces will shift both across time and between individuals as changing agency gives shape to the environment, and the environment shapes agency (Farrall et al. 2014, Kahneman 2011). A person’s desistance will need careful examination to understand this complicated

¹² ‘Persisters’ involved in crime and ‘desisters’ in the process of reform.

relationship. Maruna's (2001) sample provides insights into this relational agency, illustrating one extreme of the spectrum. The majority of his participants were current or former addicts whose offending revolved around a need to obtain drugs. The formation of pro-social bonds was frequently forsaken due to the addiction. For example, one persister explains that "[My ex-wife] said, like, 'If you got off heroin now, I'd come back,'" (Maruna 2001, p. 1568). Consistently the sample illustrated how their addiction separated them from the markers of a non-criminal life. Therefore, the offenders needed to put considerable time and energy into addressing the drivers of their addiction in order to desist (Garami et al. 2019). The consequence for those who succeeded (the desisters) was a specific narrative view of their life and history: a view of themselves as agentic and powerful in their ability to change (Vaughan 2007). However, it would misrepresent the research to say that internal change occurs in isolation from the environment: Chouhy et al. (2020) explain how factors outside the offender's control are often crucial to narrative construction - offering four points: [1] Motivation to change from intimate others acts as a catalyst. [2] Support from intimate others acts to reinforce the construction of a pro-social identity.¹³ [3] Significantly, family visits in prison might provide the blueprint for a pro-social identity (this is supported by findings from Au 2020).¹⁴ [4] Treatment such as therapy provides opportunity and toolkits for reconstructing an identity and breaking negative thinking habits (an example would be the Good Lives Model - Offender Rehabilitation Initiative, Ward et al. 2012).

The cultural aspect of Maruna's (2001) research is interesting for the current project. In their narratives, Maruna's participants consistently reflected upon their labels and what was expected of them from society. The persisting individuals often noted themselves as irredeemable and resigned to a life fated to be criminal. In a section titled "Doomed to Deviance", Maruna (2001, p. 1543) reflects on his sample's persisters' strong desire to reform. He explains their continued deviancy as being because "they feel powerless to change their behaviour because of drug dependency, poverty, a lack of education or skills, or societal prejudice". If narrative construction is an important process, the divergent narratives available across places may give shape to different desistance processes (Segev 2018).

2.6 Offending motivation

Offending motivations are the reasons why a person who engages with crime continues that engagement.¹⁵ Motivations will be both conscious and unconscious, and potentially numerous

¹³ Grace Au (2020) found a consistent theme of internal perspective changes from her sample. 'Intimate other' would refer to any supportive relationship.

¹⁴

¹⁵This section considers motivations closer to desistance and is less concerned with onset motivations for committing criminal offences. Onset and introduction to crime are understood to occur *commonly*

for any offender (Gudjonsson and Sigurdsson 2007). The below figure featuring the hierarchy of needs adapted by this author, from Kenrick et al. (2010, p. 293), helps to explain how this is relevant to desistance:

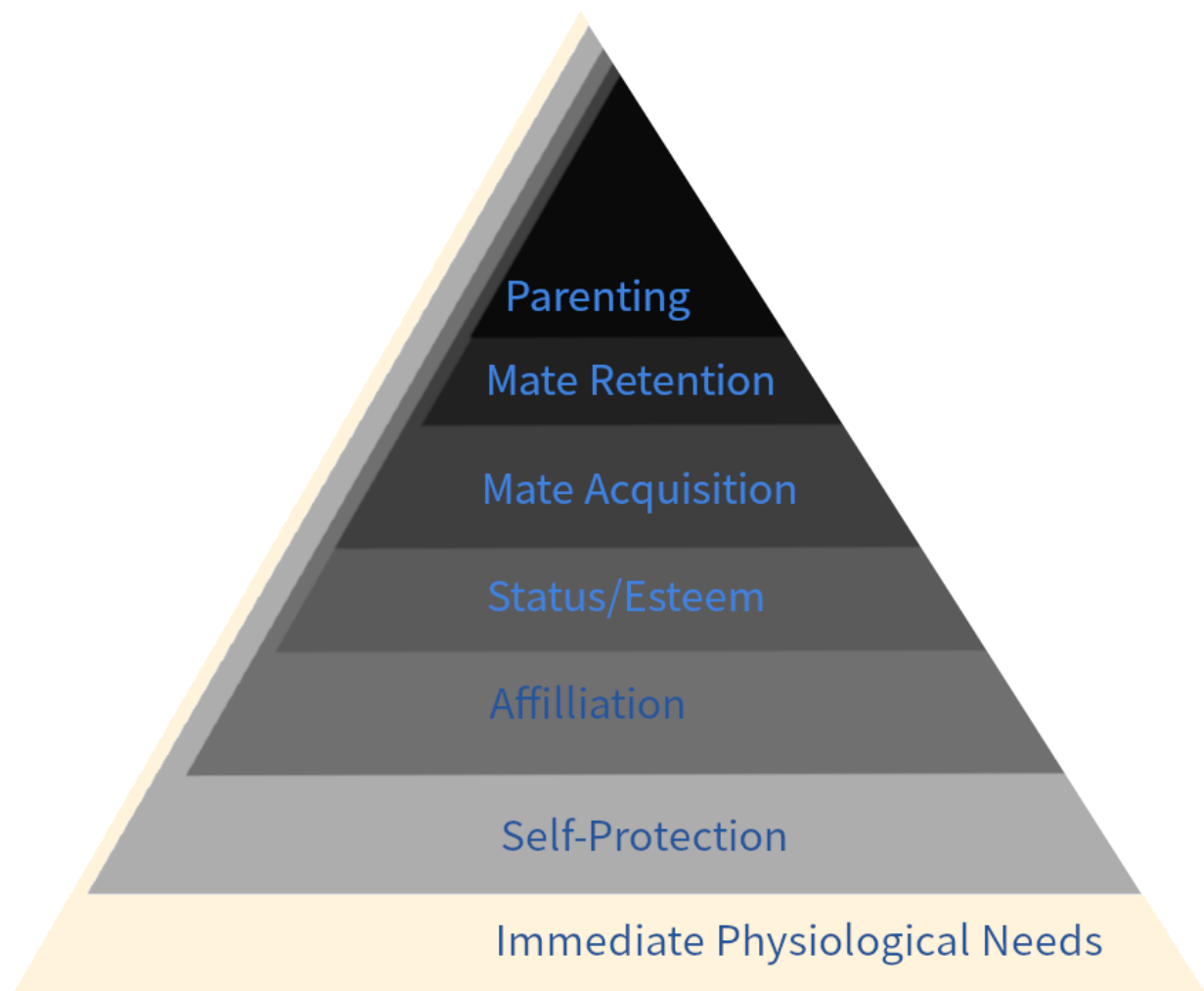


Figure 2.2 A contemporary hierarchy of human motives.

The lower an action is on the pyramid the more vital that action is to the person. Thus, for desistance, the level(s) addressed by the offending will determine the difficulty of the process. For example, offending that results in status and esteem may be difficult to replace with engagement in the job market (Salinas 2013). Offending motivations are notable for desistance research because they can be used to explain why intervention or traditional desistance factors are less relevant in certain situations or for certain groups. This explanation usually relates to a different contextual environment that could be shaped by age, sex, culture, ethnicity, or geographic location (Giordano 2016). For instance, environments with low

during adolescence, when offending or anti-social behaviour occur for social reasons over life maintenance reasons, e.g. joyriding, which provides no financial benefit (Jennings and Piquero 2009).

socioeconomic status will house criminals more often motivated by financial concerns (Goudriaan et al. 2005, Gudjonsson and Sigurdsson 2007). Hansen and Umbreit (2018) review 40 years of victim and offender mediation. Their work shows that interventions which targeted offending motivations more accurately provided better recidivism results. Offending motivation and the effect of context highlight the relevance of comparative work. Cross-cultural research is able to explore different contexts, and thus contrast potentially different portfolios of offending motivation (Calverley 2013).

A flaw in current desistance research generally is the division of structural and agentic explanations across quantitative and qualitative boundaries. Collecting offender narratives will often produce transcripts that frame change in agentic terms with limited consideration of structural effects. Quantitative measurement of subjective effects is difficult, and as a consequence consistently shows the importance of structural elements. Bersani and Doherty (2018, p. 322) conclude that "as such, current understanding of the desistance process may be consequent to or an artifact of data, sample, and/or method, which is something researchers should consider when drawing broad conclusions about the structural and subjective nature of desistance". The value of mixed-method research is apparent (Bottoms and Shapland 2011, Giordano et al. 2002 and Laub and Sampson 2003) as it illustrates the crossover of agency and structure. The conclusion here is that desistance has multiple dimensions to explore. The relevance of each theoretical school which has previously been placed in opposition is beginning to be integrated (Au 2020), as agentic and structural explanations show differing relevance dependent in the different aspects of the given research data.

2.7 Desistance and culture

Desistance has overlapping and interacting factors relevant to the process, which makes explanations messy (Farrall et al. 2014). Culture, in this case specific jurisdictional context, gives shape to many, but not all, of these factors. As a consequence, authors who look into desistance across different regions of the world consistently find different explanations for why people end their offending. Comparative research explains how certain mechanisms may facilitate desistance by considering what happens when these important factors *change*, *disappear*, or are *replaced* (Au 2020, Calverley 2013, Barry 2017 and Segev 2018). Qualitative research specifically can examine in detail a person's journey by looking at the factors in their environment, their internal reasoning, and the social viewpoints that are active during the desistance process. The researcher is then able to identify contrasts and similarities across space. McGloin et al. (2011, p. 373) underline the need for such research: "qualitative data

should be collected as a means of delving deeper into the theoretical processes at work in desistance". A reflection on culture as it relates to desistance theorising will illustrate this point.

Culture can be understood in its broadest terms as the information in a person's environment that affects them (Sperber and Claidière 2008). The idea that culture *is* information is significant, because it identifies that culture exists and is reproduced by any environment, person or object that creates or changes information.¹⁶ Across two jurisdictions the factors in an environment that provide information for a person will vary widely. Previous comparative desistance research has divided culture into three dimensions: structural elements, social relationships, and ideology (Segev 2018). With some adjustments, the current study will make use of the same dividing lens to consider Japan.

Firstly, the *structure* of the environment will determine the shape of a person's transition out of crime. In the above sections, structure has been used to refer to the elements of society outside the offender's immediate control, and determines the "range of choices in everyday life" (Hays 1994, p. 70). Including procedural and legal mechanisms, these elements of society provide tangible differences to explore across two jurisdictions - for example, geographic closeness to family, criminal justice structure, sentencing legislation, or probation practices (Cavadino and Dignan 2012). The desistance process is affected in obvious ways when structure changes. For example, Young (2019) identifies structure's importance within criminal justice when describing "atmospheres". As Young (2019, p. 766) writes:

The prison guard and the inmate no doubt respond distinctly to a prison's atmosphere, but their varying emotional subjectivities do not undermine the particular components of the prison atmosphere that work to produce, for each of them, an affective attachment that becomes registered in their bodies as emotion.

In this case a structure shapes interaction: what people can experience, act out and share. In a given space, 'atmospheres' will be the product of an interplay of dynamic factors related to individuals, the space itself, and what is known about the space both forwards and backwards in time (Thibaud 2015). Overall, it is also important to point out that structure is deeply connected to the following two other aspects of culture; depending on what type of structure is considered.

¹⁶ The ontological model for this project which has been developed in Chapter 3 is not considered in the scope of this chapter. It details how this project places itself between realist and relativist positions, in a position close to subtle realism (Barnett-Page and Thomas 2009, Blaikie 2004, Gialdino 2009, Outhwaite 2004 and Seale 1999). Social reality is thought to be real, but subjective to varying degrees.

Osterman's (2018) research across England and Sweden identified that macro-level differences resulted in micro-level differences in the desistance process. Her work looked at the experience of women transitioning from crime. We can contemplate one of her findings related to employment structure. In England, employment is shown to be a less important factor. This importance is related to the limited financial benefits from engagement in the labour market for desisters, and an inability to support children effectively. In contrast, "the Swedish data show that the provision of a liveable income, along with work that can stimulate the development of pro-social contacts and self-worth, can provide additional employment values" (Osterman 2018, pp. 165-166). Structurally, Sweden is shown to demonstrate clear and apparent mechanisms of support that facilitate the desistance process; work programmes, wage subsidy schemes, and liveable income systems. Very simply, a structural difference provides an environment more conducive to desistance.

Secondly, the *social* dimension of culture refers to the way people interact in society. The structure of society influences what types of relationships form (friendship, marriage, community interaction) and where they can occur (school, employment, clubs). This dimension is concerned with what occurs in those spaces (Young 2019). The role of social connections in initiating (Bottoms and Shapland 2011) and sustaining the process are known to be key (Chouhy et al. 2020, Laub et al. 2018). The significance of cultural change in these areas will be correspondingly vast, although some specificity can be identified in how cultural context is of significance. [1] We can consider how a *formed bond* reacts to offending. Depending on the life stage, this can change even within the same country. An example would be family reactions to offending, which may start lenient and grow more negative with age. However, across different regions and social groups there will be observably different reactions to offending, often across a supportive or disintegrative spectrum. In England, for example, Shapland et al. (2016, p. 289) explain that "we are very aware that we come from England and Wales, which has, since the 1980s, stressed individual responsibility for offending and the task of the individual to desist". [2] Then, we can look at how *bonds form*. For the offender, the 'collateral consequences' (for example, a criminal record) shape their interactions in society post-conviction (Thomas and Heberton 2013). Becoming a known offender may have a consequence in their interactions with family, friends, the community and so on through stigma (Stone 2016). Given that desistance requires the formation (as well as cessation) of social bonds, it is important to consider how bonds form for those attempting to desist. Argyle (1986) explains that social relationships can be understood relationally (across cultures) by the rules that are understood to operate in social dynamics. His comparison identifies that:

In Japan, there were more rules about obedience, avoiding loss of face, maintaining harmonious relations in groups, and restraining emotional

*expression. In Japan there were more rules for hierarchical work relations, fewer for family. In Hong Kong rules about respect for parents were important. In Italy there was more endorsement of rules prescribing emotional expression, and for keeping up intimacy in intimate relations.*¹⁷ (Argyle 1986, p. 309)

These findings resonate with recent desistance research in Japan (Barry 2017) and Hong Kong (Au 2020). The researcher is able to use identified patterns of behaviour in social life and relate this to offending decision making.

For example, Au (2020) identifies the importance of social capital in Hong Kong. In her model, social capital is operationalised as a resource that emerges from people's social ties among significant others (Bourdieu 1986, Coleman 1988). In common with observation around family in the past, Au points to a difference, 'filial piety':

In the Chinese cultural context, filial piety, which has a deeper meaning than the common theoretical concept of family support, seems to be the prime factor affecting desistance. In the present study, filial piety (xiao) was found to be fundamental in maintaining reciprocal family obligations between parents and children. (Au 2020, p. 180)

In contrast to the Western desistance research, in Hong Kong, the social ties between parent and child are seen to have more significance. Core cultural values maintain the expectation of a strict level of respect, thus causing a higher level of interdependence across family structure (e.g. caring for parents in old age). In cases where a person was acting in an 'unfilial' way, criticisms in the space surrounding the offender would emerge. These would lead to strong feelings of shame and guilt when they were fully realised. The close nature of this social relationship meant that parents were more persistent in attempts to provide support for children. In this example, an obvious ideological difference has formed alongside a relationship dynamic; that dynamic affecting the desistance process.

The third dimension of culture to be considered is ideology, and this is perhaps the least concrete given its relevance to all aspects of society. 'Social collective perspectives' would argue that ideology exists in the shared values of a society. 'Neuroscience perspectives' might see ideology as behaviour ingrained into us through our experiences.¹⁸ And 'cognitive

¹⁷ A contemporary rendering of Japan, Hong Kong or Italy would be far less definitive in phrasing, but the point still applies. The acceptable behavioural scopes of each space contrast. I would add that Japan has significant places and subcultures that subvert this image - youth culture or new business for instance (see Chapter 4).

¹⁸ The term neuroscience perspectives refers to the study of neural activation patterns due to ingrained culturally specific learning (Anderson 2010)

perspectives' explain culture through the way a person reacts to stimuli in the environment (Briley et al. 2014). Thus, ideology can exist in the person, in the environment, and the experience of the environment.¹⁹ For this project it is useful to, in part, accept all these positions. Ideology can be the overall force in a society that operates under the surface of its other mechanical elements - a dynamic collection of ideas and values that change over time with a high degree of subjective relevance. Gerring (1997, p. 979) notes that "the term has become so overlaid with meaning that it is no longer stable enough to be of much use".²⁰ A definition is needed. Here, ideology is used to refer to the aspect of culture that exists internally, "the realm of inner experience, in its unorganized form of unintegrated images, ideas, volitions, feelings, and emotions" (Sorokin 2017, p. 20). Theories of situated cognition indicate that a person's conceptual understandings in society are tied to the temporal environment in which they act. Ideology is not a static but a dynamic existence, that can be viewed in how it is expressed as action (Briley et al. 2014). Therefore, this thesis accepts that ideology exists in the above dimensions, affecting how people interact within the social environment and the principles that exist in the formation of social structures. However, it also puts emphasis on the internal aspect of ideology. For the desistance researcher, the direct effects of ideology are interesting due to our understanding of narrative reasoning, and how this reasoning is thought to be important to desistance. Segev (2018, p. 331) refers to this effect as the 'cultural script' that provides "the language with which [her] participants framed their past and the means with which they understood their identity".

In practice, narrative is thought to relate to how people reason around their offending - for instance, how a person would reflect and construct their "wish to try to change" (Bottoms and Shapland 2011, p. 70).²¹ Vaughan (2007, p. 390) explains that "self-reflexivity is achieved through an internal moral conversation that is often couched in terms of agents' ultimate concerns and their relationship with others". This conversation (narrative) is thought to give shape to what a person wants to do and why, with ideological concepts providing tools to frame a person's actions. Thus, across-culture ideological change will manifest different narratives. It is not possible for this project to make very significant contributions to research on narrative identity change given its research design, as narrative construction and changes in it are dependent on observation over time - or across two distinct stages in the desistance process (see Maruna 2001) - and the current study is not longitudinal. However, offender narratives can highlight and strengthen our understanding of why specific desistance factors are

¹⁹ This work is biased towards social-structural views due to being grounded in criminology, over Briley et al. (2014) looking at cross national context from a psychological perspective. Also, its methods are not suited to an investigation of the mind.

²⁰ This argument has been contested in the political science discipline (Knight 2006).

²¹ From point [2] in the above explanation.

important even if researched at one point in time, as narratives can illustrate key cultural concepts and how they may influence criminality and desistance. For example, consider Segev's (2018) 'cultural scripts' in the desistance process. She identifies a common explanation for onset across her samples. In England her sample explained that they engaged with "causing trouble like other kids do" (this comment was an explanation of how the person was introduced to crime, Segev 2018, p. 331), and in Israel the discussion centred heavily on childhood development (their experiences, rather than their actions). She found that this understanding of onset was mirrored across both experts and offenders, in both countries. Additionally, the ideology was shown in the collective understanding reflected in wider society. For Israeli culture, in which criminality was thought to be a consequence of actions done to the child, themes of support emerged more naturally. For instance, family and the wider community were found to be actively supportive of desistance efforts. However, desistance for "English participants was more isolated, with a sharper sense of dissonance from society" (Segev 2018, p. 477). Therefore, in England, offenders needed to navigate a level of personal responsibility for their offending that did not exist in Israel. Here, one specific ideological theme has given shape to several characteristics of the desistance process - to the offender specifically, shaping their own self-perception.

2.8 Relational desistance and the relevance to Japan

It is helpful to return to relational desistance at this point to clarify an important mechanism of situational context. Relational desistance theory looks at the dynamics between people in the desistance process (Weaver 2019). The theory highlights that desisters do not exist as just individuals: they engage in the world through participation in social relationships. This aspect of desistance theory looks at those relationships 'as' the unit of analysis. This approach to desistance study requires an abundance of data not just from the desister, but regarding their surrounding context to understand and construct the way a person's social relationships and their embedded position in a society affect the process. Relationships are seen as dynamic and complex organisations of people that interact to determine and shape the way two or more people engage in the world *together*.

This field is particularly relevant to desistance that involves desisters who have entered demanding social organisations (during offending, during desistance or both). For example, Weaver (2015) undertook extensive research and data collection with a criminally active gang of men in Scotland. Her work involved repeated in depth interviews and she used this to construct case studies for six distinct experiences in the gang. Relational theory is particularly relevant in her work as the men's early offending was premised on participation in the gang. The gang provided income, emotional stability and safety, demanding a strong level of

commitment to its cultures, norms and practices. Her description renders a picture of men who were directed by the ongoing cultures, habits and situation of the social group's interests and objectives:

Of significance here is the apparent near non-reflexivity applied to their offending behaviour at this time, emerging across the men's narratives. Their collective involvement in offending gave rise to an acceptance of the relative normalcy or inevitability of involvement in offending as an emergent effect of their interactive dynamic. (Weaver 2015, pp. 81-82)

For her participants, offending was the result of social participation in their place of belonging. The environment shaped their decision and action to involve criminality as a natural and logical choice to maintain the *relative* stability and safety the group provided – for example, compared to childhoods of abuse or issues of homelessness. Relational theory is particularly important for her work as it is the social groups changes over time which are shown to interactively influence members, with several of her participants going to a new location together and attempting a desistance process as a 'team' of people co-operating.

This field of study was initiated by McNeill (2015) who proposed 'tertiary desistance' (referred to here with its newer name 'relational desistance') as the stage of desistance in which a person has been recognised by others as desisted/desisting. This highlights that a mechanism of desistance is 'coming to be' recognised as desisting - for example, going to a family member and requesting housing after prison to look for jobs - the desister may have to demonstrate evidence of change. Or another example, where a person pleads to the state for housing because they have no family but want a stable base from which they can change. Or when a person needs to hide their past offending to maintain a new relationship. Each dynamic is nuanced via the complex 'weight' of the desister's history and the way they are seen by their potential 'supporter', which may be any meaningful relationship or social space.

Different places provide different negotiation contexts. The significance of relational desistance has been summarised by McNeill and Schinkel (2024), who describe key pieces of research in the field. Recognition as a desister is shown to have several different flavours. Desisters must 'negotiate' their status in their given context, with that context imposing several assumptions, conditions and rules of engagement. Significantly, they highlight that different contexts provide different types of desistance experiences depending on how fully a person is enabled to move past their previous self-constructions and reformulate a new identity. For example, Villeneuve et al. (2020) are cited having conducted a scoping review on 'Assisted Desistance in Formal Settings', in which the authors argue the significance of recognition during a desistance process to feel like a member of a community. Villeneuve et al. (2020)

provide the perspective of 26 primarily UK based desistance studies. Their work highlights the importance of effective state response in providing desisters with an ability to re-formulate their self-construction. McNeill and Schinkel (2024) then point to Doekhie et al. (2018), who conducted a Dutch study, finding that having a person who believes in you can anchor a reform effort. Critically, the work highlights that pro-social redemptive pathways are not always available. McNeill et al. (2022) is then drawn on to highlight the sad story of one desister who left prison to find his friends and family had simply moved on, playing a part in his subsequent suicide. McNeill and Schinkel (2024) detail numerous studies showing the significance of finding (or not finding) a pathway through which to establish oneself as 'desisted' both to oneself and to others in a way congruent with the cultural context.

McNeill and Schinkel (2024) then draw on immigration research to highlight the relevant observation that this negotiation is 'multi-scalar' (so contradictory experiences of belonging and exclusion can exist in one space) and 'multi-locational' ("meaning that a person can identify with many different communities and identities at the same time") (McNeill and Schinkel 2024: 67; see also Davis et al. 2018). For example, this might mean gaining employment in which one person comes to see a desister as a friend while another person is hostile, that same person's family solidly recognises them as a 'changed' person and the state deletes their criminal record. Thus, a sense of belonging is argued to exist on micro, meso and macro levels for each desister as they gain recognition on a person-to-person level (micro), become accepted in groups (meso) or gain high level recognition (macro). For example, this might be as a 'wounded healer' who uses their lived experience to take on a voluntary or state position as a dedicated desistance supporter. In England this role is a cultural concept that can be used to authoritatively and resoundingly establish oneself as a reformed 'good' person. But other regions simply do not have such concepts and thus this pathway is not available and negotiation of desistance therefore requires a different culturally agreed mechanism or pathway towards 'redemption'.

It is important to ask how far this theorising is expected to be relevant in the Japanese context. We can stress this by explaining the mechanism through which relational desistance theory developed. As explained earlier, Maruna and Farrall (2004) established the theoretical ground of tertiary desistance through their conceptualisation of primary and secondary desistance. Their theory was inspired by Lemert's (1948, 1951) conceptualisation of primary and secondary deviance. This theory suggested that primary deviance involves a flirtation with deviant acts and experimentation. Secondary deviance can be seen as the deviant 'accepting' and incorporating offending into their identity. Significantly, secondary deviance would result from external reactions from various members of a society. Correspondingly, desistance for a person with a 'criminal' label requires that person to navigate a transition from 'criminal'

towards 'desisting'. There are two layers of social context at play: firstly, a society's ideas about what a 'criminal' is and why people offend, and secondly, a society's ideas around what needs to happen for a person to exit this state of offending. It is worth stating this clearly; *a society's understanding of what desistance 'is' and 'can be' will have the confirmatory effect of shaping that process.*²² It is now helpful to consider the Japanese social context.

2.9 Reflecting on desistance theory in a new country of study

It is likely that the desistance models developed across Western cultures may be relevant in Asian contexts because they have shown consistent thematic reasons for a person's transition from crime, both across demographic characteristics within the same cultures (see above), and also across geographic regions (see below and above).²³ However, most useful will be the methodological toolsets that gave rise to this theorising (Chapter 3). For instance, they have been used by native researchers on the topic, such as Tsushima's (2021) use of the good lives model.²⁴ Still, the theoretical models of Laub and Sampson (2003), and the models of agentic theorising like that of Bottoms and Shapland (2011), are largely uncontested in principle in the literature to date. The contention in desistance literature largely relates to what events, processes, relationships or structures are important, where and why (Farrington 2017), and to what extent. Therefore, it is important to conduct comparative desistance research to identify what 'specific' elements in a society produce the 'themes' known to be important in desistance literature.²⁵ Take for example Chouhy et al. (2020), who identified that across structural and agentic explanations of desistance, 'support' is important to the process. The mechanisms through which support occurs vary, but thematically its relevance is consistent in almost all desistance theorising, both in Asia and the West (Barry 2017, Segev 2018). The division of culture into three distinct dimensions starts to show its use when attempting to identify themes relevant to the desistance process. Structural, social, and ideological elements of desistance all have corresponding theoretical conceptions in the models discussed above. However, because desistance is intrinsically linked to criminal law and the activities of criminal justice, it is important to note that crime is defined by the state for each jurisdiction and that across two locations there is the possibility that these differing definitions will create complications.

²² The italicised text relates to arguments and findings discussed in chapter 6 which found that the 'understanding' of offending and desistance deviated in some ways from that in, for example, England.

²³ This is a point revisited in Chapter 3 (methods) and Chapter 8 (discussion of findings); Western ownership of desistance theorising is a point that can be contested, and the 'West' is arguably not a particularly real concept. Also, the view of Asia as one place is similarly problematic, but generalisations are needed for this very high-level conversation.

²⁴ This native research which I translated is considered in Chapter 8.

²⁵ The reason for the use of existing Western theoretical models in an Asian context at the same time as an open data collection methodology should be apparent in relation to this point.

2.10 Japan and its culture - what might be understood about desistance?

Japan has received some attention over the years from academics who have sought to explain its low crime rate.²⁶ This theorising has largely been culturally positioned, pointing to Japanese systems of informal social control and the country's 'uniqueness' (Bayley 1976, Braithwaite 1989, Haley 1991, Johnson 2002, Komiya 1999 and Leonardsen 2002).²⁷ As discussed in Chapters 4, 5 and 8, there are important caveats to this theorising when looking at Japan from a desistance perspective. It is postulated that various mechanisms enforce a character to Japanese society that makes engagement in society as a (convicted) criminal difficult. However, much of the literature about Japan is about the onset and amount of criminality, not desistance, which is a consideration of exit, not onset. Thus, these mechanisms, and how they relate to exit from crime, have seen little exploration. Offending dynamics can be seen as often representing a partial subversion of cultural dynamics. This is because those who are offending both exist within the norms of society and engage with offending behaviour. This potentially conflictual behaviour will be nuanced by the relationship between the offending person and their contextual circumstances, such that they are simultaneously existing in contradiction with cultural values while in pursuit of cultural goals. It is important to emphasise that desistance (and desisters) exist in exception to the circumstances of Japanese society that are thought to be creating a lower level of crime.

In terms of literature from Japan on the topic of desistance, Barry (2017) provides several insights from a small study interviewing youth in Japan. However, her work relates less to building a picture of the desistance process itself and more to the importance of youth perspectives holistically, across nations (her methodology is discussed in Chapter 3).²⁸ There is a clear literature gap for cross-nationally focused desistance analysis.

Japan has a small but growing volume of desistance researchers; however, the bulk of this work is still in Japanese. The current thesis considers some of this research, because the author has had some correspondence with Japanese researchers to clarify understanding of their ongoing work; some of this work has been sent to me, and descriptions of youth justice environments from Tsushima (2021) were included in this thesis. Chapter 7 concludes that foreign research in Japan has not only formed inaccurate conclusions but also damaged native

²⁶ The low crime rate found in Japan (OSAC 2018, Statistics Bureau 2018 and JP Ministry of Justice 2019) has several caveats not discussed here; measurement disparity across Japan and England (such as those related to crime definition (Jiang et al. 2012); sentencing practice; limited work in the criminology sector (Suzuki and Takeuchi 2020); and media censorship issues (McNeill 2016) (see Chapter 5).

²⁷ These key references were identified by Brewster (2020) in their summary of the literature.

²⁸ Barry's (2017) work lacks any mention of Japanese cultural values, or core theories for Japanese crime control. Her approach is considered in Chapter 3.

research efforts. Thus, the translation and publication of this work is something that I wish to wait for; or do in co-operation with these academics. Furthermore, being internal research, my brief review of this work was that it was written for a Japanese audience with the researchers having desistance literature specialisations. Cultural and cross-national literature is therefore absent from the native Japanese desistance research publications. The delicate and nuanced job of translating Japanese theorising for an international audience was not seen as responsible or appropriate for this thesis.

2.11 Crime control in Japan

It is now useful to consider how crime control in Japan has been explained in the past. This work will be revisited in Chapter 8, where it is critically considered in light of findings. Leonardsen (2010) identifies three elements of Japanese society that enforce informal crime control mechanisms via 'collective responsibility'. Firstly, he sees *shido* (guidance) at the base of Japanese hierarchical relationships. In Japanese society, these vertical relationships centre around a dynamic of supporter-supported, and are thus widely pursued and desirable. Brewster, reviewing Leonardsen's work, says this about *shido*:

This often materializes in structured forms, such as oyabun-kobun ('parent-child') or senpai-kohai ('senior-junior'). The importance of shido is that individuals learn to accept paternalistic guidance and instruction from those in authority positions and these relations are embedded throughout one's life.
(Brewster 2020, p. 1549)

The second concept introduced by Leonardsen (2010) is '*amae*', the desire for and pursuit of dependency in Japanese society for the security and emotional comfort that it provides. These vertical relationships are not one sided but of benefit to both parties, although there are of course exceptions.²⁹ However, in general the principle of *shido* encourages healthy power/knowledge dynamics between those of different status levels. Evidence of the first two concepts exists everywhere in Japan. A person's language adapts to the situation they are in, becoming more or less respectful based on who they are speaking with (Hendry 2012). Related to the existence of the *uchi* (in-group) connections in a person's life, the third concept *shikata/kata* (way of doing) is a shared morality - a communal responsibility for the actions of *uchi* (in-group) members.³⁰ Where, for example, a person in England might be disintegratively shamed, group responsibility could see people integratively shamed in Japan; the existence of this mechanism was theorised (not yet evidenced) by Braithwaite (1989). Brewster (2020)

²⁹ There can still be problems of a demanding workplace culture in Japan (see Nemoto 2013).

³⁰ *Uchi* (in-groups) in Japan is a formal concept actively thought about by members of society. Behaviour towards in-group members is very different in comparison to 'the outside' (*soto*).

highlights that there has been a tendency to present explanations of behaviour in Japan ‘monolithically’; its people explained in one way and as ideologically directed.

Large questions for this conceptual modelling have been raised in an emerging literature from Japan (Kawai 2004, Hamai and Ellis 2008, Suzuki and Otani 2017 and Bui and Farrington 2019). Due to the scope of this writing, a total review of this literature is not possible here. In short, emergent issues within Japan have led to the partial breakdown of some of the structural elements that formed the basis of its collectivist ideology. Most notably, the collapse of Japan’s economy in 1990 and the consequent recession have led to instability in the job market, and an end to various employee-centric benefits, for example lifetime employment (Allison 2012, Charlebois 2016). This breakdown has created a market structure far more comparable to Western systems (Hommerich 2012). Lifestyle changes have taken place, with Japan’s ‘nuclear family’ being called into question from feminist positions (Dales 2014) and wider society (Dasgupta 2015). A rise in ‘populist punitivism’ due to media attention towards crime has generated policy change at a state level (Johnson 2007a). Overall, the singular monolithic portrayal of Japan as ‘exceptional’ in its approach to crime and governance is now being contested in the context of globalizing forces in contemporary life (Baker and Roberts 2011, Muncie 2005 and Williams 2009). Instead, a more accurate picture of Japan “entails capturing as fully as possible the multifaceted continuities, tensions, and contradictions that arise in contemporary crime control” (Brewster 2020, p. 1561).

Still, Japanese society and its criminological landscape have many points of interest to consider (Cavadino and Dignan 2012). Japanese exceptionalism has exaggerated the significance of its unique culture in conversation about crime control. Thus, there is value in work that is undertaken with this awareness and in a way that might address these exaggerations (the methods of this work relate to this point; see Chapter 3). Collective features of Japan’s society are consistently explained as generating behaviour that benefits the group (Dollinger 1988, Komiya 1999).³¹ In relation to the social dimension, Cavadino and Dignan (2006) give so much credit to informal control that they consider the state systems to be almost irrelevant to crime control. In addition, in relation to the structural dimension, while Japan has a notoriously high conviction rate, very few crimes result in conviction, especially near the peak age of offending; “in Japan 99 per cent of all juvenile offenders under the age of 20 are diverted from formal prosecution” (Cavadino and Dignan 2006, p. 450).³² The

³¹ Collectivism can be defined as the priority of the group over individual pursuits (Rhee et al. 1995). The “group” in Japan relates to both wider society and the *uchi* (ingroup) discussed below.

³² Note this conviction statistic, that only 123 of 275,901 people with a finalized judgment were found not guilty in 2018 (JP Ministry of Justice 2019, p. 24). Additional, context is that 20 is age of criminal adulthood in Japan.

potential implications for the desistance process are complex and multidimensional, but this project should provide some answers in this regard.

However, there is a danger in cross-national work of overrepresenting the values of one group compared to the other (Jardine 2019). This quote is taken from the introduction of Leonardsen's (2002, p. 203) article in an explanation of Japan's low crime:

At the individual level the obliteration of the self is the price to be paid for less crime.

The piece frames Japan's low crime rate as existing at a cost. The argument that follows assumes that freedom is lost when a society is built inside collectivist ideals, explaining the author's preference for "a society that stimulates autonomous and masterful individuals" (Leonardsen's 2002, p. 220). This argument both fails to critically realise the dangers of a different society that directs power into singular entities and, more importantly, the argument may fail to realise that the 'neat' dichotomy may be false. At the theoretical level, Leonardsen (2002) provides a view of Japan that almost ignores a Japanese individual's ability to act with agency or generate happiness from individualistic pursuits. His argument highlights a second problem of comparative work: exaggeration of difference and downplaying of similarities. Nonetheless, the points raised in Leonardsen's (2002) article are still important. Significantly, by drawing on the work of Durkheim (1952), a mechanism of crime control is theorised; the stronger a society's web of connections, the less a person is required to solve problems on their own. Given what has been discussed about desistance, particularly support (Chouhy et al. 2020), this is a very significant point to investigate. Designing an approach that accurately exposes the importance of the Japanese context while exploring desistance was one of the primary concerns of the current study. Nelken's (2012, 2017) notions of cultural sensitivity were key in this regard, and explain the multi-method approach undertaken in this project (see Chapter 3).

2.12 Responsibility and police pressure on families

What the study of the Japanese context might provide to desistance literature has been made apparent. However, it is useful to provide a focused look at what service user insights in Japan have found so far. As discussed, there is the idea of 'collectivism' (this concept is discussed in Chapter 4); the idea that members of a group are responsible for each other.

This section looks at the findings of Kita (2018), who gained access to families of offenders, conducting interviews and ethnographic work via participation in offender-family support groups. The objective of these groups was to talk through the traumatic and stigmatising experience with criminal justice, family members, and in the community, after it became known

their child had started to 'do crime'. Their work highlights how the family is pressured during this process, and reports stories of unprompted early morning visits and arrests that stem from family involvement in police casework. Kita details the exact mechanism of a family collapse related to specific dynamics, e.g. mother-aunt, sister-sister, mother-father, or father-son. The picture presented by the research is one of extreme emotional stress caused by demands made to the mother (in most cases) by the criminal justice system.

Specific examples show how stress is placed on the families of offenders in the conduct of justice. Kita (2018) shows that reaction to offending varies in minute detail, based on the dynamics of each family. The first example given shows how secrecy can be used by families in response to offending, because if people are not aware of the offence, there is no stigma from the outside, or from the inside world of the family, as reported by a mother (Kita 2018, p. 10):

Both our sons know [about their father's sex offense] but our daughter doesn't. So I wouldn't want her and her husband to ever see [the media coverage]. I feel like everyone knows about it, but at least my daughter ... I would never want her to discover because she loves her father so much. So I hope she doesn't ... find out, ever. ... I contemplate divorce but supposedly live here and my husband would have to go live with his parents. Then he has to tell them. He has told me never to disclose [his offense] to his mother or elder sister. So we never did. But I feel like, why am I the only one who has to suffer? I personally want to tell my sister-in-law at least but...

Kita makes the important point that secrecy in these conditions provides a level of control to the affected; this behaviour is situated within a culture where it is acceptable, or even encouraged, to hide negative events (Scheid and Teeuwen 2015). Secrecy is, it seems, a good protective mechanism for offending families in Japan, yet it is because of this desire to hide their suffering that understanding of their perspective is limited. Later, Kita (2018) shows some divergent reactions of families, who instead become loud and active about the negative stigma they receive.

Suzuki (2010) provides the perspective of various crime-related families, detailing their existence within a crime-anxious society and the outcomes of familial blame, such as a father's suicide. This work indicates that this desire for secrecy, while changing in some ways in the modern era, means that in times of injustice people simply wish to hide their suffering. They contrast this to what they see as the Western reaction, which is to get very loud and protest injustice. It is important to convey that these dynamics change based on the type and reason for offending, with sex and violent crimes being scrutinised more severely in comparison to

petty crimes (Johnson 2002). 'Harmonious' spaces set the expectation of harmonious behaviour. While we can see stigma in other societies (Petersilia 2003), this seems exaggerated in the low-conflict space of Japan. Ironically, the success of Japan in cultivating this space means that when conflict does arise, people are less prepared. In Kita's (2018) stories it is possible to see that the family support environment acted as a way for families to understand that the stigma they had or were experiencing was not justified. Over time, families became increasingly confident in their views that they had not failed, and were instead failed by the system.

Kita (2018, p. 57) relays how the courts effect 'conforming pressure' via public shaming:

Kohei: ... It was indeed painful when the prosecutor told me, "Well, your son has been in the juvenile detention center once when he was sixteen". Yes, it was true. He was in it. Then the prosecutor went on and said, "Since then your son's behavior has just worsened. You really can't supervise him, can you?" That was ... hard. I thought, maybe from the eyes of prosecutors it was right. As a parent, I thought, what the prosecutor told me was right. When he said that, the feeling that I have suppressed came over me, and I couldn't say anything to defend myself. I couldn't say, "No, that's not true".

The Japanese criminal justice system appears to have operational freedom to make demands and judgements that reverberate in family lives.³³ For the offender, this means that their offending 'calculus' might include damage to their family as caused by stigmatisation, and that their reform process might be shaped by the oversight role of the family.

The treatment of the family in Kita's (2018) research is extreme and negative, yet in her work many do not feel they have a right to oppose their treatment. Other work outside of criminology has addressed the topic of social disruption in Japan. Davis and Konishi (2007) provide some insight into whistleblowing in the medical field. This work exemplifies one way to present observation of disruption in Japan. Davis and Konishi (2007, p. 194) state that "because such behavior disrupts the most fundamental value, harmony (*wa*)" disruptive action is not desirable.³⁴ High level summarisation of Japanese action as caused by Japanese values is dangerous, and is a topic returned to in Chapters 4, 5 and 8. There exists in Davis and Konishi's explanation a question: why is observation of a single context being related to the

³³ It is possible, at this point, to bring up literature on 'social enquiry reports' in England or other countries. As these illustrate some similarity (McAra and McVie 2018). However, I would caution the reader when making this comparison, as the social context and surrounding justice infrastructure are quite different.

³⁴ Their work is on whistleblowing in nursing in Japan, and has parallels to what is seen by Kita (2018) in criminological spaces. Chapters 6, 7 and 8 of this work go over this theme from the perspective of people who have committed offences.

most 'fundamental' value in all of Japan? In the nursing context, the social relationships, power dynamics, and community culture will be unique and situational. However, this is not the same for the criminal justice context when looking at offending families or desistance. An ideological explanation in this way is reductive. The approach in this thesis is to consider context. Through a nuanced contextual understanding of action informed (not directed) by culture, one is able to consider actors behaviour. For example, allowing for a model of understanding that accounts for dynamic action: one can only wonder at the individuals in Kita's work who oppose the state, community, and internal familial pressure to stay small and endure suffering. Instead becoming loud and opposing the expected behaviour. Compared to the value based crime control theories discussed above, service user perspectives provide an ability to see if, how and why these mechanisms exist. A particularly relevant approach in the context of social breakdown.

Conclusion

The chapter has first discussed the desistance literature, showing there is a complex relationship between agency and structure, whereby the desistance process changes in relation to a dynamic pool of factors across society and the individual offender (Shapland and Bottoms 2011). The significance of a society's supportive mechanisms has been made apparent, and where and when supportive 'bonds' could form were shown to be key (Chouhy et al. 2020, Laub et al. 2018). The discussion then led into a consideration of culture and how different environments give shape to different desistance processes. Three aspects of culture were highlighted in relation to desistance (structural elements, social relationships and ideology), demonstrating that an examination of cultural elements gives insight into how and why desistance occurs in divergent patterns across jurisdictions. Finally, the discussion has attempted to explain some of the culture of Japanese society as it relates to crime, arguing that a collectivist society has unique mechanisms of crime control (Komiya 1999). Over the chapter, a theoretical explanation was developed that helped to show the possible importance of the Japanese context to the desistance process, and two primary gaps in knowledge have been identified: [1] that there is a limited understanding of the relevance of cultural context to the desistance process, and [2] that there is incomplete understanding of the influence of 'unique' Japanese factors to crime, and very little work examining these in relation to the desistance process. Throughout this chapter, different objectives of the thesis were explained as they relate to developing desistance theory, and the thesis now turns to methodological considerations.

Chapter 3 Methods

3.1 Introduction

This study is an exploratory sociological multi-method research project of desister-related spaces within Japan, looking into the process of moving away from criminal activity in adult males and females. In this chapter, the project's focus is considered, explaining how culture has been conceptualised for analysis. This is clarified by providing and explaining the main research question and sub-questions. The research ontology and epistemology are then considered. Seale's (1999) critical view of subtle realism is adopted; a view in which social reality is constructed and made solid through the overlap of each individual's view of the world, and which is therefore able to accommodate the multiple contrasting or overlapping views of desistance held by various actors relevant to the process. The chapter next goes over the methodological choices to address these questions. The study used a macro-to-micro sequential sampling/data collection approach, using lived ethnography, observation, interviews, and case studies. The benefits and necessity of this approach are discussed. This begins with explaining what each methodology provides to this study of desistance, and then how a macro-to-micro approach is helpful in an exploratory research design targeting interviews in an understudied area. This study involved interviews with academic and probation experts at the top level, interviews with probation-related workers in the private and third sectors at the meso level, and desister interviews at the micro level. The data were collected during 15 months of ethnographic experience in Japan, which included observation inside criminal justice spaces related to desistance. The multi-method approach allowed for the development of the author's own model and view of Japanese cultures in criminal justice environments. The validity of the research design is considered in light of work by Nelken (2017), who sets out how and why cross-national research might take place. The point here is simple; by gaining contextual knowledge the researcher is able to understand what is happening. The research's approach to data analysis is then presented: triangulation of the findings from each level of data enabled various perspectives to be contrasted, also making use of thematic analysis to seek out patterns in the data. Following this, the limitations of the exploratory project are set against the ways in which this work will help future research. These include an ability to enhance understanding of criminogenic spaces in Japan, provide investigative frameworks for other international research and possible future work. Attention is then given to ethics and the need to take an approach consistent with researching in an environment where ethical considerations valid from the researcher's positionality may be different in the place studied, discussing informed consent, anonymity, harm, and data protection.

3.2 The current literature on desistance: points relevant to methodological decisions

In the overall desistance literature, a consensus has formed regarding the way individuals desist from crime. It includes that desistance is not a definitive event but an ongoing process which can take place over many years (Maruna 2001), prompted and maintained by the emergence of pro-social bonds (Sampson and Laub 1993, Laub and Sampson 1993, Laub et al. 2018), and which requires structurally limiting factors around the offender to coalesce with an internal desire for change (Giordano et al. 2002). Additionally, this process is expected to occur for most offenders, including persistent offenders, as indicated by the age-crime curve, which is well demonstrated in Western countries (Farrington 2017).³⁵ So, the desistance process is resolved in one sense, in that we understand how and why certain events contribute to stopping people from offending. As Farrington (2017) notes, the “main life events that encourage desistance are well known” (p. 8). However, he highlights that less is known about the social and cultural conditions which facilitate the desistance process. Thus, this project will focus on the interplay of cultural factors in the social contexts of desistance that bring about or limit desistance as an event, process and/or decision.

3.3 What this project has studied

The primary focus of this project is the influence of cultural context as it relates to the desistance process. Cultural context has been conceptualised into three elements for examination (see Chapter 2 for a more detailed discussion). First, the most apparent points exist in the aspects of society that structure action; physical space, procedural rules or legal mechanisms. They are the tangible differences between countries in the social worlds of the offenders - for example, the geographic proximity of family, penal structure, sentencing legislation, or probation practices (Cavadino and Dignan 2012). Österman's (2018) desistance study on Sweden and England would indicate that these overall differences in macro-processes manifest distinctly different micro-level experiences for offenders. The second is the nature of social relationships; for example, the socially expected behaviours of those close to the offender (family, friends and the community) and how these interact with offending decisions (Barry 2017). They include Segev's (2018, p. 456) “social interactions and encounters” - she highlights how, in English culture, offending behaviour is often met with rejection, a 'severing of ties'. However, in Israel, she saw how families would support offenders through offending periods, and thus give them a pathway into the legitimate social world. The final aspect of culture to consider is how broad ideological factors, "cultural scripts" or "shared values and norms" shape and constrain the decision-making process (Segev 2018: 7), i.e.

³⁵ The desistance literature is significantly more nuanced than stated here (as discussed in Chapter 2).

how core ideological assumptions shape an offender's experience of punishment and reintegration; how they reflect on their wrongdoing, and how they reason their transition away from crime. This aspect could be pictured as internal social mantras, such as 'doing programme', that shape the dialogue of desistance (Maruna 2001).³⁶ This project places particular emphasis on how these aspects overlap in space dynamically in practice, as this is what produces 'cultural experiences'. The cultural model in relation to desistance is developed in more detail in the previous chapter, and the concept of Japanese culture is addressed in more substance in Chapters 4 and 5.

3.4 Research questions

Karstedt (2001) points out two main arch-types of cultural research. In one, 'a culture' might be selected for analysis. In such a case, 'within cultural variation' is assumed to be relatively limited. She is cautious of such an approach, as it can create monolithic thinking. The other type of cultural study involves a more open multi-dimensional definition of culture. In this case, the inverse problem arises where distinct features in a jurisdiction are blurred. Thus, she suggests that all cross-national research needs to balance the two definitions and approaches within their work. Culture will always have a nuanced meaning in the form it takes in a given piece of research. For example, the current study is not a study of 'a culture' but the cultural context of Japan as it relates to desistance, yet such a study does require conversations of specific 'cultures' in Japan. Yet this study has the problem that no work before it has attempted similar work, thus needs to search out and be open to what these 'cultures' might be. However, what exactly is 'a culture'? Culture is a term with "two hundred or more definitions" in the literature (Karstedt 2001, p. 288). The current study is not considering a specific dimension of culture, such as Kim (2017), who looked at the acculturalisation of people that move across jurisdictions. Instead, it is broad and open and therefore requires a broad an open approach to culture. In this approach, Japan's culture and its specific cultures are considered in terms of features across the domains of structure, social and ideological.

The focus on cultural context as it relates to desistance leads to sub-questions that are based on the division of culture above. The project has developed several questions that focus the analytical efforts of the research, of which the primary one is as follows:

Main question: To what extent do cultural practices in Japan function to enable, or disable, offenders in their engagement with criminal activity, and in their movement towards law abiding lifestyles?

³⁶ In Maruna's (2001) sample, "doing programme" was a phrase common among his sample. The phrase indicated a shared ideological view of probation, and this phrase showed that a similar understanding can develop across a group of people.

Sub-questions:

1. Culture as a structure in the world of the offender:

How do societies' structures shape the experience of a desisting offender? (e.g. rules, laws, prison, probation, support centres, family, support initiatives, sentencing practice and so on).

Specifically, what role (if any) does probation practice have in the desistance process?

2. Culture as the nature of relationships formed:

What relationships draw people out of, or into more, crime? (the social problems and talking points of societies or family support).

3. Culture as ideology:

How does culture change the way an offender experiences society? (e.g. how does the family react to offending, think about being criminal, or view themselves and their future).

These research questions are based on the comparative cross-national desistance methodology developed by Segev (2018). Her work looked to Bourdieu's (1977) concept of 'field' that considered cultural context as social space. Segev's approach has been adapted for a focused, in-depth review of Japan. By identifying cultural conditions that enable or disable a person's desistance, it will be possible to add to and develop the current literature in relation to how it explains the effects of certain factors like family.

Note the term "cultural practice" in the main research question; this is particularly important. It denotes the 'space' where the researcher looks at the overlap of ideology, structure and social dynamics. In Bourdieu's words the interaction of a 'field' (one specific context) and 'habitus' (the individual) as 'doxa' (the result of context and individual). Segev (2018) and Fernando (2021) conducted comparative desistance investigations on countries with *reasonably* close cultures. Japan is an Asian country with many unique aspects to its criminological and social environment. In theory, Japan should be one of the jurisdictions most distant culturally from the desistance literature's base in Western research, as evidenced by Sagara et al. (2024) in their analysis of 196 studies, in which they found that 93.5% of the assessed studies took place in Western countries. The distance of Japan has the potential to provide uniqueness to all three points of culture mentioned.

3.5 For what purpose is the research being undertaken?

In short, answering these questions will fulfil a few objectives: [1] there will be opportunity to evaluate practice in Japan, looking for any cultural adaptations, and specifically, what can be learned from their probation related services and organisations; [2] it will build on the new and

developing comparative desistance research across jurisdictions (Calverley 2013, Segev 2018, Au 2020, Fernando 2021); [3] provide policymakers using 'policy transfer' with guidance around how cultural factors may impact this process; and [4] finally, the project hopes to develop the field of criminology by furthering understanding of the cross-national research process.

3.6 Epistemology and ontology

The ontological model for this project places itself between realist and relativist positions, in a position close to subtle realism (Seale 1999, Gialdino 2009, Barnett-Page and Thomas 2009, Blaikie 2004, Outhwaite 2004). Social reality is considered real but subjective to varying degrees. Seale (1999) is critical of simply using the term 'subtle realism' as it is very rare that the researcher can develop an approach that neatly fits into an existing ontological and epistemological paradigm. This supposes an approach to research that can more flexibly accept the findings from various paradigms. This type of approach is highly useful in a project which makes use of triangulation. This research used a constructivist framework acknowledging the world to be composed of perspectives and social realities across different actors who construct their world in varied but valid ways. The overlap of these different experiential realities exists in relation to a social reality made solid by their collective overlap. Importantly, this accounts for situations in which two views on the world contrast. This contrast is an important point for the current research, given that it will seek out many different perspectives that relate to desistance, and engage in discussion of desistance and crime across different jurisdictions and locations across time. Miller and Glassner (2004, pp. 126-127) provide some comment on this ontology when applied in qualitative research:

In fact, it is only in the context of non-positivistic interviews, which recognize and build on their interactive components (rather than trying to control and reduce them), that "inter-subjective depth" and "deep mutual understanding" can be achieved (and, with these, the achievement of knowledge of social worlds).

These considerations are particularly important in a study attempting to research from a perspective and social reality which has been developed primarily in different sites of research in terms of culture. Acquiring knowledge on the social world from within this paradigm involves awareness of the perceptive limitations of actors in the social world, and this limitation is also applied to the researcher in their ability to capture and transcribe the experiences of others. Ontology and epistemology are relational concepts, so need to be rooted in a specific research focus to provide readers with some grounding in how they are being used. The epistemology used here relates to a need to develop understanding of the specific mechanics of individual

level desistance. The goal is to listen to a person's experience of ending their offending, and consider what dynamics in the Japanese context have interacted with this process. This requires a view that can see social phenomena and the variations in the way they are experienced.

3.7 Why and how to do cross-national research on desistance: the value of living there

The main point of this section is to stress that effective study of desistance does not occur solely through the collection of data related to desisters. If the goal is contextual understanding, then there is a need for the researcher to be able to access, comprehend, and then relate this data within the social constructions of the researched component of society. When developing the methodology of this work I referenced previous PhD study by Segev (2018), although some adaptation was needed as I have not grown-up or lived in the area of research. This was the reason for the 15 months living in Japan. As the reader might be able to see throughout this chapter, as much if not more emphasis was placed on generating analytical ability and sensitivity to the context of Japan as was placed on collecting a methodologically rigorous set of data.

Nelken's (2017) work was highly influential in this process of attempting to construct an approach to the study of desistance in Japan. His writing explains considerations around both the purpose in literature of cross-national research, and how to do cross-national research. On the first topic, Nelken sets out three general approaches. Firstly, on the topic of '*what works*', there is a search for universal truths in the field of criminology. It is supposed that cross-national examination of theoretical approaches can test their generalisability and validity in different environments (Eisner 2023). This thesis, making use of pre-existing theoretical developments in criminology, arguably falls into this category: I am testing the validity of desistance theory in a new environment.³⁷ However this framing is perhaps not representative of the approach I adopted. My goal was to grow new desistance theorising through examination of the environments within Japan; very little was assumed. In this way the research is similar to the second approach supposed by Nelken; the development of an understanding of a specific environment in a focused and detailed way. The goal here is to explore and understand the approaches to desistance '*as they exist*' in Japan, and then explain '*why they are able to exist*' in Japan. There may be some fundamental and universal truths that transcend cross-national boundaries in the desistance theory, but the approach taken here is from the other side. Desistance in Japan is constructed, and existing theory is then reflected upon. Through this approach I hope to avoid biasing of data, although the

³⁷ Note that I swap to the first person in order to clarify what I am doing in relation to what has been done or is theorised.

arguments in desistance theory are well evidenced and persuasive, so there will be limitations to the gravitational effect of my work against this field's past theorising. Nelken's (2017) third purpose for cross-national examination is the development of policy and practice across jurisdictions. There are elements of this purpose in the way findings have been presented. However, their utility to policy development internationally relies on the reader to pull from this thesis an understanding of how practice is rooted in social context. For example, Chapter 8 features an explanation of how and why the voluntary probation system of Japan can work.

On the topic of how to do cross-national research, Nelken (2017, p. 419) explains that the second purpose too requires "careful excavation". Specifically, this care requires "understanding similarity and difference" (2017, p. 421). There needs to be a recognition in cross-cultural examination that the researcher lacks understanding of the environment entered, and that effort is required to gain sensitivity to its ongoing. First, it is helpful to understand the language and communication in the environment of observation. Within this thesis, painstaking effort was undertaken to be able to understand the Japanese language and relevant concepts in social/communication dynamics in order to enhance observational capacity (Chapter 4's literature review is the product of this engagement in Japanese society). Second, there is a need to have conceptual understanding of the features and systems that surround the point of observation. This knowledge allows for actions to be observed within their wider social reasoning (Chapter 5's literature review provides this context via an overview of criminal justice in Japan). Nelken (2017) points out the difficulties in doing research in different legal, social, local, sub-cultural, and generally contrasting environments.³⁸ Within such contexts he raises the point that observational ability lies in comprehensive understandings that also factor in elements such as subtext (which might be based on unspoken social understanding) and body language.

Nelken (2010) explains that cross-national research can be conducted 'virtually there' (outside of the place of study), it can occur via 'researching there' (when data collection occurs at the site), and while 'living there' (when research is conducted at the same time as living in the site of study). Interestingly, the different phases of this research blurred the lines across these research approaches as I transitioned from online interviews with academics to the in-person interviews with desisters. Thus, the research benefitted from seeing the problem of consideration from the different positionalities that come from each approach. The early conversations with academics allowed for consideration from the outside and as an outsider,

³⁸ Globalization is not raised as a major topic in this book as this is a cross-sectional study that takes place outside of the dialogues of change in Japan. But the work produced might aid future consideration of how Japan is thought to be changing; for example, Leonardsen's (2010) "Crime in Japan: Paradise Lost", which is a thoughtful reflection on change in Japan's supposed crime controlling social and legal cultures.

and not in my eventual status as an “insider-outsider”, as put by Nelken (2010, p. 94). ‘Researching there’ allowed for data collection which specifically addressed my limited non-native perspective (interviews with probation staff). And finally, by conducting criminological investigation while ‘living there’ I was enabled to eventually “fill in the ‘taken for granted’ background of native views and actions” (Nelken 2017, p. 431).

Prior to my research, I was aware of one previous English-language study of desistance. Barry (2017) collected data from 45 offending individuals in Japan. While this sample is robust, the published work lacks consideration of cultural context. Her approach took the research design of a previous study in Scotland and applied this in Japan. Barry (2017) reports an issue with one of her questions not translating appropriately. Questions need to be appropriate and accurate, so ‘during interview’ translation of a previous studies approach is not ideal; carrying over context-based assumptions. My ability to ask questions in Japanese (or check my translator’s interpretation of my question) improved interview flow. In terms of research paradigm, Barry’s approach matches the first cross-cultural research purpose, and the second methodology supposed by Nelken (2010, 2017), namely research that takes place to search for and build upon universal knowledge using data collected ‘researching there’.

Barry’s (2017) study mentions school in Japan without the contextual information that school in Japan is extremely pressurised and competitive (with the possibility of results rankings that are posted publicly), and that failure there has social consequences in family and the community (Hiroshi and Miwa 2012). She briefly mentions family responsibility in her work, but relevant contextual points are not cited. As noted in Chapter 2; there appear to be several mechanisms in Japan that heighten damage to families when offending becomes known to the community. These observations lead to Barry (2017) presenting Japanese and Scottish youth as two similar groups of people experiencing the same social problems. Later, Barry (2017) criticises voluntary probationers (average age of 60) for being too old to understand young people, without offsetting this valid criticism with the context of their social connections. In Japan, age might affect the fostering of relationships with young desisters, but it might be critical when negotiating a work placement or talking to their parents (discussed in Chapter 8). Barry (2017, p. 125) raises the importance of social belonging:

You find something to protect... young people, including myself, are looking for a place to stay... I want to be accepted, and I think it’s the same for everybody (20-year-old male, Japan).

However, this is related to the personal desire for respect, and is explained as being similar to Scottish desisters. Based on my interviews, belonging is profoundly important, because a single place of acceptance provides a more involved time and social commitment (see

discussion of research sites in Chapter 6). It is possible that Barry's (2017) conclusions are correct, but they lack robust evidence.

Current Western desistance research is situated within a knowledge abundance; with well-developed views of service users, much past work and generally solid understandings of practice that have formed in relation to government and researchers collaborating (e.g. in England, Bottoms and Shapland 2011). However, criminological literature in Japan is highly limited in English (Ellis et al. 2011). Thus, this thesis saw a need to test existing understandings of literature along multiple dimensions in relation to probation, criminal justice and desistance. Barry's observations are limited by a lack of surrounding work or engagement with ongoing criminological debates in Japan. She concludes:

I would argue that the East Asian values of harmony and relatedness are as significant for Scottish young offenders as they are for Japanese young offenders - both in starting and stopping offending. (Barry 2017, p. 128)

A contextually focused examination of desistance requires not just expertise in the desistance literature, but also in the act of cultural examination itself in the jurisdiction of consideration.

The value of living there and participating in Japanese culture enhanced my understanding in many small ways that contributed to a more nuanced appreciation of what might be happening. For example, how much a group of people smile is not something which emerged during interviews, but was possible to see during ethnographic participation. In this case, rich contextual data provided me with insights into the emotional satisfaction that was provided to desisters during participation at events across the various sites of observation. Furthermore, having the ability to converse informally with participants before, during and after interviews enabled good levels of rapport, which is important given the sensitive topics of desistance research (Fernando 2021). Good rapport was particularly important in gaining access to dialogues that might be critical or sometimes hostile to other actors (e.g. government, former friends, family), or to smaller seemingly innocent jokes, such as probation officers indicating that policy level practice guidelines were to be placed 'on the important back shelf'. When people dropped the 'kindly host' persona, conversation became more authentic and less filtered. For example, academics at times adopted a hostile tone towards the 'other' type of foreign researcher.³⁹ The methods of this research reflect a need for substantive contextual understanding.

³⁹ This was not well defined to me, but I understood this as a compliment towards me for coming and living in Japan, taking the time to talk to many people and learn the language.

It is very important to point out the split focus of developing cultural understanding of Japan, an ability to use the Japanese language, and developing as a desistance scholar within the time limit of a PhD. I end this PhD feeling as if my development as a cross-national scholar has only just begun. The slower academic maturation of such researchers is something that the academic community should anticipate and consider valuable. Early on in a career their work might be somewhat limited and possibly naive. However, my expectation is that with cultivation they will become a critically important resource in the increasingly global field of criminology (Fernando 2021 and Segev 2018).

3.8 Analysis and research considerations relevant to choice of methods

This research saw a need to construct a model of Japan. The 'model' here is defined as a framework that facilitates a nuanced understanding of desistance experiences, both *in situ* and relative to the wider criminal justice system in Japan. It is therefore not a comprehensive view of Japanese culture but an understanding of relevant factors. The construction of this model involved a reflexive evaluation of the literature and data collected during the research. Direct desistance narratives were then reviewed using this model, and analysed to develop a theory on the influence that cultural factors might have on desistance. The following section considers ontological and epistemological considerations directly, and then explains how they were applied within the research process.

3.9 Appreciative Inquiry: a philosophical adaptation of the approach

The research drew on elements from appreciative inquiry, a method useful for analysing and researching organisational structures and operations, sometimes applied in exploratory research to gain access to under-researched groups. Jardine (2019) used this method's principles to gain access to a sample of police in Vietnam; gatekeepers provided her access when assured that her focus was on understanding the positives of the system within the political and social context. Traditionally, appreciative analysis has been used to develop organisational change by identifying system elements that are operating effectively and focusing on maintaining these positive aspects - an alternative to traditional problem-oriented approaches (Cooperrider 2017, Cooperrider and Srivastva 2017). Within criminology and criminal justice, it has been used with probation staff to pinpoint what is seen as good quality in probation practice (Robinson et al. 2013) and in prisons to consider what is good about regimes (Liebling 2017). In both cases it aimed to discover what service users and those working in the institution themselves valued about their environment. The current project defines 'appreciative inquiry' as a culturally respectful research method that seeks to understand the nuances of organisational system design and social conditions in their political and cultural contexts; an approach that will not misrepresent the characteristics of each of the

analysed systems (Jardine 2019). In the context of cross-national work, using appreciative inquiry should avoid biases towards the home country of the researcher. This approach does not exclude the possibility of criticism but focuses research design towards first capturing the positive functions of an organisation's practice. For example, the limited use of a 'control' paradigm within the Japanese voluntary probation system is not considered harmful in this research. This is because the control aspect is not a primary goal of the organisation and exists elsewhere.

3.10 Grounded approach to cultural research

The exploratory and cultural dimension of this research resulted in adopting some principles from grounded theory. This choice was made because creating or finding a theory and testing it was not considered ethical or practical for understanding cultural features in a new jurisdiction. The inductive element of grounded theory focuses research methods on generating theory from data (Glaser and Strauss 1967). This principle underscores the decision for this thesis to develop its own model of Japan and the way that organisations of interest function. In this way, the research attempted an attentiveness to the world. Ferrell (2018, p. 150) discusses the value of open-ended approaches to analysis during ethnographic projects, explaining that "you'll likely discover later that some seemingly meaningless detail in fact means more than you could initially imagine". This openness to possibility was very important in determining how I approached my positionality as a foreign researcher. I needed to be open to important factors relevant to desistance that might be beyond my assumptive knowledge.

3.11 Building a model of Japan

Building a way to understand findings about a culture requires an understanding of the studied culture: a model for the purpose of analytical work. Context building is understood to create good quality research (Qu and Dumay 2011). When structuring questions, conducting analysis, and with the general research approach, it was essential to not take forward bias from existing literature. This point has many nuances: there is a need to design the research with an awareness of how Japan *might* be unique while also taking care not to create uniqueness in that process.⁴⁰ Thus, sensitivity to the positive aspects and potentially unique ways of justice in Japan are needed, but an equal focus should be placed on mundane or similar aspects from other countries. Chapter 4 develops the consideration of 'similarity and difference' while also considering Japanese cultures of importance. Chapter 5 reviews justice practice,

⁴⁰ One academic participant argued to me that past research in Japan had created cultural concepts due to the tautological process of observing a process, naming it and then questioning people in the developed understanding of that concept.

providing an applied view of developed cultural understandings. These two chapters provide a conceptual view of Japanese culture. They are by no means complete, but together, they result in a model/understanding of Japanese cultural components and the ways in which they emerge in the criminal justice spaces considered in this thesis. The benefits of a model of Japanese culture built from primary research data are that it limits reliance on past work and cultural research that might not be relevant to a criminological focus. Desisters exist in a social world unique to the mainstream experience of society. It is thus essential to take time to analyse how mainstream cultures emerge and are augmented in desister-related contexts. Both Fernando (2021) and Segev (2018) took the time to assess their jurisdictions of study, e.g. by collecting relevant structural and social context via interviews with service workers (as was done here) and reviews of social attitudes surveys.

3.12 Methods

Given these perspectives of epistemology and ontology, it is now possible to turn to questions of research design and methods. It is well understood that an effective desistance study “requires complex field designs as well as sophisticated qualitative and quantitative analyses to tap its potential” (Mulvey and Schubert 2016, p. 140). The reader will be aware that research was conducted in Japan, but it is useful to set out exactly what was done.

3.12.1 *Ethnographic lived experience of Japan*

The word ‘ethnography’ does not by itself define exactly what may be included, so it is necessary to clarify how data were collected within this research approach (Wincup 2017). Living in Japan and learning the language was used to develop contextual awareness (Nelken 2012, 2017). This aspect of ‘data collection’ did not involve collecting any personal or specific information to be analysed later. The 15 months spent in Japan was used to generate a personal understanding of the Japanese cultural practices relevant to this research. This toolset was needed to find the spaces of importance, navigate them responsibly, make nuanced observations, and effectively analyse what had been observed. In particular, providing to me an alternative sociological construction of the world.

3.12.2 *Interviews with academics and experts*

A total of 20 academic/expert interviews took place over a roughly 1-year period before going to Japan, and for around 4 months after arriving. These used a semi-structured approach which on average took 1 hour. The interview schedule contained a set of general questions seen to be of value to the research (see Appendix A). For each interview, questions were developed that related to the participant’s subject knowledge. Of importance, academics were able not only to answer a question but also to consider the validity of the question itself. This

was particularly helpful for considering Japanese concepts that I had been reading about in literature, as they might apply in contemporary or criminological contexts. The interview questions were piloted with my colleagues in Japan's criminological scene. These interviews helped to build an understanding of the research scene. Their topics included insight on how to gain access, what questions were important to ask, and problems I might expect. Methodologically, they guided question design in terms of what to ask and avoid with desisters themselves and their related actors (other participant interviews explained below).⁴¹

Going to Japan and being hosted at Ryukoku University required a roughly 3-year period of negotiation (extended by 2 years due to Covid). The Kyoto based university is relatively prestigious, and at that time was home to the only physical criminological research centre in Japan. The access process to do research in Japan required around 50-100 emails and several applications; one major application to the university, one to the state for the purpose of the visa, and numerous smaller forms, reference letters and documents. My hosting was enabled as a result of a few activities on my part. Active participation in the Japan based Early Careers Criminology Research Network provided the centre knowledge of my character and plans through the overlapping members of both groups. They first became aware of me due to my active participation at the Japan-based 2021 Asian Criminological Society annual conference. Simply getting to Japan took considerable time and resources within the PhD.

3.12.3 Adult support centre interviews - the 'adult pathway' (interpreter present)

A large collection of interviews occurred as a result of ethnographic participation at a charity that supported former offenders in 2023. The desister interview schedule used with them contained a set of very open questions in the early part of the interviews (all interviews discussed are in the Appendices). These questions allowed for the interview to be participant led for the most part. Within the interview schedule there were questions that related to various topics seen to be important in past desistance research. Over the course of the interviews these questions would be checked. Later on, unanswered topics or questions were addressed. For the adult pathway, there were 7 desister interviewees, 2 of whom were employed as senior peer supporters, and all 7 qualified as mid to low-level peer support staff. However, not all were current members of this centre. There were a total of 4 voluntary staff interviews (civilian personnel) complementing these interviews. Staff interviews ranged from 30 to 50 minutes, with desister interviews taking from 45 to 130 minutes.

⁴¹ For example, I was cautioned about assuming the existence of concepts such as *uchi* and *soto*; in English writing on Japan these are well established structures in Japanese society. Chapter 4 goes into depth on some of the research pitfalls. In summary, I gained an awareness of how cultural contrast might blind me to other critical observations.

3.12.4 Adult support centre ethnographic participation - the 'adult pathway' (interpreter present)

The week spent participating at the support centre involved participant observation during the centre's charitable activities. The centre aimed to provide structure to people experiencing issues post-conviction, giving them opportunities to gain skills in charity work and to obtain certain support benefits. Wincup (2017) details ethnographic study and its use in criminology. When reflecting on my own experience, their work is relatively accurate. The process of negotiating access, collecting data and ensuring consent was a careful affair. While I would have liked to say that I observed the 'natural' state, my presence had an effect, especially when the conversation turned to me and my work. Still, this method allowed for insights into a space of desistance - a site where I could look at the overlaps of cultural factors for an extended period.

3.12.5 Youth network interviews - 'youth pathway' (interpreter present)

This second interview type was with members of groups and networks that supported people processed via the juvenile system - 4 interviews were conducted with desisters online. The interviews featured the same question sheet and format described above. Informal conversations and ethnographic observation were used to better understand operational practice of the youth support network. Please note that 'youth pathway' refers to the type of justice system experienced (see Chapter 5). Participants were all of adult age (18 or above) at the time of the interview.

3.12.6 Peer support interviews - adult and youth pathway (interpreter present)

A time of 30-60 minutes was allocated for each of the interviews which provided a peer-support perspective, so conversation related to their experience helping others. 'Peer support' in this thesis is defined as a desister who now maintains a support role in a criminal justice-related space. These interviews provided insights into desistance from people in Japan who had lived experience of desisting, and also lived experience working to make that happen for others.

3.12.7 Probation officer interviews (interpreter present)

Ten interviews with 'process neutral' probation-related staff provided additional context.⁴² Three were senior-level probation staff, five were probation officers, and two were voluntary probation officers. In some instances, 'mic-off' conversations provided additional operational context. The short interview schedule used with the probation officers is attached in Appendix C. The format for five of the state-based probation officer interviews and the two voluntary

⁴² 'Process neutral' means they were involved in both youth and adult desistance pathways, as well as others not considered within this work's scope.

probation officer interviews included a 1-hour preparation meeting in which the participants collectively met with me to understand my purpose (two separate events for both groups). The participants were then presented with three question themes (see Appendix C). Following this, participants were interviewed in sequence after having time to think over their answers. The time limit of 20 minutes was decided by the higher-level probation officials (although all interviews over ran this time limit). While short, the interviews were highly focused and efficient. A longer format probation officer interview schedule was used for the three other probation officers that took place online; lasting between 1 and 2 hours (Appendix D).

3.13 Data collection methodology

3.13.1 *Semi-structured interview methodology*

All interviews were in a semi-structured format that emphasised openness, in view of the exploratory nature of the research. Participants were given large degrees of freedom in relation to the topics of discussion. This style of interview allowed for detailed conversations that broached set areas of discussion while still allowing the participants to direct the interview to topics they felt were relevant (Kallio et al. 2016). This project followed in the footsteps of past desistance research, which has created an international perspective on desistance processes either via cross-country perspectives (Segev 2018, Fernando 2021) or through the examination of desistance from a cultural lens within a single jurisdiction (Au 2020). This past work attempted to build into the desistance literature a contextually nuanced understanding of what factors augment the process.⁴³ Segev, Fernando and Au all conducted semi-structured qualitative interviews. This thesis is focused on Japan, with no comparative aspect in the methodology, so is in the same category as Au (2020). Additional considerations, as raised by Qu and Dumay (2011), included the understanding that interview data cannot simply be lifted from the context of its creation. The interviews required a careful process of understanding each participant's perspective and knowledge base. The interviews were greatly aided by interpreters with a criminological research background (see below).

3.13.2 *Ethnography and participant observation*

Observations and experiences during my time in criminal justice spaces were used to provide contextual understanding of these environments. In relation to probation, this provided me knowledge on its operational purpose and relative position within the criminal justice infrastructure. For example, it allowed me to understand what types of offenders were the general responsibility of the office where my interviews occurred, its geographic situation and operational scale. Attendance at the 'adult pathway' support centre constituted my most

⁴³ 'Augment': to affect, change, warp, subvert, limit, accelerate, enable, or block a desistance process.

prolonged and involved period of ethnographic observation/participation. The goal of this period was to collect contextual knowledge of this space. This was then used to enhance interview data and provide a case study framework to understand the desistance data. Ethnography in desistance research can provide interesting and novel data. Salinas (2013) used this approach to examine the desistance of a set of elite-class supply level drug dealers, with his work being able to produce longitudinal career maps of desisters and make well verified observation, and to combine this with interview data. Cultural dynamics in desistance are hard to capture outside highly detailed and focused data due to the complexity of the process on the individual level. For example, a person's desistance may involve their experience with the law in early adulthood and its effect on their family circumstances, the jurisdictional response to youth offending, youth culture at the time of the offence, ongoing police initiatives, and much more.

Understanding desistance as a process requires an awareness of contention between desistance factors and the way they affect the process generally, and desistance as a process on the individual level. Farrall and Shapland (2022) examined 89 cases of desistance from a representative sample of 199 probationers originally interviewed around 1998, with a 13 year follow up period. Their intention was to understand age differences in desistance within their sample. In their work they observe, "to our surprise, that there seemed to be almost no difference in explanations for desistance given by the respondents by age" (Farrall and Shapland 2022, p. 535). An exception to this was the observation that 'limited criminal career desistance' did relate to age-based explanations. They conclude with the following proposal:

Our current results, though exploratory and tentative, because they are based on one sample in one country, suggest that several of these different factors are relevant, but that what matters is which is encountered by the individual at what time in their life. We could say there is a 'family' of desistance circumstances, almost all of which remain relevant over age and length of criminal career. Encountering them is then about individual variation in lives and social contexts. (Farrall and Shapland 2022, p. 536)

Their work is indicative of problems that come from attempting to generate high level theories of desistance: individual level desistance seems to be a very dynamic process. Thus, the way in which a specific factor affects the population generally might obfuscate the way it works in varying ways for different people in different situations. For example, family in Japan is generally helpful in desistance, however, on the individual level it can function in different ways; sometimes being unhelpful (this is a topic in Chapter 8). Ethnographic work has the

potential to provide understanding of how desistance factors are relevant by providing context and data rich observations of the process at different stages, times and places.

Other activities contained within the research period included an instance of court room observation, informal meals with probation staff, informal meals with experts and academics, and attendance at government offender support program meetings. When communicating my attendance at these events as a researcher was not feasible, notes were not taken, and no data were entered into the thesis. However, these experiences helped to build my contextual knowledge of Japanese criminal justice infrastructure and its relation/integration with the academic and third sector.

3.14 Positionality and how it affected the data collected

Positionality had important effects that are discussed across this thesis (section 3.24 goes into detail on the use of Japanese in this thesis). This section focuses on the data collection process. During the interview I would ask questions, and the translator would help to clarify the meaning of the questions in case of confusion and assist with follow up questions and clarifications. So, I was still able to build rapport and demonstrate my trustworthiness as a confidant for sensitive information. Outside of the interview I was also able to converse normally with participants. My Japanese was at a level in which normal conversation was possible, but complex multi-step explanations and reply were hard while also conducting an interview.

My positionality as a 'non-Japanese' national overwrote other positionality effects to the extent it is hard for me to gauge their relevance. Being positioned outside of Japan's rules, culture and hierarchies placed me so far removed that other positionalities seemed to have far less impact in the field. For example age, career stage, gender or university of affiliation might have been significant for a native researcher. However, conversation was almost always orientated around my status as 'from that place really far away', and at times I felt like an alien.

During interviews and data collection I was able to do and say things that, for a native, might have been considered 'rude'. I could freely ask questions as the 'cultural idiot': my knowledge of the Japanese environment and experiences was assumed to be zero. I did not need to adhere to the strict etiquette patterns expected during a social interaction; I was not *seen* as capable of doing this. I have a vivid memory of candidly asking a participant about their experience of domestic violence. This participant reacted casually and calmly. Only, my translator at the time visibly panicked (a native criminological researcher). Later, the same participant took time to find me and thank me for allowing her to share her story.

A major point in Chapter 8 is the lack of service user data. I have a sense that my ability to simply ignore expected etiquette in Japanese conversation limited potential barriers to sensitive points of discussion, particularly those related to state criticisms by desisters, management criticism from probation workers, or critical views of 'the system' when interviewing academics. The findings I collected might be collected by a native researcher, however I should stress that my data collection seemed easier compared to my Japanese colleague's accounts.

3.15 Access

The access process was far more involved than initially envisioned at the onset of this research project. The plan was that desisters in Japan would be approached via third and private-sector organisations (as done by Barry, 2017), public-sector institutions such as halfway houses (Kishi et al. 2015), and via contacts in the Japanese government (Watson 2019). The comprehensive sampling approach was planned from the outset due to known historical difficulty for researchers to access Japan's criminal justice system. The following figure roughly explains the pathway to interviews in the research.

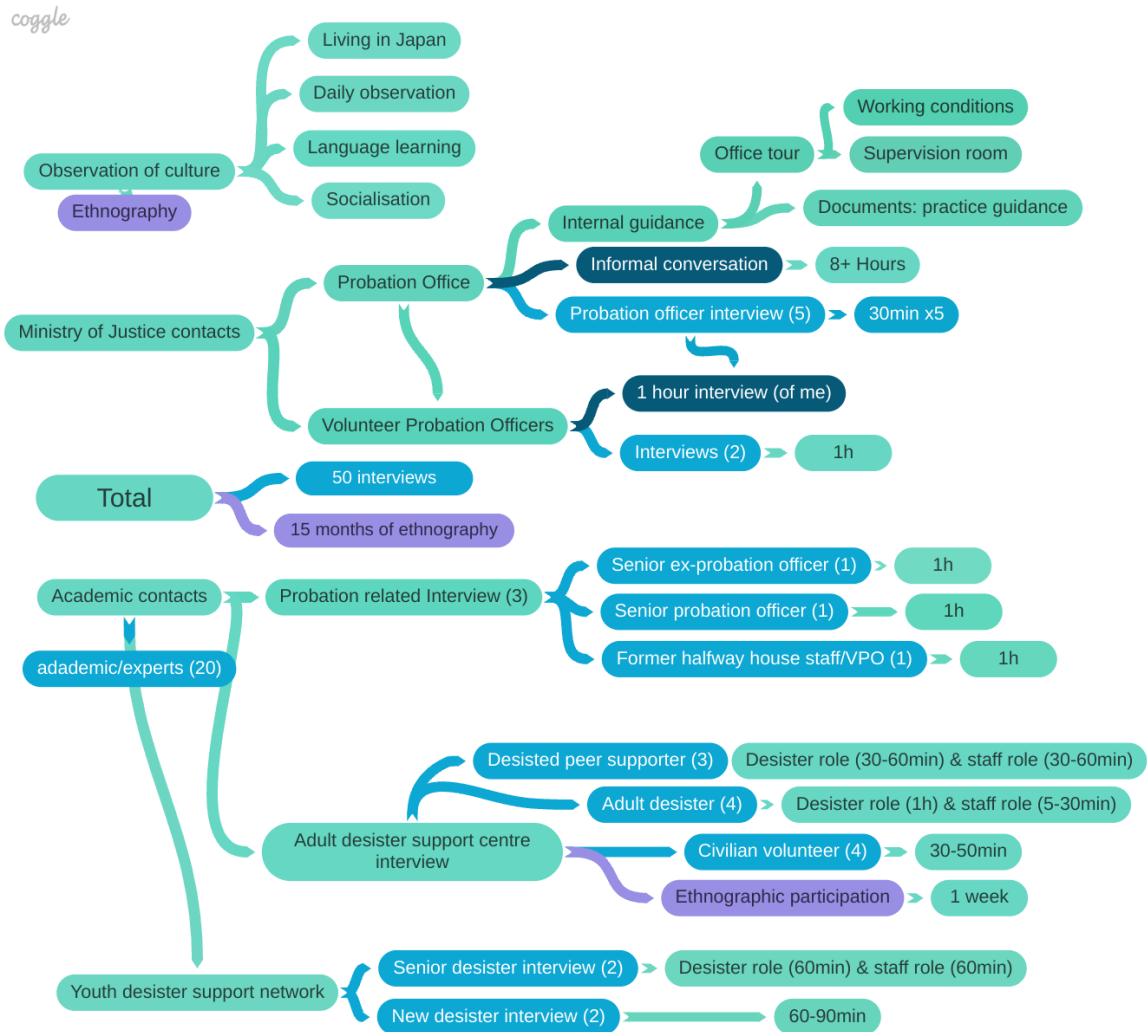


Figure 3.1 Samples, access and data collection methods.

Source: author created using Coggle.it

The academic and macro level interviews initially came from a targeted sampling methodology. Academics were selected via a review of major universities in Japan, and I contacted them directly via email. There was an element of snowballing, as these people would then refer me to relevant colleagues. This interview stage provided me with a network of academic contacts across Japan, many of whom were interested in helping with my research. These contacts led to expert interviews with probation staff and interviews at a youth desister support network. Through a chain of events, I eventually found myself with the title of 'research assistant' at Ryukoku University in Kyoto. At that time, this organisation was home to the only named criminological research centre in Japan. Eventually, my slowly expanding network of contacts led me to gatekeepers of 'desister support groups': the 'adult desister support centre' and 'youth desister support network'. This approach was low risk and high reward, as failure to advance to the next data collection stage would have still produced some useful data. Despite

Covid-19 complications, the project successfully collected data all the way down into the micro stage. However, this last stage had to be cut short due to the delays created by Covid-19.

Notable in this access process was the informal component where I was assessed. Before being provided with research links by my host university, I attended many informal gatherings. This was the same for access to probation offices, and also for access to the two desister environments. This resulted in gatekeepers gaining high levels of knowledge on my project and its intention, as well as an opportunity to develop strong levels of rapport and assess my character.

Johnson's (2002) research process inside the Japanese prosecutorial office mirrors my experience in official government business. He describes how, during the approval process, his access depended on senior staff reviewing "acceptable" questions. His thoughts mirror my own:

The procuracy's efforts to police my research generated intriguing insights about the organization. (Johnson 2002, p. 10)

During my interviews with probation staff and government officials, it was easy to notice that the acceptable domains of discussion were limited, and there was a deliberate avoidance of 'problematic' topics. Overall, this left me with a scepticism of research outputs that have depended on state-connected actors. The unthinking acceptance of a curated perception is raised by Goold (2004), who critiqued past work that explained the Japanese criminological environment as a 'utopia'.

3.16 Sample criteria

The criteria I set for participation in the project were relatively relaxed. Potential interviewees should be perceived by gatekeepers as attempting desistance. Only adults could be interviewed, and there should be no serious violent offenders. Interviews with serious and violent offenders was seen as unnecessary risk, and this was the same for gang criminality (Rankin 2012). Had it been possible to access desisters through a formal application to the probation office, the project would have needed to set stricter criteria to filter participants. Segev (2018) and Fernando (2021) both co-operated with state entities, so could review police/court records and find desisters who had a set number of convictions and were expected to be desisting. In the current research, participants all came from (or around) rehabilitation support organisations, and therefore the assumption was made (and later validated) that people there would be undergoing or would have undergone some 'desistance' process related to criminogenic circumstances and a need for aid; suitability for a participant's interview was also assessed by gatekeepers (e.g. senior staff at the adult centre). A benefit of

this approach was that it avoided a situation in which the research imposed a definition of desistance. In hindsight, this was a critical decision as interviews occurred with people not traditionally considered ‘desisters’. For example, in the case of a one-time fraud offender with limited criminogenic motivation before the offence, the collateral consequence of going to prison put them in a situation in which they required housing and work support. Their perspective on prison, punishment, and the desistance of others around them in the centre was insightful and provided perspectives and experiences which contrasted the people that had structural disadvantage pre-offending.

3.17 What were people desisting from?

Below is a table with the desisting circumstances of the participants. Some details have been changed/made less specific to ensure confidentiality.

Column1	Offending background	Offending socialisation	Desistance stage	Current view of 'life quality'	Family support	General desistance enabling factors	Age now (time since last offence)
Adult desister 1 (M)	Persistent sex-offending (long record)	No other actors	Early	Low life quality - no "job"	No support	Adult centre - peer-mentoring - volunteer personnel help Psychological treatment	30-40 (1 year)
Adult desister 2 (M)	Persistent sex-offending (long record)	No other actors	Early	Low life quality - no "job"	Long-distance 'support'	Adult centre - peer-mentoring - VPO help	20-30 (1 year)
Adult desister 3 (M)	One-off financially motivated	No other actors	Eliminated offending motivation Pursuing a pro-social life outside the centre (difficult)	Low life quality - no "job"	Actively disruptive family	Adult centre - peer-mentoring - volunteer personnel help	30-40 (1 year)
Adult desister 4 (M)	White collar (technically long-term)	No other actors	Eliminated offending motivation Pursuing a pro-social life outside the centre (difficult)	Peer-work - good job	Newly created family support	Peer-mentoring - religion - new family	30-40 (7 years)
Adult desister 5 (M)	Socially motivated offending /formal gang	Socially networked offending	Long term success	Peer-work - good job	Newly created family support	Adult centre - peer-mentoring - volunteer personnel help	40-50 (11 years)
Adult desister 6 (M)	Socially motivated offending	Socially networked offending	Long term success	Stable job - low status	No support	Adult centre - peer-mentoring - volunteer personnel help	40-50 (2 years)
Adult desister 7 (M)	White collar long term	No other actors	Eliminated offending motivation Maintaining a pro-social life outside the centre	Low life quality - poor job	Family provision of work	Adult centre - peer-mentoring - volunteer personnel help	30-40 (2 years)
Youth desister 1 (M)	Socially motivated offending	Socially networked offending	Long term high success	Good job - volunteer work	Father/mother (housing)	Peer-support - family housing	40-50 (18 years)
Youth desister 2 (F)	Socially motivated offending	Socially networked offending	Long term high success	Good job - volunteer work	Mother (Housing - love)	Peer-support - family housing - parenthood	40-50 (17 years)

Youth desister 3 (F)	Socially motivated offending	Socially networked offending	short term high level of success	High life quality	Mother (Housing - love)	Peer-support - family housing - government transfer program	18-25 (1 year)
Youth desister 4 (M)	Socially motivated offending	Socially networked offending	short term high level of success	High life quality	No family - Local support program	Peer-support - employment scheme - volunteer support centre	18-25 (less than one year)

Table 3.1 Sample description.

This table provides important context for the findings section. The generalisability of this research to the wider offending and desisting populations in Japan is limited. The goal of this thesis was to show how a specific context in Japan could inform the desistance process – how the layered contextual factors in one area can facilitate a desistance process. The research, thus, needs to be considered in these terms. A more detailed picture of the field sites is provided in Chapter 6.

Chapters 4 and 5 will paint a picture of the average person's general experiences in society and the criminal justice system, and this will allow the reader to situate and understand what area and type of desistance is being described relative to other possible desistance processes in Japan that may occur in different places, or following different criminal justice pathways.

3.18 Covid-19 notes

Covid-19 had several effects on this project. In relation to access, it caused a much longer research process as travel to Japan planned in July 2020 was not possible until July 2022, and business infrastructure in Japan was disrupted until 2023. There was a substantial pivot towards the multi-method Japan focused approach and away from a comparison with English and Welsh desistance. While a rich set of data was obtained, the result was that the desister interview stage of the research had to be cut short. Access was only negotiated in the last 6 months of the Japanese research period, which was both profoundly fortuitous and frustrating. Covid-19, at times, necessitated the use of online interviews. The effectiveness of this interview strategy led to its continued use even when not required due to Covid-19. Almost everyone in Japan had become used to the online communication toolset required during the pandemic. It was particularly effective due to participant confidentiality and relaxed logistics. Macro and meso online interviews/conversations were often the precursor to further in-person interviews and access. Covid-19 provided many granular logistical problems. However, navigating these issues resulted in a flexible research approach with many different tools to capture data. Appendix E sets out future research plans to address effects from Covid-19.

3.19 Awareness of the social construction of 'crime'

One of the first questions in an analysis of desistance should be how 'crime' is defined in the given place of study. This is because 'crime' is a fluid concept, and as a consequence 'desistance from crime' might have a correspondingly diverse meaning in different countries. This point is raised by Leclair et al. (2022) in their scoping review of how desistance has been measured in the past, reviewing 97 peer-reviewed quantitative studies and three mixed-method research articles. Leclair et al. (2022) explain that the classification of desisters as a

measurement 'variable' has led to the 'naturalisation' of desisters as a specific 'kind of people'. This is problematic because it supposes limited variation in the scope of what might exist inside or outside highly limited definitions of desisters or persisters. Particularly relevant and obvious in cultural-desistance research is the lack of 'solidness' or 'realness' of the 'desister' concept. In comparative or cross-national efforts to study the phenomenon, there is an existing acknowledgement of the broad types of desisting experiences that can exist, as finding these is the objective for these types of investigations. The use of qualitative methods is well suited to an exploratory desistance research of divergent environments, as they are more able to capture and navigate the social construction aspects of the process. For example, this point is relevant to elderly crime in Japan; a once pro-social group of people turn to crime due to state/family/personal failure to ensure appropriate welfare resources are provided. This 'crime' might not exist as a crime in a different structural context where state welfare provision is more generous. In analysis there is therefore a need to account for this. Helpfully, using the macro-to-micro research methods to develop a framework to situate desister interviews had the added benefit of providing an opportunity to assess the social construction of 'crime'.

3.20 Definition of desistance - what is studied

Discussion of the definition of 'crime' naturally raises discussion of 'desistance' directly. These definitions are addressed in Chapter 2 in more detail. In a methodological review, it is still important to raise the point of definition, but with a slightly different focus. The definition will often illustrate certain research biases or methodological approaches, such as a need to define a specific stopping point in quantitative analysis. Leclair et al. (2022) supposes that desistance definitions fall into one of two positions: desistance as a 'process' and as an 'end-point'. However, there exists the potential to adopt multiple definitions in the same research and to consider and define desistance at specific points and from certain perspectives. For example, a desister themselves declaring an end to the 'process' phase of desistance in which a more stable employment and social life stage is attained, which could be a self-defined 'maintenance' phase. The definitional complexity of desistance is a good thing; it is a sign that the field is mature and has a great variety of research. It makes sense to be accepting of these definitions, given the non-specific nature of the thesis. Thus, desistance here adopts a varied definition. However, it does not operationalise the status of 'becoming a desister/desisted' but the 'movement towards a mainstream non-criminal' life stage. This facilitates varied potential definitions of 'criminal' and 'desistance'. Most significantly, it allows for an assessment of desistance 'quality'; not simply the transition away, but what is moved towards. This approach adopts thinking from the 'good life' model of recovery (Ward and Brown 2004, Aizawa 2019),

and the goal of living a 'good life' as put forward by Bottoms and Shapland (2011) in relation to desistance.⁴⁴

3.21 The value of international study: Why focus only on Japan?

Bui and Farrington (2019) in summarising their work, state that international study is important to the development of criminology due to the ability of this work to expose "universal and culture specific phenomena" (p. vi). Comparative work can provide great insights into mechanisms and approaches in crime-related spaces. However, comparative research is hindered by the methodological challenges that stem from the complexity of making data comparable across jurisdictions. Liu (2007) makes several recommendations for criminological study on this point. Liu argues that criminologists should recognise the inherent comparative aspect of the discipline when theorising is reviewed and applied across jurisdictions, and that research needs to be conducted with an awareness of the new international framework. However, Liu suggests that research methodology does not need to be comparative. Liu suggests that one way to develop criminology internationally is to use jurisdictional case studies.

Such an approach would provide researchers with the opportunity to consider a jurisdiction without the problems that come with comparative endeavours. For example, much theorising that is developed within the collaborations of Western countries is "assumed to be valid elsewhere and universally" (Liu 2007 p. 4).⁴⁵ As noted, much desistance research has been completed within one location in either England or America (Sagara et al. 2024). It seems 'odd' that research outside of these two locations should need to be compared with either America or England; it does not. While it certainly helps with the communication of findings to the audiences of interest, there are negative effects that stem from the way in which data need to be reduced to comparative terms, or collected (e.g. a similar sample of desisters) in comparable ways. Importantly, removing comparative limitations allows for the theoretical development of Japanese desistance with less bias. This is because there is no need to reduce the complexity of Japan; instead, time can be taken to do the opposite. However, theoretical benefits are not the main draw of the case study approach. Practically, the logistical difficulty of a study increases with physical and cultural distance, including elements such as

⁴⁴ The good life model of recovery is a robust theoretical framework that places emphasis on people obtaining a social life which is fulfilling in the many different ways required for a good life: such as physical health, mental health, love, safety, long term security, friendship, fulfilment, and meaningful employment.

⁴⁵ There exists a possible debate on the topic of a 'monolithic West'. This is not considered within the scope of this PhD. At several points across this thesis I refer to Western desistance research; it should be noted that I view the West as having much variation given that it is a collection of separate jurisdictions.

interview co-ordination, sample comparability, limited flexibility, or lack of focus. Bui and Farrington (2019, p. vi-vii) confirmed this observation using their own case study of Japan. A case study approach towards cross-national research can free researchers from these issues, and has the potential to result in a more dynamic criminological research environment, one which could de-centralise criminological understanding and theoretical developments from the West. Thus, while there are limitations to a jurisdictional case study approach in terms of generalisability across borders, the depth and richness that a focus on Japan allows is very valuable. This value lies both in relation to understanding desistance and also more broadly, in relation to crime, crime control and criminal justice in Japan.

3.22 Methodological reflection and limitations

3.22.1 *Qualitative limitations*

There is a contention in research on desistance raised by Bersani and Doherty (2018) that quantitative data more readily identify factors that present the process as less agentic. In contrast, qualitative research provides insight into the process so that agentic dynamics can be seen. A mix of methods will limit these issues and is ideal, as done for example by Bottoms and Shapland (2011). It was essential to recognise this during the research process. This study put effort into understanding broader structural factors affecting desistance, but was limited to direct observation of the process through the eyes of specific actors, so had only a very limited quantitative aspect. Bax and Han (2018) completed a quantitative analysis of desistance in South Korea using a mix of case file material, criminal career data (secondary data for 3,102 former juvenile detention centre detainees, and questionnaires to 83 of these people). In the case that multi-methods research is not viable in Japan (due to limited funding opportunities for large scale research), effective integration of quantitative and qualitative approaches will be needed moving forwards. In addition, other disciplines' work in the area, such as psychological or economic evaluations would help. The study here was designed to perform its function within qualitative limitations that exist.

3.22.2 *Triangulation as a theory building approach*

Maruna (2010) raises the need for a mix of qualitative and quantitative methodologies within criminology as a discipline, asking in the title of the book chapter the question, "why not go both ways?" Having more than one research method in a project does pose the risk of dividing focus and depth, but also allows for a more thorough investigation of phenomena. This research project made use of triangulated qualitative methods. There are a few points to raise on this topic. Firstly, considering different groups with different outlooks on a topic provides verification via cross referencing (Anderson et al. 2011). For example, academic interviews provided one explanation of Japanese probation, probation officers another, and the desisters

discussed their lived experience of probation. It was possible for example to look at these different views on the probation service and their definitions of success or failure. Potter and Hepburn (2012, p. 567) explain that interviewees do not provide 'scientific data':

People asked about what they do and what they think, and they helpfully tell you about these things. However, looked at another way, what is going on here is that people are being treated as being a special epistemic position with respect to their own conduct. And not just with respect to actions and events, but causal and developmental relationships, intrapsychic processes and so on. The interview is dependent on a range of ambitious cognitive judgements and feats of memory and analysis.

The point made in their work was that interviews provide highly subjective data; a view of the world from a specific vantage point, with finite information and subject to limitations of recall and the spoken word. Adopting an approach that could find and consider many different perspectives was highly useful for analysing desistance. Multiple perspectives highlighted biases or limitations to the various perspectives (Greene et al. 1989). For example, the desisters in this work tended to downplay the severity of their experience of the reform process amid desistance. However, desisters out of this stage were able to honestly reflect on that time in relation to their current circumstances. Further, charity workers also explained that their view of this reform process was extremely harsh, and far removed from their own experiences of non-offending life. These overlapping perspectives on the same phenomenon allowed for a more nuanced and self-critical process of observation.

Maruna (2010, p. 127) explains what justifications exist for more complex research design, noting the downsides:

Mixed method research, almost by definition, is more time-consuming, difficult, and complex than monomethodological studies. It can produce unwieldy findings- involving both qualitative and quantitative analyses- that are ill-suited for the standard 8,000-word limits in many criminological journals.

While this work does not contain a quantitative element, it does contain many different methods and samples, so was thus complex in the way cautioned by Maruna. However, this did not make data collection more difficult. On the contrary, the multiple methods facilitated each other in the data collection process (as explained next). However, the analytical process was made more difficult. An issue that I faced was the variety of insights generated from various sources. The sense was similar to being in a candy store with rows of options. If analysis happened without care, error was likely. For example, in constructing a theory, past

desistance research might have directed the process into a Western paradigm of consideration. Thus, in the findings sections, there was an intentional decision to limit referencing literature and only consider it in the discussion. This allowed for a more neutral analytical process. This is one specific way in which this research drew on grounded theory to ensure that findings emerged from the data first.

3.22.3 Triangulation as opportunity during research

Ferrell (2018) explains that improvisational opportunity in research design is important for ethnography. In this project, the wide pool of approved data collection tools meant that I could capitalise on, and create, data collection opportunities. For example, probation officer interviews led to social event observation, which had the added benefit of providing friendship to various actors in criminal justice. These contacts then led to voluntary probation interviews. It should be noted that there were other potential plans to use if necessary during the research. For instance, I had ethics approval to shadow the daily activities of probation officers and observe their work routines and general activities. Being flexible and open to many possible data sources was critical, even if not all plans of observation, participation, or interview occurred.

3.22.4 Interview volume

Given the focus on desistance, the (relatively small) number of interviews with desisters requires some justification. Baker and Edwards (2012) provide a collection of papers on interview numbers needed for a qualitative research project. Their paper series concludes with the advice “it depends” (p. 42). They explain that the number of interviews required will depend on the overlap of the research questions, what the research wants to achieve, and numerous more minor contextual points, such as the surrounding literature. Another point on this topic is made by Baumberg (2012 p. 37), who explains that interviews should be sought out until “they have saturation, which I take to mean sufficient depth on the full range of the phenomenon they’re interested” in. My objective in this study is to tentatively conceptualise desistance in Japan for future work to build upon, indicating what might be important to the phenomenon. In observation of specific spaces of desistance, the findings are robust: data was collected in two sites. These sites involved interviews with people in different roles, observation, document analysis, and meso to macro level interviews about these spaces. Thus, a point to raise in consideration of interview ‘quantity’ would be the depth of the interviews and the variety and perspectives of the methods used.

3.22.5 *Data analysis*

Principles of thematic analysis were used to identify themes and trends in the data (Clarke et al. 2015). This involved waves of analysis of each part of the data, which were then constructed into themes or specific points. Wincup (2017) notes that qualitative methods are sometimes critiqued because they lack transparency. This is a critique that can be levelled against this data, as the consideration of data during the analysis was highly subjective to my positionality, and needs to be read as such (particularly Chapter 8). The findings chapter (Chapter 6 and 7) are more neutral, though is still influenced by me being the one translating the text, choosing the order, and explaining the observations. As with any qualitative project, another person looking at the same data might have seen something different.⁴⁶

3.23 Ethics

The project was designed with reference to the British Sociological Association Code of Ethics (British Sociological Association 2018), the University of Sheffield (2018) guidelines, and the ESRC Research Ethics Framework (2018).⁴⁷ Ethics approval required an initial application and for any changes to the planned methodology to be reviewed and approved by the University of Sheffield's Research Ethics Committee. In addition, the project had to meet ethical review standards set out by its Japanese partners; application to do research under the guidance of Ryukoku University, an explanation of methods to the probation office in Japan, and explanation of methods and intent to desisting space gatekeepers. It was necessary to navigate a distant criminal justice system. As such, reflections on participant harm, anonymity, consent, and data storage needed to account for differing contexts, cultural meanings, and organisational practices. The research recognises the general responsibilities towards society, to colleagues in the field, and to participants and sponsors (British Society of Criminology 2015). Not all of the considered ethics and practice guidance used during this research is presented here due to space limitations. In the following sections some key issues are addressed.

⁴⁶ The PhD format being a 'personal test' (examination for the purpose of determining skill) is somewhat limiting to truly enriching cross-national research. All current future research plans involve more substantial co-operation with Japanese researchers in data collection, analysis and publication.

⁴⁷ Use of the British Society of 'Criminology' code of ethics might be seen as more appropriate, and it has been referenced during this project (British Society of Criminology 2015). However, the text cited is also useful. Specific criminologically relevant features of ethics were engaged with via the ethical concerns and lessons of my peers in this sub-field of desistance research (Fernando 2021, Segev 2018).

3.23.1 Informed consent

Informed consent was sought across interview groups. Participants were provided with information sheets and consent forms to decide on their participation (Appendices F and G).⁴⁸ A unique aspect of interviews in the Japanese criminal justice context that I did not anticipate was that some participants did not feel or emphasise their need for confidentiality. It was therefore essential to stress and explain research confidentiality/anonymity as a concept. This was especially the case for desister interviews, in which the power to decline a request was novel compared to criminal justice experiences. The pre-interview conversation allowed for this understanding to be confirmed by my interpreter. Chapter 4 explains that some organisations maintain a very detailed hierarchy, and thus it was nearly impossible to avoid a situation in which gatekeepers did not hold some sort of power over a potential participant. I therefore stressed that participation should be optional and voluntary. I made a point of clarifying during interviews that consent was ongoing, and any question could be skipped. It was important to be considerate of my power as both a researcher and guest during the research process (Israel and Gelsthorpe 2016). Furthermore, the participant directed approach to interviews made topics more optional by design.

3.23.2 Academic interviews

Academic interviews had reduced ethical concerns compared to the other interview groups. Topics generally related to their subject expertise. Thus, outside of interview conditions, similar conversations would have been accessible, and communicating this information was a consistent part of their life. However, there was no reason not to adopt the more ethically rigorous interview approach used in the more sensitive interviews. Informed consent, identifiability and power dynamics were still important. Furthermore, discussions were not limited to their opinions on academic topics, as interviews sometimes extended into experiential accounts. This approach was essential in the few instances when participants were extremely critical of their employer, colleagues or associates. An added concern was that the research might obscure an academic's work by presenting their research as a quote rather than referencing their publications. In cases where a question could be answered by past work done by the author, I asked them to say that this was the case, point this out to me, and we would move on.

⁴⁸ Appendix entries are provided in English but were provided to participants in Japanese. Thus, these versions lack some clarification changes that were added when my Japanese colleagues corrected the Japanese translations. Personal data have been removed from these documents.

3.23.3 Living in Japan, ethnographic consent

The ethnographic component of the research was not about data gained from others, but was related to personal growth in understanding my environment; learning Japanese, learning about Japan and important aspects of culture. Nevertheless, I was always open about who I was and what I was doing in conversations.

3.23.4 Observation consent

Gatekeepers for observations in criminal justice environments were provided with research information sheets, and a short and easy to read form was carried during periods of observation (see Appendix H). When observation was conducted, I carried with me information sheets about the project, maintained confidentiality in relation to what people said, and made sure data were generalised and non-identifiable. When observing, notes were taken either contemporaneously or as soon as possible afterwards. The material was not audio-recorded, and any observations around a specific person who had not explicitly consented to the research were not recorded.

3.23.5 Participant well-being

The desisting participants in this research were potentially vulnerable because of their criminal justice and social status. It was thus necessary to have many different considerations in place. There was a risk psychologically - the topics ranged across positive and negative events in their lives, which could be painful. I made sure to inform each participant of this and ensure they knew they could have breaks or not answer questions (Biddle et al. 2013). Conducting the interviews in person, where possible, meant that I could monitor the emotional state of each participant, and answer their questions as they arose. For example, bad memories could bring distress to my participants. In this case, I would reaffirm the participant's consent and desire to continue - offering a break from the interview, the possibility of moving from the topic, or potentially their withdrawal from the interview. When interviews were conducted online, participants were often within arm's reach of their support network. All online interviews were conducted as video calls, which allowed for a similar level of monitoring. Biddle et al. (2013) explained that talking to a researcher has potential cathartic benefits to wellbeing, finding this via an empirical investigation of four qualitative studies with vulnerable populations. This was something that I saw too, when a metaphorical wall would fall down during interviews.

3.23.6 Personal safety and harm

I always ensured that interviews and contact occurred in safe public spaces where supervisors and friends knew of my location. Surprisingly, meeting the basic necessities of living was an unexpected challenge in a new environment and a new language. While mostly fun, financial

management, groceries, transport and medical care all had their own nuance. While my move to Japan was planned, had I not already had a support network waiting for me, I expect that I would have faced many challenges in the first few months. Luckily, the plan in writing transformed into a wholly engaging and enjoyable experience.

Interviews on sensitive topics lead to the interviewer gaining sensitive data. In criminological study, it is essential for the researcher not to lose sight of this sensitivity due to how normal their work will feel over time. In contrast, there can be mental health effects from the process of collecting and listening to sad topics, maintaining secrecy, and generally conducting difficult fieldwork. I received considerable support from my supervisory team in England, my new friends and colleagues in Japan, and my family. In the case professional help might have been needed, systems were in place to obtain this.

3.23.7 Data management

Participants were informed about how their data would be managed. Interviews were audio recorded and quickly transferred to secure online storage as directed by the University of Sheffield. As soon as data were no longer needed and anonymised in the research, they were deleted. Consent forms and field notes were digitally recorded and placed in the secure storage, and their physical counterparts destroyed.

3.24 Non-native research in another language

Several steps in the research were taken to ensure the Japanese interviews were understood. Interviews with academics sometimes took place in Japanese. However, all of these participants could read and comprehend English to varying levels, with most being able to publish papers in English. As such, an interpreter was not needed. The meso-level interviews (probation officers, voluntary probation officers, and related support staff) and the desister interviews took place in Japanese with the assistance of interpreters.

3.24.1 Interpreters

The initial ethical application noted some issues with the use of interpreters. This was due to the difficulty of finding people who would understand the research process and the ethical standards and sensitivities that would be needed, and who would also have the specific terminological understanding of criminology necessary to conduct the interviews effectively. This was resolved through using academic researchers who had fluency in English and Japanese. Their role in the interview process was to ensure participants understood the questions during the interview, and provide translations during the interview to allow for follow-up questions. The positives of an interpreter far outweighed the negatives. Being familiar with the criminological terminology was very helpful when I or the participants needed to explain

something. Ethically, an interpreter acted as another concerned party, with high context sensitivity to identify whether a participant was stressed; they were also familiar with principles of research ethics. I would stress the added interview quality an interpreter provides. Having someone talking and handling the ‘mechanics’ of the interview gave me space to consider answers and relevant follow-up questions.

I made sure to explain to participants that an interview without an interpreter was a possibility, or that the interpreter could leave at specific sensitive points of the conversation. Many participants indicated to me that they would only conduct the interview with an interpreter present, as that made them feel more comfortable.

3.24.2 The study of Japanese

Before the onset of this project, I had learnt Japanese to a basic level and was familiar with the country’s media via my engagement with games, shows and films in the Japanese language. This point needs to be stressed to another researcher who might be tempted to gain Japanese fluency within the scope of a PhD or similar endeavour. An extraordinarily large amount of time and commitment to the language will be needed for it to be helpful in the research process. An extension period of 9 months within the PhD was funded to allow for a focused study of Japanese in Japan. This involved extensive personal tutoring, many social events, and long hours of dedicated book study. The total hours of this study while in Japan were above 2,000 and much higher for passive study via social and media immersion.⁴⁹ The focus of this study was on conversational ability, listening comprehension, and understanding of complex written Japanese with the aid of translation tools.⁵⁰

Japanese ability was critical during the interviews, as its study brought with it a conceptual understanding of Japanese practice and meanings. This allowed for interviews to be focused without explaining common concepts, and to see those concepts when they were present in the interview. Interpreters were still used during interviews when participants had no English ability; so for a section of the probation officials and all desister interviews.

3.24.3 Being a foreign researcher

Being in Japan and living in another country was relevant not only to my experience of the world, but also to how the world experienced my presence. At events I was often a novelty, even in academic contexts where it was slightly more common to find European or American

⁴⁹ This number comes from a conservative estimate of five hours of study a day, five days a week for a period of one year. Of every 5 hours around 2 had considerable focus.

⁵⁰ Covid impacted this aspect of the PhD negatively. It caused a 2-year delay in going to Japan. This meant that pre-Covid learning of the Japanese language lapsed before it was possible to visit. Had this gap not been present a higher level of Japanese might have been possible due to increased time in the PhD and more focused learning.

researchers. Questions were often asked about my understanding (e.g. 'what is this called?' or 'what does this mean in England?'). My experience mirrors Matanle's (2003, p. 12):

I did not always get answers to my questions or the documentary evidence that I asked for and I occasionally met with a polite but firm refusal. However, I tried at all times to be open and friendly with all my respondents and not to appear to judge any of their answers. I tried to make them feel as comfortable as possible with me as a foreigner and sometimes rather inarticulate Japanese speaker and, on the whole, I am pleased with the results.

Being a foreign researcher has the potential to close doors and open others. This point also applies to questions during interviews when I, as an outsider, asked a question. It meant that my interviewees needed to consider that question from an outsider's perspective and in light of possible differences in terminology. A typical response to my questions was, to paraphrase, "I've not thought about this before. Please let me think". In my approach, I wanted to understand how people had moved through their lives, what took them from one point to another, and who or what helped in this process, as well as what the process itself looked like. I feel my position sometimes led to more in-depth explanations of that process. For example, an explanation of an obscure or professional word and its uses often provided a level of cultural insight. However, it is hard to know what kind of material was blocked off in the interview process. The most helpful part of this positionality came when I did not understand an answer, as that would make it obvious when something of note existed.

3.24.4 Transcription and translation of the Japanese text

Translation software was required for the analysis of interviews in the project, and was generally very useful. This software allows someone to input Japanese text and output English text. Using these tools in isolation is not recommended, due to their margin of error. Nevertheless, they are helpful when the researcher can verify the translation using their own language knowledge. The two services used were DeepL and Google Translate. DeepL offers a service in which all data are deleted after the translation occurs. DeepL is popular in Japanese academic circles because of the quality of its Japanese-to-English translations. Google data storage services had already been approved in the ethics application for use in the project, and Google Translate does not retain data. While there is risk with use of these technologies, using these services will foster ambitious international research efforts, so they should be encouraged (Pym 2012).

During the analysis process, a multi-step verification of the interview translation was undertaken. Interviews were first transcribed into text with the help of translation software. These transcripts and translations were then manually checked (by me) and cross-referenced

with the translations provided by the interpreter. The use of this software was approved by the University of Sheffield ethics committee.

There was some subjectivity in the translation process from Japanese to English. Translations are accurate, although tone, errors and speech styles could not be conveyed effectively. Most participants talked with a variety of prefectural accents and what could be described as at times 'rough' Japanese.

3.25 Conclusion

This chapter has discussed the choice of research methods and decisions. This project was designed with a low-risk, high-reward structure, using a multi-methods data collection methodology from macro to micro levels to facilitate an understanding of desistance in Japanese contexts. The delicate and nuanced task of study in a foreign country has hopefully been conveyed alongside the procedures used to complete the study effectively. Recommendations from Nelken (2017) were central to research designed to place, observe and comprehend desistance in another country. The chapter has first explained the research questions for the PhD, as these illustrate the objectives and aims of the study. This led into a summary of the methods of data collection used. The section went over why it was necessary to build an understanding of Japanese culture, how cultures emerge in criminal justice related spaces, and how through these understandings it would be possible to identify and understand desistance mechanisms as they occurred in Japan. Following this, the analysis and research considerations were provided to justify and explain the selected methods, beginning with high level ontological considerations and moving into the operationalization of these principles. The ethics of the project have been presented, illustrating the substantive ethics procedures in England and Japan involved throughout the research project. The chapter has concluded with some reflection on the non-native positionality of this research, and how that was navigated. Overall, this chapter provides some insight into the design used in this research, going over the theoretical foundations and the methods which were seen as suitable to address the question of why and how people move towards mainstream lifestyles and out of criminal activity within Japan.

Chapter 4 Aspects of Japanese society relevant to desistance research

4.1 Introduction

This chapter will go over various aspects of Japanese society, selecting elements which have been mentioned in the literature on offending and desistance. The discussion is informed by previous work that has explored Japan's reputation as a low crime area (Leonardsen 2002, 2004, 2010), and ethnographic work undertaken in the current study.⁵¹ Overall, the chapter provides a critical reflection on the applicability of general cultural understandings of Japan to the unique social experience of the desister. The chapter first defines how culture is used within this study, developing the model first presented in Chapter 2. The role of Japan's jurisdictional context is considered in terms of how 'practice' informs any given space through the overlap of structural conditions, ideology, and social dynamics. Thus, Japanese society is presented to have a great potential variety of experiences, and past monolithic rendering of 'Japanese behaviour' is critically examined (Brewster 2020). Next discussed are the concepts of individualism and collectivism that underpin much control-based understanding of Japanese society. The current study makes use of recent theoretical developments in this literature; explaining how overlapping social-structural conditions inform behaviour so that individual's goals are tied into group/organisation goals. In light of this, the chapter takes time to consider the relevance of 'visual' and 'functional' difference. During analysis, this point is critical as it may be a major source of analytical error; an English (as is the case here) researcher needs to be aware that the different visual factors observed in Japan may fulfil similar functional effects when observed in the full context of their happening (Segev 2018). Hierarchy in Japan is considered in relation to the dynamics of language. This is important for two reasons: first it exemplifies that while communication occurs in a unique way the functional impact is limited. Secondly, it will provide the reader an understanding of Japanese social features relevant to findings in Chapter 6 and 7, and facilitates an understanding of the criminal justice context of desistance provided in Chapter 5.

4.2 A brief note on the ethnographic component of this research

Before continuing it is important to clarify that this chapter is a literature review that was guided by the ethnography and data collected during the project. Academic and expert stage interviewing did not reveal any significant attempts in native Japanese criminology to explore the importance of social context.⁵² And as will be established in later chapters (5 and 8),

⁵¹ The truth of this statement will be addressed in Chapter 5, there are several caveats to Japan as a low crime country.

⁵² The extent of primary research conducted on Japanese desistance is limited thus far (Tadano et al. 2017). During interview, participants in academia explained that the criminological field was

criminology about Japan is in contention as to the relevance of its cultural environment. In addition, academics stressed to me the significance of not assuming Japanese cultural literature to be relevant in desistance spaces. The 15-month ethnography produced many findings from macro level structural observations to micro level mechanics of interaction. It is helpful at times to cite my own experiences in Japan to explain a cultural mechanism. These experiences included my own daily life in the spaces of the academic workplace, probation office, general social interactions, working life, and desisting spaces. I directly observed a variety of 'culturally unique' mechanisms in general society and then could examine if they were present in desister related spaces. These experiences helped me to select the literature discussed here. In addition, academic interviews tended to produce literature recommendations and provided me with a perspective into ongoing debates – further structuring this chapter. Overall, a key preface to the following discussion of culture in Japan is to qualify the position of this chapter. It is not attempting a summative overview, but a review of the key social factors already determined in the literature to be important in the desistance process that are taken forwards into later findings and analysis chapters.

4.3 Creating helpful comparative work on Japan

The goal of this chapter is to review Japanese culture (both national cultures and sub-cultures of relevance to desistance) and to explain certain practices which might be relevant to the desistance process. Before doing this, it is important to engage critically with the potential of unique cultural practices to have an influence. The 'scale' of their impact needs to be considered against the importance of other crime influencing factors, such as economics (Leonardsen 2006) or racial uniformity; as is the case in Japan (Hamai and Ellis 2008). Furthermore, a culture can be considered in its aggregate effect, such as: the general influence of family responsibility to effect commitment to supporting people out of crime, as found in Spain and Israel (respectively, Cid and Marti 2016, Segev 2018). It is also possible to discuss culture mechanically, in the way that it manifests individually to change behaviour in context. This second point is important to consider given that desisters experience very specific social environments in relation to their legacy of offending. The importance of wider national practices on the individual are perhaps highly varied and limited for the desister.

The next point to raise in this chapter is a reflection on comparative or cross-nationally focused research. The variance of culture internally can be potentially greater than the variance of culture across two jurisdictions - this concern was raised to me prior to the current study in

exceptionally small. Sectors of Japanese academia may be siloed away, be inaccessible from outside Japan, or make use of different terminology. So, declarations 'there is no work' might be better framed as 'there is limited *available* work'.

email correspondence with John Braithwaite (pers. comm. December 2018). Wider national cultures need to be situated and explained in relation to the extent of internal variation of its society. Consider the following demographic characteristics: socio-economic status, gender, religious beliefs, regional location, and political alignment, among others (see Klien 2016 for a discussion of rural versus urban Japan). The generalisations used to create neat summaries of complex data and analyses have historically oversimplified and understated the inherent contradictions that exist in many societies. In the case of Japan, this includes over-reliance on collectivist explanations of behaviour or indicating that action is driven by shame avoidance principles (Bear 2009). Leonardsen (2002, 2004, 2006, 2010) provides an overview of Japanese society and how its social structure relates to crime. His work is illustrative of this point, as it consistently reduces the complexity of behaviour in Japan into monolithic generalisations. For example, Leonardsen's (2010, p. 201) concluding remarks summarise that "individuals are strongly bonded to social institutions, which leads to effective social control. Also, they are socialized in a way that invites a conformist and consensus-oriented way of behaving."⁵³ Of course, not every Japanese person is bonded to a social institution, and the strength of any such bond will vary from person to person. Most importantly, there are overlapping factors in Japanese society that generate this behaviour. If these conclusions are seen without their context of action, Japanese people can be presented as fundamentally different, as opposed to people acting appropriately in reference to social, structural, or wider environmental factors. In "comparisons, countries are often assumed to be relatively homogeneous units" (Dollinger et al. 2021, p. 1). This methodology makes sense, as simplification is sometimes needed in relating findings or when making recommendations that are generally applicable (Kubota 2003). However, this may have led to Japan's nuances as a country being vastly understated (Hamai and Ellis 2008). The key writings that explain the specific complexities in England and other Western countries are presented in literature written in English. This is not the case for Japan, where internal research and significant volumes of academic work are written in Japanese and effectively siloed.⁵⁴ Thus, there is less nuance in the English writing on the internal and more nuanced facets of Japan that might lead to a more heterogeneous view. Gordon (2016) overviews historic discrimination of certain social groups; races (the *burakumin*), youth, women and the unemployed in Japan. Given these factors, an assumption of homogeneity built primarily on topics which emphasise what makes Japan exceptional, unique, or strange is problematic to criminological study.

⁵³ Overall, though, the work of Leonardson on Japan is quite nuanced, and in some ways self-contradictory - simultaneously arguing for the strength of cultural impacts while at the same time arguing against them.

⁵⁴ This point comes from my ethnographic experience in Japan where I was told many texts only exist and can be accessed physically or are subject to university-based access restrictions.

Brewster (2020) addresses the topic of a monolithic construction of Japan in his article on the use of interdependency and Confucianism as explanations of crime control. He deconstructs the traditional values of *shido*: the prominence of guidance defining relationships in vertical hierarchies; *amae* - the continuity of 'dependency' from childhood into adulthood - in contrast to western focus on independence in a socialisation process (school, the home and so on); and *kata/shikata* - 'way of doing' with a focus on conforming to a given social process, custom or rule. These arguments are premised on a singular interpretation of their translation into criminal justice and crime related process. Brewster (2020) takes time to draw attention to critiques raised over the past few decades.

Another issue in relation to discussing Japan is that articles which compare or explain Japanese society do not always have an effective tool to communicate the scope of the differences between Japan and another country. For example, consider the following conclusion from Sugimura (2020 p. 76):

Our research demonstrates that the identity development process in Japanese adolescents differs from that of Western adolescents in its instability and uncertainty ... Japanese youth have to navigate adolescence in a paradoxical context in which their emerging individualism is not supported by a society that clings to traditions and cultural homogeneity.

Sugimura exemplifies good scholarship that explores and situates their discussion with reference to within-culture variation. The article they present provides a textured view of age which shows the trouble caused by conflicting traditional and emerging values for Japanese youth. However, their work does not help to communicate the scale of that difference - what can the reader take from such a conclusion, other than an increased understanding of difference?

Such broad summation of discussions of the west and Japan provide conceptual understandings of Japan that lack placement into a wider model. It is very easy to develop a view of Japan as exceptional when considering aggregate conclusions that explain these varying differences in society without building up and explaining points of similarity. Bergene (2007) explains, in examination of comparative methodology, that by looking for patterns across cases (e.g. countries) there is the potential to miss the more complicated dynamics that exist within cases. Good comparative work is explained as taking the time to understand and situate findings more deeply. In practice, there are a number of problems that arise in cross-national examination that fails to approach the task critically.

One such problem comes from limited contextualisation of findings. For example, Kirchner et al. (2018) completed a study of anger that originates from shame. They tested the hypothesis

that anger would occur in Japan because shameful situations expect a quiet reaction in contrast to American reaction to shame that results in anger. They first examined and confirmed this hypothesis via a diary study of 137 students in Japan and the US which detailed experiences of shame over a one-week period. In the Japanese context, their work identified that there was no discernible link between shame and anger.⁵⁵ If the research was to stop there, it might be possible to argue that the Japanese person is less capable of anger. Their work, however, is insightful because the second part of their study examined participant response to shame vignettes from both jurisdictions. This showed that anger could be experienced by Japanese participants when exposed to American shame vignettes. Overall, the Japanese participant reaction to the situations described in the study were informed by their contextual understanding of how that action related to wider principles in society, larger cultural goals, and what is normal behaviour. This finding is highly illustrative of the need to situate observations of “difference” in the wider structures of social context. The finding here is not that the Japanese are different in experiential capacity, as the first part of the study might suggest, but that they exist in a different cumulative social and behavioural structure. When cross cultural research is undertaken, understanding of the environment of the research and building contextual models that allow for delicate and thorough data collection seem important.

4.4 Cultural behaviour exists in context - clarifying visual difference and functional effect

A point to emphasise in this chapter is the need to carefully consider context in the process of comparison. Cultural observation requires a depth of knowledge of the considered subject area. This point is made by Nelken (2012, 2017, see Chapter 3 for further discussion), whose work explains that without sufficient knowledge of how interaction occurs in a society, and how meaning is communicated, the researcher will be unable to fully understand their data. Limited understanding of a culture in any research that considers and discusses cultural concepts or ideas risks coming to incorrect conclusions; vital subtext (or even simple text) may be ignored. I argue here that research on Japan has suffered from this problem to some degree. While Japan does have fundamental differences in social behaviour, as discussed below, some of these visually contrasting behaviours have functional parallels to Western behaviour. When viewed in isolation from wider cultural factors, various aspects of Japanese behaviour can be used to paint a picture of unrealistic contrast.

⁵⁵ A shame response is tied to group-oriented behaviours. Simply, when the group is prioritised, personal action is always framed in relation to wider group goals. Thus, shame is thought to be more acceptably experienced in contexts where shame will be healthy for a group in the long-term.

The model of visual and functional difference can be clarified through an example: the way punishment historically occurred in Japan and England during childhood.⁵⁶ This example is related to a traditional form of punishment in Japan - not common in contemporary Japanese society and noted by Hendry (2012) in an overview of Japanese culture. Children of a young age were locked outside the home as a form of punishment. In contrast, a major punishment for children in the West is being shut into their room. On the surface, these two actions seem to indicate a total contrast in the approach to punishment. The Japanese punishment is almost totally ignorant of the concept of freedom. This punishment gives complete autonomy to the child in the scope of their actions (at least the appearance of such autonomy, as the parent will most likely watch the child without their knowledge). The English punishment identifies freedom as the primary concern of the child, removing any ability to move outside the confines of a single room. These two punishments can obviously take a variety of forms, both severe and light, but fundamentally they appear to represent a contrast.

However, if we consider context more deeply, the two punishments function to affect a similar consequence. In Japan, the goal of the punishment is affected in relation to the child's strong desire to remain in the safe space of the home. In a collectivist society, belonging is thought to be a more central value (Briley et al. 2014). Additionally, the punishment can be enacted because Japan is leveraging what was historically perceived as a safe environment and friendly neighbours to care for the banished child. In England, being confined to a room is making use of freedom and its implied value to punish the child. Comparing the punishments again, (1) both limit a child's desire in relation to a central ideological value, (2) they are both an exertion of authority, and (3) both teach the expectation of consequence for wrongdoing. Additionally, both also involve isolation from parents. Functionally, a punishment needs to be enacted in relation to what the punished individual desires for it to be of significance. Thus, in different spaces with different rules, its visual form will change though its effect may remain constant. In the conclusion of her research, Segev (2018) relates this concept to "underlying similarities disguised as differences" (p. 444) in the process of desistance - her work is a comparative study into the desistance process of 15 English and 15 Israeli desisters.⁵⁷ In developing a coherent view of desistance, she presents the idea that by situating a desistance process in the contextual framework of a society, one can develop appreciation for underpinning themes across social institutions, ideological frameworks and people's relationships. So visually different societies might in practice operate the same mechanisms

⁵⁶ This example is being used to explain the importance of visual and functional difference at a theoretical level. The accuracy of the punishment anecdotes used and their pervasiveness in Japan or England should be viewed with some scepticism.

⁵⁷ Note that this research also includes ethnographic observation in both sites of research, shadowing of the probation services, time-space budget analysis of participants, and European social services analysis.

and hence researchers need to be thorough in developing their contextual understanding of an observed event.

The concept of high and low context cultures is useful to include at this point (Hall 1983). The theory explains that cultures can be divided across a range of high context and low context. Hall and Hall (1990) categorise countries from high to low: Japan, Arab countries, Greece, Spain, Italy, England, France, North America, Scandinavian countries, and German-speaking countries. The authors thus placed Japan as the highest context culture of the considered countries. Japanese communication has many ritualistic characteristics that are consistently used in everyday life, at school and across social spaces (Nishimura et al. 2008). This generates a society in which even the slightest change in behaviour can communicate a great deal, because when “you have a strong confidence in ritual interaction, minor changes will appear rather dramatic” (Leonardsen 2010, p. 206). Japan is ethnically homogeneous (Ono and Ono 2015) and thus lacks a need to dynamically adjust to the variety of perspectives, beliefs, and ways of being that exist in other jurisdictions such as England and America.⁵⁸ So, in the context of Japanese research, contextual understanding is perhaps even more important.

4.5 Defining ‘culture’ - structure, social relationships and ideology

Data collection in cultural research is influenced by the researcher’s own perspective and conception of reality. In a review of a country’s culture, the possible list of topics and scope of discussion is wide, and any one person can only discuss a small part of the expansive literature. Thus, a definition of culture is helpful as this helps to clarify why topics in this thesis have been selected. Based on the primary research question the current study seeks to explain relevant aspects of Japanese culture to the desistance process: *to what extent do cultural practices in each country function to enable, or disable, offenders in their engagement with criminal activity, or their movement towards mainstream lifestyles?*

The desistance chapter introduced the idea of dividing aspects of a society into three parts, in order to improve the process of analysis - structural elements, social relationships, and ideology (Segev 2018). [1] The ‘structure’ of environments dictates the scope of actions possible in any space, specifically as explained by Young (2019); different structures facilitate an overlap of actors, environmental design and purpose in a specific configuration that will create an atmosphere (see also, Thibaud 2015). For the desister, what atmospheres exist and how they are treated in these spaces will influence the desistance process in positive and

⁵⁸ Ono and Ono (2015) estimate the maximum percentage of minority people in Japan is 2.8% after examining Ministry of Justice statistics.

negative ways (Laub et al. 2018, Chouhy et al. 2020).⁵⁹ [2] The types of relationships that can exist, and how they form, are an important consideration for desistance, as relationships can both pull a person into crime (e.g. friendships based on offending) or away into an offence-free life (e.g. an employer). [3] Ideology is 'the overall force in a society that operates under the surface of its other mechanical elements - a dynamic collection of ideas and values that change over time with a high degree of subjective relevance.'⁶⁰ The overlap of ideology, social dynamics, and structuring aspects of society create a practice.

Culture is a term that describes overlapping and interacting aspects of society that are both conceptual and practical (Markus and Kitayama 2010). Cultural practice changes across time, across place, on an individual level, and in silos located across places in a society. Kubota (2003) recommends that researchers consider culture as dynamic, not static. Given the unique circumstances of the desister, the impact of cultural factors on practice should anticipate explosive variation on the individual level rather than predictable effects. For the desister, various aspects of national context at any given time may be more, less or non-existent in their importance. As a consequence, this chapter is not able to address the full range of relevant understandings that are needed to appropriately consider any desistance related observation. However, it provides discussion of key understandings that proved relevant during the process of analysis.

4.6 Individualism and collectivism

The earlier quotation from Sugimura (2020) raised briefly the topic of collectivism and individualism. It is useful to address this in more detail given the significance of this to conceptions of Japanese crime control. Japanese society is thought to be collectivist in orientation, relative at least to countries such as England, which are believed to be more individualistic (Lawrence 2019). This 'common view' of Japan is to some extent appropriate, given that social design encourages participation in ways that benefit hierarchies over the individual (Takano and Osaka 2018). However, some clarification of these concepts is needed.

A dichotomous view of collectivism and individualism, as internalised character, is unproductive to the creation of effective research. Indications that this dichotomous/oppositional view is problematic come from Takano and Osaka (2018), who reviewed 34 empirical studies that compared individualistic behaviour in America and Japan. They found that 19 studies illustrated no clear difference, 11 showed Japan as more individualistic, and 5 studies showed Japan as less individualistic. They therefore concluded

⁵⁹ 'Structure' here should not be confused with 'social structure' that might have more varied meanings - see Hays (1994) on that topic.

⁶⁰ Quote from an earlier part of this work, that gives the definition of ideology employed here.

“that the common view is not valid”, and that the perception of Japanese people as collectivist, when compared to Americans, may be wrong (Takano and Osaka 2018, p. 301). The varied results of each study reviewed by Takano and Osaka (2018) can be explained in a few ways. Takano and Osaka (2018, p. 312) make use of a “bipolar unidimensional concept” definition of individualism and collectivism (I/C). This type of definition considers I/C as a measurement of an individual’s disposition. They wanted to test the idea of context independent personal disposition. They use this definition to explain how I/C of an individual is less important than how situations inform behaviour. Suggesting that the weight of a different “situation is large whereas that of dispositional I/C of an individual or a culture is relatively small” (p. 313). In simple terms, they critique I/C as a measurement tool; arguing that collectivistic action is rooted in how context informs a person’s decision making, in contrast to internalised values and character. For example, the same person can act collectively during military employment and individualistically at their local sports club. Consequently, they point out that what features of a society are considered will be relevant; methodology and definitions providing varied results. In their analysis one can see I/C evaluation through sprinting records (so a running race) that compared individual and group results; one study reviewed a group’s ability to co-operate on the game Tetris; and many solely used college/university aged students. Fiske (2002, p. 78) is highly critical of work on the topic of collectivism and individualism:

It treats nations as cultures and culture as a continuous quantitative variable; conflates all kinds of social relations and distinct types of autonomy; ignores contextual specificity in norms and values; measures culture as the personal preferences and behavior reports of individuals; rarely establishes the external validity of the measures used; assumes cultural invariance in the meaning of self-reports and anchoring and interpretation of scales; and reduces culture to explicit, abstract verbal knowledge.

If individualism and collectivism are approached as dichotomous, e.g. England is individualistic and Japan is collectivist, a large problem is created. There is a temptation to consider that in Japan individual desires are not important, or that in England behaviour is not based on social design. Any individualistic act takes place in society (a collection of people) and is undertaken in reference to social structural features of society. A collectivist feature of society is composed of motivated individuals. On the most fundamental level these concepts are tied into each other.

While Japanese society may be considered collectivist, it is important to highlight that this collective behaviour is acted out in reference to structural cues, as it will have different strengths in different social environments, and will vary on an individual level. In line with Tamis

et al. (2008), the two concepts in the current study are considered to have a “dynamic co-existence”.⁶¹ Individualistic action of little benefit (or detriment) to the group is possible, and conversely individualistic behaviour of major benefit to the group is also possible. Japanese collectivism is thus explained as a product of social design that facilitates more group orientated action. An example of this is when companies and other colleagues expect a person to commit to a 50-hour work week when only 40 of those hours are paid. Individualistic self-pursuit requires what on the surface looks like willing sacrifice of the self; but is necessary for career growth, friendship and acceptance in Japan (Nemoto 2013). There is great depth of consideration around these two concepts in academia. Imada (2012), for example, presents writing on collectivity versus self-emphasis, community versus agency, dependent versus independent cognitive styles, competition versus co-operation and relationship-oriented versus independent orientations. There is thus, the possibility of making use of very specific definitions in research. Consider the following quote, which illustrates a definition centred on ‘separation’ as primary and other components as secondary:

The most salient feature of individualism, as defined in the majority of the studies, [is] valuing personal independence. Other domains, which can be considered subcomponents of personal independence, such as personal achievement, self-knowledge, uniqueness, privacy, clear communication, and competition were employed in less than one third of the studies. (Shulruf et al. 2007, p. 385)

The premise of western desistance theory is the overlap of individualistic desire into the collectivistic principles of wider society, or in other words, a person wanting a satisfying pro-social life in society (Bersani and Doherty 2018 - see Chapter 2). Thus, the consideration that Japan is not an exception to individualistic reasoning is very important to take forwards in the thesis. In this work, individualism is considered in simple terms as behaviour related to self-interests, with collectivism encompassing behaviours that are enacted in relation to group interests. Conceptually they are not considered binary or in opposition.

Tamis et al. (2008, p. 186-187) describe a model of developmental goals across individualistic and collectivistic societies. Individualism is conceived as having four components. (1) “personal choice” (the extent to which actions are effected in relation to personal goals and ideologies) (2) “intrinsic forms of motivation and persistence” (motivation that observably stems from internal desires to engage in a behaviour - rather than that actions benefit others) (3) “self-esteem” (pursuit of a positive perception of the self), (4) “self-maximization” (the view

⁶¹ This reference is a title quote.

a person should maximise the future self in terms of achievement - sporting, employment or artistic, for example).

Collectivist development goals are as follows; (1) "Connection to the family and other close relationships". Commonly referred to as 'filial' piety in East Asian countries or 'familism' in Latino communities, this concept refers to family orientation. For example, this could be an expectation of care in later life, or commitment to rehabilitation from crime (see Segev's 2018 work on Israel). (2) "Orientation to the larger group": actions are reasoned and understood via their effect on the group as opposed to the self. Widespread mask usage is perhaps the most obvious example of the impact of this perspective in generating cultural behaviour (Lu et al. 2021). For example, I can vividly remember a 40-degree day in Tokyo when very few people were not wearing masks - an almost irrational collective self-sacrifice despite government level direction to instead care about heat stroke. (3) "Respect and obedience" are taught to children and seen as important in the successful operation of society.

Overall, these conceptions of individualism and collectivism shown by Tamis et al. (2008) are useful considerations when attempting to understand the experiential differences for desisters in Japan compared to those in existing desistance research. In Japan there appear to be many features of its society that structure individual desires in a way that benefit the group (not all are discussed here, but this point will make more sense as the reader progresses through Chapters 5, 6, 7 and 8). The point I would like to stress, which is hard given the limitations of this text to include all relevant collectivist features of Japan, is that overlapping structural systems (school, employment, policing, probation, court, social clubs) combine with the way social relationships occur (friendship, mentorship, teaching, parenting) and ideologies form around engaging with these systems (Amae - explained above, honorifics - explained below). Thus, individualistic goals related to personal choice, motivation and self esteem are met through collectivistic features.

Hierarchy in Japanese society provides a practical example of this dynamic interaction of collectivism and individualism. Specifically, considering the corporate environment shows how overlapping cultural factors generate strong collectivistic behaviour. So, collectivist behaviour benefits the group; thus, different stakeholders will experience different effects depending on their position in the group. As members of a society climb the social ladder, collectivist behaviour has increasing individualistic merit to those further up. Thus, the potential of future gain will increase a person's desire to 'buy-in'. There are two notable factors that strengthen collective behaviour in Japan's corporate environments. Firstly, corporations historically have made use of 'lifetime employment': once incorporated into a group, a person is given employment until retirement. This guarantee is reasonably independent of performance,

although, commitment to workers in this specific way has been in decline. Ono (2010, p. 1) estimates that “no more than 20% of workers in Japan are likely to be employed under informal lifetime employment contracts”. Still, there is an expectation that companies will be committed to their workers. Secondly, Japanese society is gerontocratic, and many businesses structure pay rises and promotions based on a person’s age/time in the group (Heinrich and Imai 2020). Western perspectives might assume such a model to have inherent flaws. However, it is important to consider that in such an employment structure all of society is orientated around making the system work. Values such as ‘*amae*’ (see above) inform and are informed by the design of employment spaces (Niiya et al. 2006). Additionally, the model avoids the ‘peter principle’ to some extent (Benson et al. 2019).⁶² Furthermore, the consequence of this increased ‘buy-in’ is that people may commit to “extremely long working hours and accept frequent transfers across jobs and assignments, departments and branches” (Heinrich and Imai 2020, p. 80). Overall, these collectivist features will flourish in environments with increased levels of stability to make such long-term commitments work. However, these views in wider society have been in decline for some time in terms of the traditional value structure of employment (Ono 2022). The places where collectivistic action is most incentivised are most likely out of reach for many former offenders.

The age base promotion system in Japan is perhaps an artifact of incorrect causal assertion to a correlation. This theory is posited by Matanle (2003). A discussion of this allows for the idea of ‘learn by doing’ relevant to later chapters. He conducted documentation analysis at four large companies in Japan and interviewed between 15 and 30 staff at each organisation. He explains that lifetime/long-term employment affords an opportunity “for self-development and self-actualization within the corporate career pattern that it affords” (Matanle 2003, p. 153). While his work is based in observation of the Japanese craft industry, I observed these principles in the probation service so can provide a relevant example. It was explained to me that probation officers serve as receptionists or file clerks for a period of one or two years. During this time, they engage with understanding the overall practice of the organisation, observing workflow, learning company culture and so on. Promotion from this period comes after a demonstration that the skillset required has been absorbed. In the probation officer structure, there are several levels of training as people move up the hierarchy at a very slow pace. During this time, they will adapt to the company cultures of the organisation. The consequence of having a training program that might last 10 years is that statistical analysis will indicate that people are promoted based on age whereas this is actually the product of a slow and meticulous training process. The end-product is that this facilitates a ‘learn by doing’

⁶² The peter principal is the consequence of a promotion structure which sees people promoted upwards until they reach a position in which they can no longer perform at an above average level.

culture; an approach to learning where ingrained sub-conscious accumulation of skill is preferred over classroom training programs (Matanle and Matsui 2011). This concept will be relevant in Chapter 6, 7 and 8 where it can be seen in both the probation office and the third sector in Japan.

Matanle and Matsui (2011) have produced results that have a number of critical implications related to economic, employment and the structure of social dynamics in Japan. Relevant here, is that social institutions which provide long-term or lifelong social commitments are enhanced by the consequent social organisation principles that are rooted in this practice. For example, the social connectedness that stems from the *senpai/kohai* dynamic (discussed in this chapter), and the expectation of social commitments outside of work. In contrast, social institutions might be negatively affected if they do not fall into the long-term commitment category that maintain these cultural practices. This is a topic in Chapter 8, where I discuss my observation that training programs were limited for my volunteer probation officers and desisters at third sector support centres.

4.6.1 *A small point on time*

A theme of this chapter has been how social concepts change and warp in different spaces; in general, universalistic presentation of a value's ubiquity precludes findings of contrast from the discussion. Time is also relevant to this point, as a society's cultures can change over time. In a discussion of a culture, there is a need to be aware of what the current studied time period provides that was not present during previous examinations. The Institute of Statistical Mathematics (2017) has shown in Japan that there has been attitude change via a yearly survey started in 1953 - this shows declining perceptions in reward for effort and rising frustration.⁶³ A particularly contrasting result to the conception of declining collectivistic tradition is that, in 1978, 72% of people thought others "only think of themselves" and 19% "try to be helpful to others", changing to 42% and 45% respectively in 2013 - a stable inverse trend that grew year on year. There is a need to be cautious about how people think in the present about the past, present and future.

4.7 The Japanese language and subtext

Discussion of language in Japan is helpful, as the rules that exist within its language introduce important aspects of Japanese social life. Fundamentally, language is tied to culture, as one cannot exist without the other (Jiang 2000). Japanese culture and language are so closely connected that many academic language institutes do not feel confident teaching one without

⁶³ This institute is under the direct control of the Ministry of Education of the Japanese government. Thus, the statistics here need to be viewed with some scepticism given the potential bias of a government that will value positive perceptions.

the other (Kumayama 2010). In addition, discussion of these rules will clarify Japan's ranking as a high context culture. Language is not static, and it evolves dynamically, alongside culture at great speed and with variety across jurisdictions. For example, Zhang et al. (2005) raise the important consideration that young, urban and educated populations will have divergent behaviours from other parts of society. Japan is no exception to this variation - despite it being perceived as a homogeneous group-orientated society, much change has occurred in recent times. The increasing integration of English words into Japanese speech is evidence of such evolution and its immersion in globalising forces (Stanlaw 2010). But the significance of language is its reflection of culture, not its structuring of culture. In many textbooks about the Japanese language the way the following (see below) concepts are explained paints a picture abstracted from reality and overly simplified, "creating a particular kind of Japanese at the expense of the real linguistic diversity" that exists in practice (Matsumoto and Okamoto 2003, p. 28). Cook (2008) also criticises historical academic reviews of Japanese language study, asserting that these have provided linear perceptions of language functions that in reality have dynamic uses depending on context. It is important to note that the Japanese people are just as capable of emotional expression as people who are situated within other cultures of comparison.

Overall, it is *possible* to say that the Japanese language encourages formality and hierarchy, and is used in relation to cultural concepts such as the need to remain calm (not show visible anger), maintain face, maintain politeness, and a preference for indirect communication (Matsumoto and Okamoto 2003). The first aspect of Japanese considered here is how it contributes to this hierarchy in society. An element of Japanese that achieves this is the use of 'honorifics.' These are suffixes that are attached to a person's name. In English the name Sato would translate into *Sato-san* in polite Japanese conversation. These honorifics are used in varying ways and differ depending on relative positions in society. For example, teachers are referred to as "lastname"-*sensei* by students, while the teacher will use "lastname"-*san* for the student. The use and meaning of honorifics also depend on the relationship's closeness, and in certain instances they are not used. This naming convention is pervasive in almost all aspects of society, from the family, into school, with strangers, at the workplace, and in social life. These suffixes are used to convey mutual understanding of social position, to show respect, and illustrate that a person is socially capable (Cook 1996). An important note of comparison with English is that Japanese communication makes use of a person's name over the placeholder "you". Thus, use of name suffixes is forced by the structure of communication in Japan. Fukada and Asato (2004, p. 1996) describe the importance assigned to communication rules, whereby Japan is a "'vertical' society where relative status difference, even very small, counts as significant". It is worth noting that there are some parallels with

honorific usage in England, in schools (Sir, Miss), or in courts (Your Honour). However, their importance and conscientious moderation is not as closely considered nor as pervasive in England, compared to Japan. A total view of honorifics would take considerable time to describe, and a more detailed explanation can be found in Fukada and Asato's (2004) analysis of politeness. The rules surrounding the use of honorifics are dynamic and personal to anyone in Japan. Another aspect of communication in Japan related to naming, is the use of last names over first names (the latter being common in England and other Western countries). In formal spaces full names and titles are still used in England - such as in formal ceremonies or academic texts (for example, this text). The point from my own experience I want to stress is that many people felt more comfortable using their last name in Japan. Although if a more personal and informal conversation style was desired, this changed to first names due to, I assume, an awareness of my English heritage.

If one thinks about the functional impact of these cultural behaviours, then key themes of Japanese culture are apparent. Hierarchy is enforced and maintained through constant communication of each person's place within the said hierarchy (Sano 2014).⁶⁴ Group-orientation is encouraged by familial representation in a greater number of spaces. Hendry (2012), in an overview of Japanese culture, highlights that the concepts and behaviours discussed here are embedded and enforced from a young age - for example school exam results are posted publicly in rankings, and classes are given shared responsibility for cleaning. In teaching children language and its effective use, concepts of respect, politeness and hierarchy are also taught. The overlapping ideas, values, practices, structure, and dynamics build up a social context that, in sum, *appears* quite unique to an English observer.

Yamada (2002) relates the experience of attempting to create understanding across Japanese and American environments.⁶⁵ The point made is in how subtext is given more emphasis. Consider the following:

And, to understand the Japanese is to understand the implicit goal of Listener Talk: A gameplan constructed on amae (sweetness) interdependence, where speakers distance talk so that listeners ultimately share in the responsibility of interpreting the unspoken messages of the interaction. (Yamada 2002, p. 267)

However, honorifics and politeness in language structure do not necessarily mean that Japan is more polite in function relative to another country. Using the passive voice simply means

⁶⁴ Sano (2014) explains this in relation to senpai/kohai, detailing that school hierarchy of seniors and juniors results in juniors strictly adhering to polite conversational rules.

⁶⁵ The book is a comparison of American and Japanese culture, used here due to America's shared cultural behaviours with England - a 'western' country.

that communication occurs in subtext, care in subtext, love in subtext, cruelty in subtext, and so on. As noted by Cook (2008), outside intimate relationships, communication in Japan is often indirect and vague in the context of conflict or disagreement. Visually (in reference to the earlier model) then, Japanese is more muted relative to other cultures in everyday life. However, this muted form of communication may carry with it subtext that would simply be stated outright in other places. For a foreign researcher looking into the desistance process, this aspect of communication is pivotal in understanding experiences of Japanese people, ensuring that meaning is not misunderstood (Nelken 2017). My own observation of 'rebuken' was a painful silence in response to a question during desister interviews on prison experiences; complaint was not stated directly.

The overall point being made in this section is not that Japan is unique. On the contrary, the point is a contradiction of similarity and difference that is masked in similarity and difference.⁶⁶ Over my time living in Japan and with gradual improvement in linguistic ability, I observed the subtleties of communication. What initially felt like very polite experiences on the train became obviously uncomfortable when I gained sensitivity in this environment.

Observation: the youth sitting with wide legs, the subtle rebuke of the older women nearby, the intensity and pressure of expression and rigidity of surrounding people in this moment.

There is a delicate balance in explaining culture; go too far and one risks stereotyping. Yet there is a potential problem in attempting to avoid this of downplaying and understating. So perhaps cultural discussion needs to be set in terms of 'potential' rather than definitively - a consideration that allows for the unique without expectation that this applies outwardly. The influence of modernity creating natural change, and the globalisation of Japanese values multiplies confusion. It is possible to see two renderings of Japan, one in the old way and the rebuke to that in recent writing. Again:

Simultaneously, Japanese corporate values are seemingly shifting from the prioritization of hard work (kinben) and group harmony (kyōchōsei) to self-responsibility (jikosekinin), individual ability, and the formation of a competitive society (kyōsō shakai) (Dasgupta 2010; Takeyama 2010). Understandably, salarymen are less focused on using informal socialization opportunities to build group harmony and strengthen interpersonal relationships. (Charlebois 2016, p. 168)

⁶⁶ This sentence is intentionally confusing.

The extent of continuity of traditional cultures into various spaces now in relation to desistance is a question for the later chapters in this work. Dasgupta (2015) contests the prevalent perception of a nuclear family in Japan. The validity of the male 'workaholic life' is in contention for youth who see this as 'uncool' (Dasgupta 2010). Takeyama (2010) notes contrast to tradition, with the cultural desire for 'upward class mobility' incentivising short term high profit work as, for example, male hosts at clubs. The variety of values driving action in Japan is wide. Variably people reject, embrace or simply forget tradition in the social landscape. Tsushima (1996) explains crimes in Japan from the perspective of economics. He conducts a statistical examination of 47 prefectures in Japan (the majority of the country), looking to assess the relationship of economic inequality (households below the poverty line), unemployment, young males, industrialization, urbanisation and residential mobility. He finds validity in western criminological theory that associates these factors to crime. His conclusion:

This implies that people commit crimes because of a social context which highly stratifies them and has the potential to define them as economically or socially inept. (Tsushima 1996, p. 511)

Tsushima (1996) points to changing business practice (e.g. relocation of factories to other countries) to maximize profits and minimize loss, in doing so demonstrating that in places of instability there is higher crime (which at the time had risen year on year to date since the mid-century, Chapter 5 provides figures that show a recent decline). The idea of a changing Japan is significant for the current thesis. The desister exists simultaneously in the traditions of governmental practice, contemporary policy reform (see the 2016 Offender Rehabilitation Act), and outside in the sub-cultures of offending. These sub-cultures exist variably in the world and might be informed by contemporary or legacy cultures themselves; for example, long-lasting crime syndicates of Japan (Baradel 2021).

4.8 Personal reflection on social belonging

A concept that came up during the preparation for data collection prior to my living in Japan was *uchi* (inside) and *soto* (outside). This is the idea that in Japan people have distinct categorisations of relationships across their inner circle and outer circle. During the academic interviews and my own observations with staff (probation and the third sector) and in the relationships with probationers themselves, such a concept was absent as a conscious ideology. In contrast, it seemed to be an incredible and unhelpful oversimplification of relationship dynamics. There are some merits to generalisation of cumulative observations into a concept for understanding across two cultures. This point was raised by an academic researcher in Japan:

I was struggling with the concept of giri, I asked my girlfriend at the time. "Giri what is it? Can you explain giri to me?" She looked at me with a pained expression on her face, "it's like, I can't explain it". She went on to say it was like a seriously horrible feeling in her stomach. A sense of paying an obligation to someone else. But the point I'm trying to make is that, you know, whilst, whilst it may very well be, you know: distinctions between uchi-soto inside outside might not be necessarily clear to Japanese people themselves, [they] might not articulate [them] clearly because it's so internalized. The people [are] not really sure why they're doing certain things. But it's a kind of feeling one has deep rooted in oneself into one's kind of own psyche. This is the right thing to do, which, I suppose is kind of maybe a benefit of western researchers who've come in, without having that same socialization. Why are you doing this? Why are you doing that? And being able to ascribe concepts. (Academic interview 17).

In this quote it is possible to see two people navigating the issues discussed in this chapter; a civil actor asked to define and explain a multifaceted concept to an outside observer. Prior to the fieldwork, the concepts of *uchi* and *soto* were thought to be important. In theory, the dynamic would play a role in who would be helping the desistance process. In theory, people with an "in-group" will be provided increased levels of support. Once a person is seen as 'on the same side', people on their side will make active efforts to support their desistance. During the fieldwork I was able to observe social events in which academics, desisters, volunteers and support workers interacted over a meal. The roles of desister and supporter fell away to some extent due to the premise of this event being focused on socialisation, and not on any specific objective related to the roles people held. To ascribe this process to *uchi-soto* ideology or social practice would mislead the reader (continued in Chapter 8).

It is useful to adopt an approach to cultural study in this thesis that de-centres understanding of Japan from cultural concepts. In simple terms, it is important to consider Japan to have different contexts and that 'centralised' cultures will be applied differently in different settings based on how actors are motivated to engage in a given environment. This approach seems to be the most useful model to take forwards and develop a more textured and nuanced picture of 21st century Japan (Dollinger et al. 2021). Such an approach allows for a multifaceted and sometimes contradictory image to develop. Such a research style is nicely demonstrated by Rear (2022) who reports an examination of Japanese managerial practice. He interviews 32 managers at mid-sized companies in Japan:

In the workplace, 'sticky' cultural phenomena such as senpai-kohai relationships might serve to dampen individualistic notions. Likewise, in the context of work skills, elite business organisations and government ministries, concerned about Japanese innovation and productivity within a globalised economy, might push a discourse of individual creativity, problem solving and 'out-of-the-box' thinking. However, this does not automatically mean that Japanese firms themselves, operating as a cultural organism, will value those same traits. (pp. 507-508)

The point made by Rear is insightful, he identifies that researchers need to consider both what is said and what is done; contesting the idea of value change in business. He goes on to explain how work managers at firms look for communitarian values that build towards the harmony of the work environment, the most popular skills being communication skills (in this case, 'getting along with others'), cooperativeness and human qualities (interpersonal skills).

Two points are important to the model being developed in this research. [1] Contradiction is possible. When explaining their findings Rear (2022) indicates that managers in some ways also desired critical thinkers who could advance the company - this is framed by the manager's own awareness of contemporary discourse. [2] Structural design informs behaviour interactively. Rear (2022) points out that performance-based pay has not replaced but been layered upon the tradition of lifetime employment practice - with companies' retention rates not particularly changing (citing Keizer 2010). The static dynamic of work structure, thus, means any new employee will potentially be worked with for many years. Add in the expected socialisation, or in other words friendship, combine this with the role expectation of the *senpai-kohai* dynamic and one has amplifying and overlapping contextual emergence of culturally unique factors: based in work structure and not relevant anywhere else.

4.9 Conclusion

This chapter first considered how to develop an understanding of Japanese culture. The importance of contextual knowledge was stressed through a discussion of how researchers need to navigate confusing dynamics of visual and functional similarity and difference. This involved an examination of concepts relevant to how low crime has been explained in the past (Leonardsen 2002, 2006, 2010). The chapter considered past research on individualism and collectivism and explained recent advances in thinking on the topic. This allowed a demonstration of how collective behaviour in Japan is not informed ideologically but produced as a result of overlapping group orientated social structures, social dynamics and ideologies that exist in specific contexts; showing how personal interests are structured in the context of more substantial long-term commitments in work (work being a key concept relevant to

desistance theories). The structure of the Japanese language was then discussed; illustrating how a deeper understanding of communication is critical to effective cross-national analysis. Hierarchy was then explained, a concept very important to later discussion of desisters experience in work and support structures. The work of Rear (2022) was used to illustrate the type of cultural examination used by the current study, which balances awareness of old and new in an attempt to understand one specific spatial dynamic - pointing to a need to gain insight via empirical examination. The point of this chapter has been to build up a picture of Japan without presenting it as overly unique - explaining a need to observe 'practice' critically via the overlap of the ideological, sociological and structural.

While the main purpose of this chapter was to provide the reader with confidence that this research was able to make considered and contextually informed observation, it also had the benefit of clarifying concepts relevant to low crime theorising in Japan. The collectivists principles explained in this chapter are thought to facilitate a society that is mechanically less conducive to crime (Komiya 1999, Leonardsen 2002, 2006, 2010). This theorising is considered in the next chapter after providing the criminal justice context and returned to in Chapter 8 in light of findings.

Chapter 5 Criminal justice and crime in Japan

5.1 Introduction

This chapter overviews the Japanese criminal justice system. The scope of criminal justice in Japan is wide, so only a few relevant aspects can be considered in this chapter. A key reference point of the chapter is the Japanese criminal justice 'White Paper' (Japanese (JP) Ministry of Justice 2022), which provides an overview of the state of affairs, recent revisions to practice, and notable events and ongoing in criminal justice. The chapter explains criminal justice from first point of contact through to last point of contact; as each stage of the chapter progresses, the state perspective is contrasted to academic and investigative reporting.

First, the role of the police is explained; the organisation provides the first of many potential diversion points in the criminal justice system. Some time is taken to explain the way the police are integrated into the community (or not) and how the police persuade/coerce the co-operation from the family of an offender (or key persons) (Kita 2018).⁶⁷ Following this, some time is taken to explain the work of prosecutors, as well as the punitive ethos of the courts. Attention is then given to prison conditions; where state actors are given freedom to direct practice. Work over recent decades indicates that there have been human rights abuses in prison (Clack 2003); particularly for women, based on recent Human Rights Watch (2023) reports made in co-operation with the academic sector.⁶⁸ Next, the chapter moves on to consider the supportive structures that exist in Japan after incarceration. The system of probation in Japan is composed of a small number of salaried staff who manage mainly volunteer supervisors. In parallel, several non-governmental private and third-sector bodies contribute to rehabilitation efforts; these entities operate inside local ecosystems, such that this research theorises large potential variation in rehabilitation practice in different prefectures due to local variation in context (crime types, crime rates, population, local politics and so on).⁶⁹ The criminal justice pathways in Japan vary across infrastructure for adults (offending post age 20) and youth. The different experiences of people in the 'youth pathway' are explained. In looking over the path from first contact through to disposal this work finds that two broad pathways in criminal justice exist; as past work (Johnson 2002) has identified:

⁶⁷ Family is defined here as people of importance to the offender such as a wife/partner, parents, friends, children and so on; what would be defined as family from their perspective.

⁶⁸ Clack (2003) provides a sharp and pointed criticism of how institutional operations can erode human rights when systems take control of actors and constrain thinking in management. He identifies that practice, and what is set out in written law, can be contrasting.

⁶⁹ Based on this research, 'third sector bodies' are somewhat blurry in the relationships they share with government and their source of funding and operation. They can be any combination of 'charity', or 'private business'. Voluntary non-government organisations might contain former government workers (e.g. a former probation officer acting as a voluntary probation officer).

'redeemable' offenders (often juveniles) are given a pathway that encourages and supports a desistance process. On the other hand, 'irredeemable' offenders lack the substantive support that can be provided by criminal justice infrastructure.

Some time is taken to review the low crime rate in light of this conversation of practice. Several criticisms are made of this statistic as it has been used in the past. The crime rate is affected by many factors beyond Japan's unique cultural practices or the activities of the criminal justice sector. Thus, it should not be used as evidence for effective criminal justice practice post-conviction (relevant to desistance). Instead, the thesis points to pre-conviction actions such as diversion from incarceration/conviction.

Overall, the chapter builds up a complex picture of criminal justice, with clear operational differences across its various organisations. This chapter when considered with other points made across the thesis allow the reader to see that differences further vary within organisations, e.g. comparing two prisons (Chapter 6). And again, variation at an actor level due to the operational freedom given to individuals in these environments (Chapter 6, 7 and 8). What this indicates is that desistance has many possible environments and actors that can inform its process, and that experiences of desistance have a high potential to vary in Japan depending on which organisations of criminal justice are experienced, what prefecture they are experienced within and who on a personal level is met in these environments.

5.2 Criminal justice literature review guided by academic interviews and the ethnography

As noted earlier, as in chapter 4, this is a literature review based on experiences during my ethnography in Japan. Before beginning, it is important to note that data on criminal justice in Japan is lacking in the domains of knowledge important to a contextual examination of desistance. It is helpful to set out exactly what was not found and why. Most significantly, academic interviews (20 recorded) were conducted with a variety of experts in the fields of criminology, sociology, psychology and economics and with high-level criminal justice practitioners. The expectation was that these interviews would help me to find and understand ongoing context-based or relevant native research in Japan, as well as build up an understanding of what each organisation of criminal justice is doing and the effect this is thought to be having on a person's return to society. Surprisingly, this stage of interviews highlighted a dearth of knowledge on different social contexts, and consequently limited understanding of desistance as a nuanced process.

Western views of society are steeped in understandings of class division that are simply not emphasised in Japan. In contrast, as explained by Brewster (2020) and discussed in Chapter 4, Japan is viewed as providing a monolithic and standardised social experience. Offending is

seen in the context of a generally harmonious environment. The idea that offending stems from a problematic social context was not something that emerged in my conversations about desistance in Japan. Two points are important for the current chapter: firstly, participants did not perceive a need for fine grained analysis of different social contexts in Japan, and secondly, academics noted to me a related difficulty in gaining access to service users. Consequently, there was a lack of research into what social contexts sustain criminal motivation or what contexts facilitate reform. In simple terms, *the story of the people who offend in Japan is missing in the literature*. Thus, I have approached this chapter with a critical eye, and structured my writing with knowledge that past work has been missing key contextualising knowledge of how different criminal justice organisations are experienced, putting considerable weight onto the few studies or publications that have attempted this. While not a findings chapter, a few relevant observations and quotes found during this study are noted when appropriate.

5.3 Overview of the criminal justice system in Japan

Figure 5.1, below, shows the structure of the Japanese criminal justice system. From it, one can see the pathways available and the bodies responsible for each aspect of the system. Over this chapter, definitions are provided for the various parts featured in the graphic.

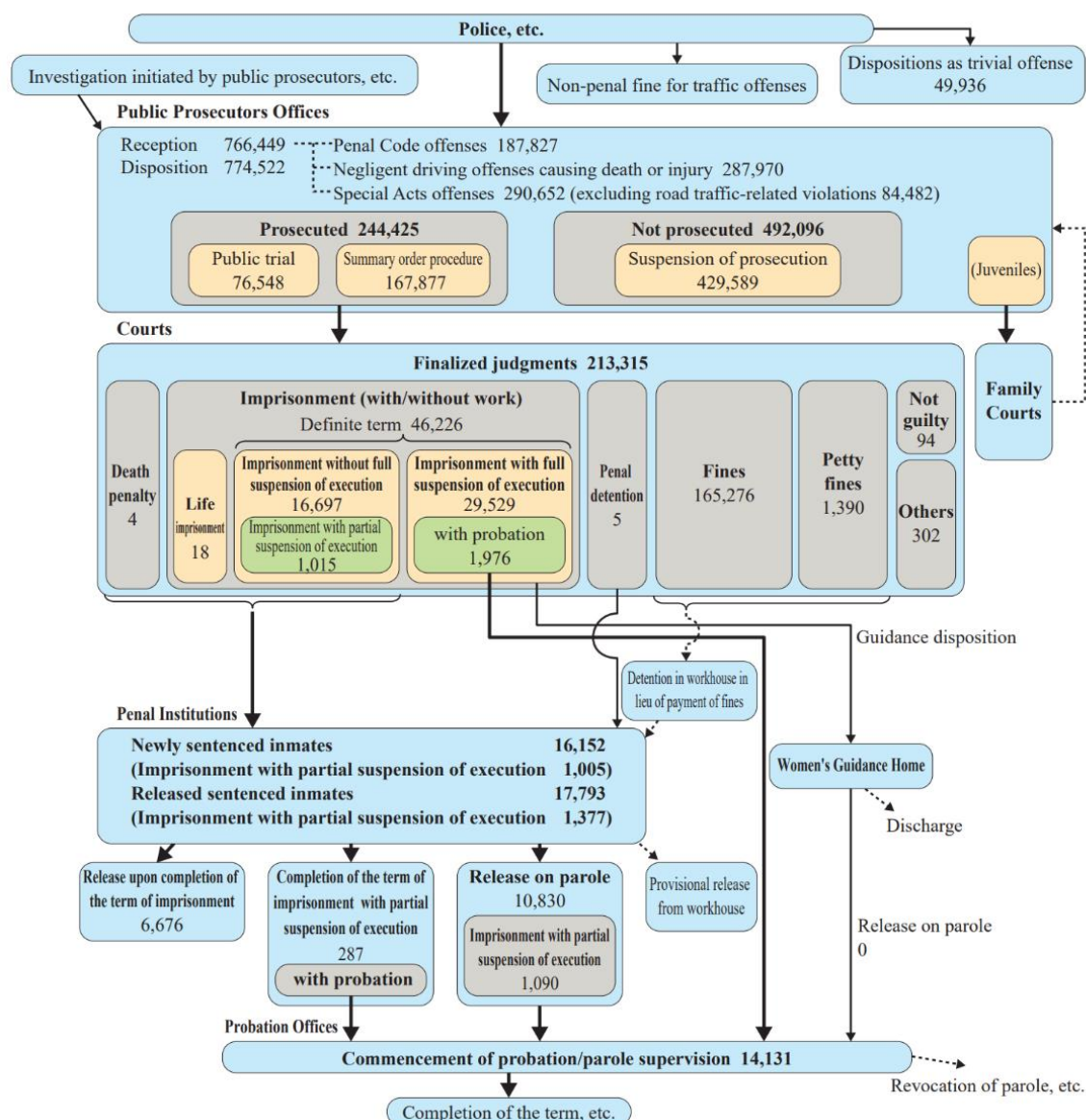


Figure 5.1 2021 processing pathways.⁷⁰

Source: JP Ministry of Justice 2022 p. 13.

5.4 Outline of police

In relation to the police, the 'National Police Association' is directed by the 'National Public Safety Commission', which functions as an administrative body with various national management responsibilities, such as internal research, statistical work, and so on. As stated by the Police Act, and translated by UNAFEI (2019, p. 1), the organisation's role is "protecting life, person, and property; preventing, suppressing, and investigating crimes; apprehending

⁷⁰ Copyright for the figures in this chapter: "In addition, numerical data, simple tables and graphs, etc. are not subject to copyright, so these terms of use do not apply to them and they may be used freely." Translated, per https://www.moj.go.jp/hisho06_00280.html 'Terms of Use'.

suspects; traffic enforcement; and maintaining public safety and order.”⁷¹ Structurally, the police organisation is prefectural: it is divided into 47 regions, each with a commission and headquarters. This organisation is then further divided into police stations (1,163 as of 2017), police boxes (*koban*), and residential police boxes (*Chuzasho*) (the two totalling 6,256 as of 2017; UNAFEI 2019). Police boxes are small buildings that merge into the scenery and architecture of communities, and some scholars have focused on how they represent the community role of policing in Japan (Young 2022). The police generally have the responsibility to focus on ‘penal code offences’, which refer to violations of law set out in Acts, as shown in Figure 5.2 below (JP Ministry of Justice 2022). ‘Reported cases’ are the number of cases which become known to the police, and ‘cleared cases’ are cases cleared by prosecutors or by the police themselves, who can determine whether something is trivial. Araki (1988, p. 610) notes that the police are empowered to dismiss cases of “lesser larceny, fraud, embezzlement and so on”, when it is determined a suspect is “nondangerous”.

5.4.1 Police in the community

Police activity is highly varied, and it is not possible to review the majority of their operations within the scope of this thesis. Relevant here is a brief note on the community organisation directed by the body (Minoru 2015). There were 52,000 ‘juvenile guidance volunteers’ as of 2011 (Minoru 2015), and the numbers of police ‘Helpers for Juveniles’, and ‘Instructors for Juveniles’, are unknown. The community ‘Juvenile Guidance Centres’ and nominated community leaders act to direct and moderate behaviour via a combined approach of intervention and observation in the community. Their relevance did not emerge during the research process, in conversation with probation officers, desisters or in the various desistance-related volunteer interviews. It is worth stressing that Japan's smaller and lesser-known organisations might be playing significant roles in its society, but due to a lack of available English language research, understanding of these bodies is limited.

5.4.2 The police are a force in the community

The police as an institution in Japan are seen in the literature to be relatively powerful. This strength was investigated by Yamamura (2009), who conducted statistical work using prefectural-level panel data and examined the relationship between a strong community and police effectiveness. They operationalised indicators of a strong community (e.g. the number of public baths, community centres, communal fire-fighting teams, per capita expenditure for ceremony occasions, university presence), and then tested this against police presence per

⁷¹ National Police Association is the Japanese name, in general conversation the police are referred to with *keisatsu* (plus a context suffix). UNAFEI is The United Nations Asia and Far East Institute, for the Prevention of Crime and the Treatment of Offenders.

population. Yamamura (2009) then used a fixed effects 2SLS regression analysis to determine whether theft rates changed based on high police presence in areas of high communal strength. The research is somewhat limited, because as communal strength decreases, so would unaccounted for variables that lead to increases in crime. This work is an interesting attempt at capturing the crime control dynamic of Japanese culture, but is somewhat limited in the lack of surrounding investigation along other dimensions, and the quality of the data on which it is premised. The finding that police effectiveness increases with communal strength is not surprising. But the research premise highlights the interactive dynamic between police and the community in Japan. It is explained that the police work with the community to effect a controlling influence on crime. However, Gould (2004) explains that police practice in Japan has relatively limited oversight, particularly with little third-party review, and thus the police are operationally free to act as they see fit. So there may be a cost to this effectiveness. Of interest to this thesis is how they direct their power onto offenders in obtaining confessions, gaining evidence for arrest, and generally inserting themselves into an offender's life (Kita 2018). Araki (1988) identified that access to police practice has been historically limited, with the little research that has taken place indicating that "the demands by the Japanese public for high clearance rates meant that the police were often forced to break their own rules, thereby violating the rights of citizens" (p. 1035). Chapter 2 discussion of Kita (2018) is particularly relevant to the point made here; she explains how the family is 'responsibilised' for the offending of its members. Responsibility is relevant to the discussion of criminal justice in Japan because all actors within the system use this understanding as the premise for their actions; though of course, exactly how will vary. For the desister, who is perceived to be at fault for their crime is critical, as it is from this understanding that solutions are derived. In Japan, criminal responsibility is directed at the family, not just the individual (Kita 2018).

5.5 Outline of sentencing and the courts

The Japanese courts are all incorporated into a unitary national judicial system with five types. The Supreme Court (*Saikōsaibansho*) is responsible for reviewing appeals related to the High Court and other statutory interpretations. High Courts (*Kōtōsaibansho*) located in eight major cities hear appeals related to the following three courts: District Courts (*Chihōsaibansho*) - 50 of these courts are located in each prefecture (with four in Hokkaido); Family Courts which operate in the same location as the District Courts, presiding over all juvenile cases, and of note, "utilizing scientific reports prepared by Family Court investigating officers as well as reports prepared by experts of juvenile classification homes for detained juveniles." (UNAFEI 2019, p. 6); and Summary Courts (*kan'i saibansho*), totalling 438, which function primarily to enforce summary orders which impose fines, but also have sentencing powers of up to three years of imprisonment in cases of "theft, embezzlement, crimes related to stolen property,

breaking into a residence, habitual gambling, and other minor offences” (UNAFEI 2019, p. 6).⁷² In the event that any party (prosecutor or defendant) contests a summary order procedure (e.g. fine), the case is moved to a court of first instance, District or Summary depending on severity (Supreme Court of Japan 2023).

The ‘public prosecution’ (*Kensatsuchō*) is composed of bar-certified lawyers. As of 2017, there were about 2,775 judges, 1,964 public prosecutors, and 38,980 private attorneys (UNAFEI 2019). Public prosecutors are required to prosecute penal offences in the courts. They have reasonable autonomy and can act outside the prefectural boundaries as needed for their investigations or court recommendations:

A public prosecutor may also decide not to prosecute a case even where there is sufficient evidence to prove an offense if it deems unnecessary to be prosecuted based on factors such as suspect’s character, age, environment, gravity of an offense and circumstances during or after an offense (suspension of prosecution). (JP Ministry of Justice 2022, p. 15)

It is written down in law that public prosecutors are public servants with independence and impartiality - so it is difficult to remove them from office (UNAFEI 2019). Similarly, no executive organ can remove a judge, except through judicial action related to physical or mental capacity to work or public impeachment. Still, Johnson and Hirayama (2019) speculate that prosecutors “may have more control over life, liberty, and reputation than any other officials in the country” (Johnson and Hirayama 2019, p. 77). Yet it is also important to note that the level of agency of these actors may be stifled by expectation and what is seen as normal in the prosecutorial space. The conviction rate, for example, is still near 99% despite attempts on paper to overhaul the system with the introduction of lay judges (Johnson and Hirayama 2019).⁷³ Further, individual freedom is limited by sentencing guidelines. For example, Brewster and Sagara (2023) suggest there has been, via drug policy changes over the past two decades, a slight trend towards harm reduction with the incorporation of welfare-based methodologies. So higher levels of diversion to support programs. Therefore prosecutors, while individually empowered to make decisions, work towards state level directives and are affected by relevant contextual factors.

⁷² Juvenile classification homes are explained below.

⁷³ While this figure may be alarming, a large portion of cases that are not deemed as viable for prosecution are deferred. Johnson and Hirayama (2019), providing one of the few contemporary reviews of this system in English, note some negatives: wrongful conviction, low defence lawyer count; public pressure; expectation of conviction.

5.5.1 *Why is the conviction rate so high?*

To gain a further understanding of the service one can look at the social context of operation. A problem the prosecution faces is the general reaction of the public when a person becomes a known offender. In the context of a 99% conviction rate, anyone going to prosecution is seen as guilty. In the following example, one can see how arrest and not sentencing carries the more substantial meaning. Ennosuke Ichikawa, a famous traditional Japanese actor, tied himself to a three-way suicide pact with his parents after learning about potential tabloid reporting on his pending arrest for sexual misconduct (McCurry 2023). In this vignette, there are elements of familial responsibility at play. Suicide and the situations in which it is 'expected' have a long history in Japan (De Vos 1962), with varying motivations tied into cultural scripts, e.g. a 'lack of place' ("*ibasho ga nai*") (Ikunaga et al. 2013). Extensive discussion on this topic is avoided here, but it is worth noting in relation to themes of stigma which are raised in chapter 8. The example is used primarily because it highlights that an expectation of a guilty verdict comes at, or before, the point of arrest within the Japanese justice system. Also, there are wider potential impacts (not limited to just the desister) for an arrest decision due to a view of offending responsibility (family, workplace, associates). Consequently, once drawn into the system, an individual is less concerned with protesting their innocence (given the limited utility or available resources to do so, such as a lack of effective defence lawyers), and is at the mercy of what this rigidly bureaucratic system determines. For example, the response to offending by the elderly with prison time instead of welfare is a small insight into this rigidity of practice.⁷⁴ Johnson's (2002) seminal work involved ethnographic, text-based, informal and formal interview-based research into prosecution in Japan. He explains that the combined social and operational context of the prosecution has a locking effect, with expectations of guilty verdicts producing them. Further, because of the social reaction to arrest, the prosecution only takes to trial those cases which it feels are certain 'victories'. Johnson (2002, p. 240) laments the "pedagogical sacrifice" incurred by the cautionary practice of avoiding hard cases; the loss of learning to the state, public, victim and offender - replacing this with a black and white view of wrongdoing.

5.5.2 *Pretrial detention*

Moving on, detention in criminal justice highlights how service users may experience hopelessness in the conviction process. Upon arrest, an application by a public prosecutor to a judge is required to detain the suspect in specialised detention facilities (within 72 hours),

⁷⁴ The criminological centre that I participated in during my time in Japan is, at the time of writing, attempting to conduct work to manage and understand the large population of elderly offenders in Japan. Hosoi (2024) has also attempted to examine this population in detail.

and the case needs to go to trial, or the suspect can be released (UNAFEI 2019).⁷⁵ However, this detention can be extended via two 10-day extensions with an application to a judge. So, the maximum holding time is 23 days to extract a confession. This process has undergone much scrutiny (both in Japan and internationally) and is further evidence of a system designed to enable power structures with limited checks and balances. Foote (1991, p. 488) has overviewed the confession process:

While Japanese courts may define terms such as "prolonged detention" and "voluntariness" so narrowly that very few cases ever rise to the level of constitutional or statutory violations or "human rights" abuses, the fact remains that Japanese investigators may - and on a regular basis do - undertake intensive questioning of suspects, utilizing a variety of psychological ploys, over an extended period that may last for several days or even weeks.

Vize (2003) raises the point that human rights activists are generally fairly unconcerned by Japan, given the low crime rate and relative safety of its society. However, their work illustrates that this positive view disappears for people processed in the criminal justice system. Detention and prison are discussed in this work:

The Japanese justice system has coasted for decades using the easy confessions obtained through the substitute prison (daiyo kangoku⁷⁶) system. The prison guards have likewise utilized brutal order-keeping tactics with impunity. The use of so-called minor solitary confinement and of protection cells is excessive, unnecessary, and brutal. (Vize 2003, p. 373)

This finding is based on first-hand accounts of prison conditions by ex-prisoners and rights activists, and from statistical evidence. Vize (2003) reports that between 1952 and the 1990s, over 12,000 reports of torture and abuse were made about confession practices, yet only eight resulted in police punishment. UNAFEI (2019) indicates that this practice remains largely the same, as the 24-day non-bailable period still exists; with this detention being conducted in police facilities and detention houses (built for inmates awaiting trial).

5.5.3 Analysis of sentencing relevance to desistance: diversion from incarceration

Depending on the criteria for success, there are positive dimensions to the prosecution process in Japan. Diversion as the primary response to crime might have significant cumulative positive effects. See Figure 5.1: disposition as trivial offences by the police, no

⁷⁵ 'Substitute prison', see quote below from Vize (2003).

⁷⁶ This refers to the act of holding a person in prison-like conditions during the questioning period.

prosecution by public prosecutors' offices, court judgments with no prosecution, deferral to family courts, non-custodial sanctions (although fines do sometimes lead to detention in the case they cannot be paid). During my academic interviews, participants stressed to me the significance of a system that avoids prison. So, while some may see incarceration as harsh and in need of reform (as will be evidenced next), this harshness needs to be considered in the 'net narrowing' effect it has at the prosecution level.⁷⁷ Alternatively, professionalism and adherence to the set objectives of a system are also another measure of success. Haley (2007, p. 15) notes that "Judicial corruption is virtually unknown. Judges do not take bribes."⁷⁸ Haley (2007, p. 1) concludes that "these features of the Japanese judiciary in turn help to explain the high level of public trust in the integrity and competence of the judiciary." However, this definition of corruption is misleading, avoiding conversation about systemic failure to observe/maintain human rights abuse or promote necessary evolution in the operation of the system; an unseen problem is thought to not exist. Later in this chapter, it will be apparent that, once in prison, people experience a system that is abusive.

5.6 Outlining the various types of incarceration

Moving to incarceration within the criminal justice system, it is important to explain that Japan maintains two prison systems; one for adults and another for juveniles. There is a small service overlap, so these are not always exclusive pathways (see arrows in Figures 5.1 and 5.2). Under the 'Corrections Bureau', there are eight regional corrections headquarters. Corrections institutions can be divided into penal institutions (which include 70 prisons, six juvenile prisons, and 108 detention houses) and corrections institutions among which there are 51 Juvenile Training Schools and 52 Juvenile Classification Homes as of 2018 (UNAFEI 2019). Juvenile Training Schools are reform-orientated, with various locally specific programs to provide skills and counselling e.g. via qualified psychologists. Classification Homes perform a pre-court assessment function (addressed in the Youth justice section below). 'Detention facilities' are used for persons awaiting or being held for questioning. 'Prisons', according to UNAFEI (2019, p. 7), operate with "various correctional treatment programmes that facilitate rehabilitation and resocialization of offenders." 'Correction', as defined here, appears to mean reform through punishment. While maintaining some rehabilitation capacity, this is provided on a case-by-case basis and depends on which prison a person is sent to. For example, in contrast to the open juvenile system, adult prisons block outside communication via rigid, institution-specific local rules (e.g. making it so that only handwritten letters can be used).⁷⁹ Generally, prisons

⁷⁷ Net narrowing is the opposite of 'net widening'.

⁷⁸ Haley (2007) later details some exceptions to this rule, with misconduct outside of the courts being a primary ground for impeachment (sexual scandal, impersonation). Only 12 cases between 1948 and 2002 had such grounds.

⁷⁹ This was pointed out to me during my conversation with desisters.

are under capacity. As of 2017, 53,233 of the 89,310 spaces were in use and staffed by a population of 23,000 officials (UNAFEI 2019). Prisoners are generally mandated to work and are paid a small token wage (Aizawa et al. 2024).⁸⁰

5.6.1 Analysis of prison conditions

Recent reporting by Human Rights Watch (2023), which interviewed 58 female ex-prisoners, provides an introduction to prison conditions in Japan. The article arose from cooperation with many named and unnamed academics in Japan. A key publication for this thesis because it represents findings that might have been suppressed in academic circles of Japanese criminology.⁸¹ The piece details the negative potential of prisons in Japan, with a focus on women. The report details many different abuses, for instance, it found the use of handcuffs during childbirth. The report describes how this practice continued despite nationwide guidance not to do this in the form of a notice in 2014, and in view of the Bangkok rules (United Nations Secretariat 2010). Similarly, consider the extent of control experienced in work environments, as described by an ex-prisoner:

*Normally, if I look away when I'm working, a guard will just point it out and that would be it, but if someone higher-up walks by and catches me looking in a different direction, that person would yell at me with so much ferocity, to the point where my heart was pounding, and I eventually passed out.*⁸²
(Human Rights Watch 2023)

In this environment, the lower-level guards are pressured by high-ranking staff to enforce rules strictly. The Human Rights Watch report shows that the system is unkind to both the sentenced and their family, with mothers moved to far away prisons due to their small number, and visiting conditions that are traumatic for young children (e.g. prison bars between mother and child). The article notes limitations in healthcare and, critically, points to the lack of an external review system; which means there is no mechanism available to identify and address guard abuse.

Unfortunately, I found no such report available for men, so it lacks total relevance to the majority of people interviewed in this research (9 of 11 desisters were men). Further, the report is not academic in writing format; coming from Human Rights Watch it lacks transparency in the research process. Thus, the criticism can be made that it presents all of prison practice in

⁸⁰ Aizawa et al. (2024) explain that a change in criminal code has recently allowed for prisons to use 'rehabilitation efforts' in place of the previously required work orders. Thus, there is the potential for large scale reform.

⁸¹ Academic interviews indicated to me that the projects that Japanese academics worked on were necessarily directed and funded by the government, and access to criminal justice service users was difficult.

⁸² Quotes have no page numbers due to the article format.

Japan as abusive, whereas the report is only relevant to a specific set of prisons that are run poorly. However, an important criticism needs to be made against the academic insights that result from cooperation with the government. Consider Young and Jewkes' (2021) 18-page review of a Kyoto prison. It captures some of the harshness of the prison conditions in Japan; noting the rigorously controlled daily lives of prisoners. Acknowledgment of the piece's limited insight is made early on by the authors, and references the limited data on Japanese prison conditions as grounds for the article's worth, which I agree with, as they were still able to identify the extreme behavioural expectations within these environments. For example, the description of how prisoners had to move with a "bizarre gait" (p. 188) when going to the toilet in order to humiliate them. Yet the article lacks the nihilistic perspective I saw in my own research via first hand recounting of prison time - it was in my participants' eyes more than their words. After leaving the environment my participants were better able to contrast it to a normal life experience. Thus, Young and Jewkes (2021) did not gain insight into many issues raised by Human Rights Watch. Guided through the institution, they were given access to look at Japanese prison life. They consider at certain points that interaction with inmates may have even been scripted. Their work provides a descriptive view of prison conditions in Japan; it is limited by the state's management of conditions of access.

It is worth emphasizing that, at a high level, the Japanese Ministry of Justice has acknowledged prison issues, and is currently creating a reform plan to tackle inmate abuse. This can be seen in the Japan Times article "Expert panel takes aim at Japan's prison conditions following inmate abuse" (Benozza 2023). The article reports a panel examination into prison practice; notable recommendations include the provision of rehabilitation services in prisoner management plans that are currently the sole responsibility of a single prison officer, the use of live-feed wearable cameras, and better training resources. Note also that academic perspectives on the prison system have recently been critical. Suzuki and Otani (2023) reflect on the suitability of Japanese prison work for older inmates. A full evaluation of Japanese prisons is beyond the scope of this research. What is relevant to take forwards into the coming chapters is the harsh potential experiences it creates but topics addressed in Chapters 6 and 7 will include discussion of PTSD from prison, family destruction and inhumane stigmatising experiences.

There is a need to reference some findings from Chapter 6 here, as prison is not explicitly addressed in those chapters. The prison experience is related to the desistance process in many ways. The weakening of a person's connection to the community is a point stressed by the Human Rights Watch report. This connection (to family, loved ones, friends, or children) is often a key motivation for desistance (see Chapter 2). Part of my interview process involved reflecting on the prison experience as it related to existing in society. One participant was, in

fact, so deconditioned to normal life by their experience in the system that they underwent significant psychological stress related to their shattered sense of self and worthlessness, and thus wanted to offend again to regain a place where they felt they were “suited” to belong.⁸³ Hearing this participant recount the days on end he spent folding paper (for the circulation of pamphlets) was particularly disheartening and can only be described as a form of torture. Another problem faced by my participants was financial ruin upon release. The meagre savings earned from prison work would often be taken by the costs of returning to a person's home prefecture. This problem was corroborated by interviews with support staff, who noted stories from their homeless shelter as an important issue. The accounts I received align with those in the Human Rights Watch (2023) report:

I got out just like that [from the first prison], but basically, I had no possessions. [The prison] didn't provide me with transportation fees, so I basically used all the money I earned working inside the prison for transportation. I was in a vulnerable situation, as I didn't have any money, so I began stealing. When I left prison, I had about \$250. I used everything for my flight home. When I entered prison again I had almost nothing.

Some actors in Japan, such as the Centre for Prisoner Rights (2020) are calling for reform.

5.7 Outline of rehabilitation organisations in Japan

The Rehabilitation Bureau of the Ministry of Justice is responsible for community-based rehabilitation in Japan. There are eight parole boards and 50 probation offices aligned to the eight regions and 47 prefectures of Japan (Akashi 2018). The parole boards make decisions around inmates, for example granting parole based on probation worker investigations of contexts.⁸⁴ Further responsibilities of the probation service are set out in the UNAFEI (2019) overview:

(i) supervision of both adult and juvenile parolees and probationers; (ii) coordination of social circumstances, such as family relationships, residence, and job-placement, prior to release; (iii) urgent aftercare of discharged offenders; (iv) promotion of crime prevention activities in the community; (v) recommendation of volunteer probation officers; (vi) support for the victims of crime; and (vii) mental health supervision pursuant to the 'Act on Medical

⁸³ There was greater nuance to this individual's life history, prison was just a single dimension to this feeling.

⁸⁴ This point is based on first hand reports of practice obtained via interviews with probation officers.

Care and Treatment for Persons Who Have Caused Serious Cases Under the Condition of Insanity'.⁸⁵

In the division of labour, the voluntary probation officers (VPOs) are critical in providing probation services. They generally aid the probation service by investigating inmates' living circumstances to determine a return point after incarceration (a point of focus in Chapter 8), and providing supervision as their supervising probation office recommends. The probation officer plays a role in initially selecting VPOs for each service user and designing and directing relevant treatment plans, so generally plays an administrative role except in high-risk cases.⁸⁶ As of 2015, the national caseload of the probation service was as follows:

36,100 probationers and parolees in Japan: 16,108 juvenile probationers, 4,077 juvenile parolees, 5,184 adult parolees, and 10,731 adult probationers. In Japan, the supervision and assistance of these probationers and parolees is performed by approximately 1,000 [professional probation officers] PPOs who are full-time officers employed by the Ministry of Justice. PPOs are supported by approximately 48,000 (47,939 as of January 2016) volunteer probation officers (VPOs) who are recruited from among the general public. (Akashi 2018, p. 122)

Akashi (2018) discusses how VPOs undergo various training programmes provided by probation offices. These are divided into basic (less than 2 years' experience), reinforcing (2-4 years' experience), and specialist or local training as required based on local conditions. My two interviews indicated that, by nature of the practical barriers coming from this work being voluntary, training was not particularly useful due to limited time. Therefore, the majority of learning occurred during the supervision process.

The current conceptual understanding of voluntary probation stems primarily from state-directed access and publications, and these lack service user insights (for example, Kato 2018). The community network structure of the service has several benefits: the ability to network on behalf of the service user, familial interaction, support in the provision of housing (writing letters and visiting), and supervision by volunteers to feel more friendly and sincere from the perspective of service users (Akashi 2018). These workers can thus facilitate a person's resocialisation, "often helping to obtain and keep employment" (Watson 2018, p. 163).

⁸⁵ Parolees serve probation in place of imprisonment via early release or similar sanction. People also serve probation as an alternative to prison. The reader should note that in government publication 'probation supervision' is used to describe both 'parole and probation supervision' (JP Ministry of Justice 2022).

⁸⁶ My interviewed probation officers indicated dissatisfaction with the volume of paperwork that their position entailed.

In *theory*, this system should be effective based on models of desistance, by directly forging supportive relationships for an offender. However, very little work has looked at this process:

Opinions on their role does not yet exist, but would be valuable, as would studies on offenders' experience and perceptions of VPOs. (Watson 2018, p. 165)

According to Akashi (2018), understanding of Japanese probation is reliant on government publications and reports. Watson (2018), for example, was only allowed to interview probation staff and review documents supplied to him by the service, alongside academic interviews with subject specialists.

Referring back to the discussion of the literature on desistance in Chapter 2, it sees value in supportive structures, supportive relationships, and environments that provide agency and the opportunity to change (Laub et al. 2018, Bottoms and Shapland 2011, and Chouhy et al. 2020). The criminal justice mechanisms of Japanese society are not necessarily built with kindness, but with function in mind. The harsh punishment of Japanese prisons has been questioned for violating human rights (Amnesty International 1998), and exemplifies the downside of a justice system built on utilitarian principles (Seidman 1984).

The carrot to this stick could be Japan's probation service, seen as an exemplar of criminal justice 'done right', a system built in relation to the cultural environment *into* and *with* the community (Ellis et al. 2011). A comparison of operational objectives is useful at this point. In England and Wales, the probation service is run by the state, and probation officers are hired by and operate in the public sector (Ministry of Justice 2019). Cultural values of rehabilitation and support held by probation workers, are constrained within the operational structure of practice (Hardy 2014). Principled with adversity to risk, probationers are 'contained' by sanctions in relation to their offence (Andrews et al. 2011). In the Japanese system, governmental objectives for control are filtered into practice by the community actors that do the supervision. Furthermore, due to being composed of community actors, the service is more stable in terms of practice across decades. Consider that in England and Wales, constant changes in practice and structure have made evaluation difficult, with large-scale state mandated reforms (Robinson 2016); something not possible with the voluntary system.

Previous research indicates that in England and Wales "probation offers little support for the socio-structural aspects of desistance" (King 2013, p. 136). It paints probation activities as surface-level box-checking instead of any meaningful engagement with an offender's problems and life circumstances (Dominey 2019). In contrast, the Japanese VPO system is a collection of people approaching 50,000 members, so is strong both ideologically and politically. Consequently, the service appears to be able to focus on rehabilitation goals over

punitive or control goals that are more obvious in Japan's police, courts and prisons. Again, this understanding is based on state provided materials, as previous third-party reviews of this service are not available in the English language to the best of this authors knowledge (see Chapter 8 for an evaluation of Japanese probation service as it relates to desistance).

5.7.1 Policy immunity of the Japanese probation system

Change in Japan therefore might be limited to the salaried criminal justice arms of the government (Johnson and Vanoverbeke 2020). There have been some recent revisions to codes of practice; notably the Offenders Rehabilitation Act 2007, which saw provisions made towards active cooperation of the government with private sector organisations, and the expectation that local governments should contribute towards reintegration of former offenders. The 2016 Act for the Prevention of Recidivism provided a policy framework. This later Act sets out an understanding of community restoration based on supportive principles; acknowledging the problematic circumstances that might face offenders.

However, these changes to the penal code and the way they manifest in the real world are filtered via the organisational application of such policies, or ignorance of them (Clack 2003). Hayami and Godo (2005) describe the economic realities in contemporary Japan, and in doing so they describe a government which seeks to maintain the status quo rather than create further economic or instrumental development. Happiness with maintaining the status quo for the probation services is clear, given it provides a free voluntary force of around 50,000 individuals performing highly skilled work (Watson 2018).⁸⁷ What probation officers and VPOs are all actually doing is less clear. As noted, service users' perspectives did not exist before this research (see Chapter 6, 7 and 8). Nevertheless, staff interviews have been conducted, Nakamura (2018) undertook interviews with 17 probation officers, with the goal of identifying problems faced in the line of their work. The research illustrated that probation practice can be fraught with problems related to rejection of the service (non-attendance) and general non-compliance from service users (rejecting of advice).

5.7.2 Services occurring in parallel to probation, halfway houses and the third sector

Another dimension of importance to the Japanese justice system is the housing provided to parolees and probationers via halfway houses. Depending on the specific halfway house and its operational goals, these facilities provide combinations of education, training, medical care, employment, job-seeking guidance, and social reorientation post-prison. As of 2017, there was a total of 103 facilities in Japan. The capacity for these facilities was 2,385, with 7,771 offenders admitted in the same year. The terms of stay are thus limited, and it was reported to

⁸⁷ There are some expenses included in the volunteer work.

me that attendance at these facilities feels similar to a looming punishment, because if the desister cannot find stable housing and employment by the end of the term, they will be homeless. The one hundred (of one hundred and eight) halfway houses are run by non-government entities but all are funded by, and under the supervision of, the government (UNAFEI 2019).

The final dimension of the criminal justice system considered here is the third sector, including private businesses and volunteer actors. Unlike the VPO system, which provides official status for voluntary members and is micro-managed by state actors, these organisations may be non-profit, charity or private businesses; with greater levels of prefectural, local, and organisational independence. They are able to construct principles of operation, financial models, and so on, and have varying levels of integration into the official government provision of services. They can take various forms, such as the religious organisation, and peer-mentoring social group considered in this research. However, they may take the form of temporary housing organisations, general homeless aid groups, and any charitable form that interface with populations of (former)offenders in the provision of support. Overall, the exact make-up of these facilities will be especially dependent on local issues.⁸⁸

5.8 Summary of the adult system

The system overview here primarily stems from state published work, which has explained its high-level function. While largely accurate, the descriptions of UNAFEI (2019) and the JP Ministry of Justice (2022) are framed to create a positive interpretation of practice: prison conditions are explained factually. An example is explaining how inmates work in self-maintenance, textiles, chemical products, paper works, etc., with little attempt to convey the tone or purpose of this activity. Important facts are omitted, such as average hours worked, or when describing the complaints procedure, the number of processed complaints and outcomes are not noted. In Figure 5.1 above, it is possible to see how adult offenders are processed, as it has been shown that reaction to offending can potentially occur along either supportive or punitive pathways (Johnson 2002).⁸⁹ Some service users go into penal institutions and are released with no probation period. However, one can also see that in most cases, people are diverted from prison sentences, with only 16,152 new inmates in 2021. Exit from the system should be considered too. While the probation service provides supervision in most cases for people exiting penal institutions, it is not used for many who are exiting

⁸⁸ Probation officers interviewed explained that they were limited in what third party provision they could access, based on whether such a facility was in the local area and known to the VPO.

⁸⁹ The American spelling has been maintained as this is directly copied from the publicly released documentation.

prison after completion of their full term. Support post-release is primarily based on whether a person can find housing via their own network or a government-provisioned facility.

5.9 Outline of the youth justice system

In Figure 5.2 below, one can see the process for a juvenile offence. In the vast majority of juvenile cases, young people are diverted into the more rehabilitation-orientated spaces of the criminal justice system. Certain features of this system are the same (police), but the differences need to be pointed out.

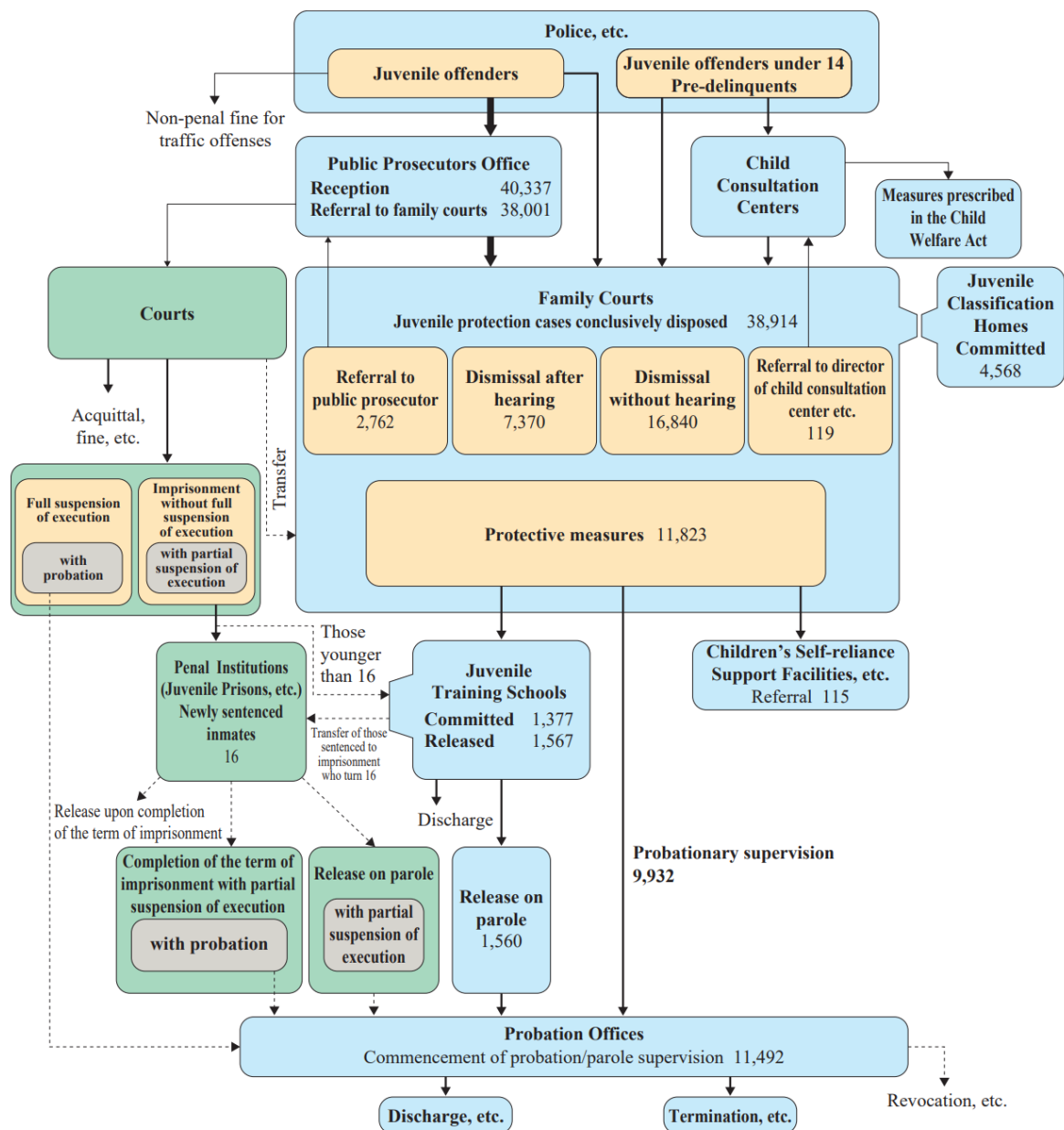


Figure 5.2 The juvenile processing structure.

The system illustrated in Figure 5.2 provides an overview of what happens to juveniles. The minimum age of criminal responsibility in Japan is 14; people under this age are defined as 'pre-delinquent' and are dealt with via a different process in 'Child Consultation Centres'. These younger children are processed based on the principles of the Child Welfare Act, which guarantees government provision of "good mental and physical health" (Article 1). In 2022, the age of criminal majority was lowered from 20 to 18, and from this point, a distinct class of 'specified juvenile' was created; this group is processed as juveniles for non-serious offences attracting a term of imprisonment of below one year.⁹⁰ Goodman (2000) raises the point that children in Japan are sometimes referred to as the 'treasures' of Japan, so this change in law has large implications for the criminal justice system moving into the future, depending on how these 18-19-year-olds are now perceived. Several of my colleagues in related areas of study, and research participants (academic, government staff and desisters), shared significant concerns with the change in the law. Watson (2019) had concerns during discussion periods before the change occurred. The change will be relevant to future desistance study in Japan because the youth system, as will be shown, is considered intelligently designed and effective.

The two systems will be referred to as the 'adult pathway' and 'youth pathway'. Villarante (2005, p. 92) explains, "Japan is known to be one among a few countries in the world that has effectively dealt with juvenile delinquency". They associate this success with a more humane approach where the court procedure "allows the judge (*saibankan*) to 'admonish' or 'reprimand' the charged juvenile ... such that they experience little trauma", and then direct youths towards effective support structures. The status of juveniles in Japan isolates them from some of the harsher sanctions: very few go to adult prison. Barry (2017) conducted a small desistance research project; interviewing youth justice service users via a third-sector organisation. She explains that offending is more likely to be excused or tolerated amongst young people as youth are considered 'in transition'.

Looking at the Family Courts, of the 40,300 juvenile cases that went to the Public Prosecutors Office, 38,000 were referred to this body. Thus, most cases stay contained in the juvenile system. As one can see, across figures 5.1 and 5.2, the pathway structure is designed so that each system element can move people into the correct processing arm, whilst family courts, prosecution, and child consultation centres can refer to each other as needed. This overall procedure attempts to determine "the severity of the committing crime, their history of criminal activity, the stability of their home environment, and the overall temperament of the youth"

⁹⁰ The revised 'Juvenile Act' had negligible impact on the participants in this study as the processing of my participants occurred prior to its implementation, with one exception that led to an 18-year-old being processed as a juvenile and going to a training school instead of prison.

(Rosen 2022, p. 39). Inside the family courts, there are two major outcomes: dismissal with and without hearing, and protective measures. The institutions that youths are sent to require an explanation.

‘Juvenile Training Schools’ are post-sentence sites that are rehabilitation-focused. While punitive in terms of the lack of freedom imposed, these sites are primarily focused on skill acquisition and therapeutic provision. The formal sanctions of the Family Court are designed to be educative in nature and function in tandem with community participation, such that the system is both a welfare model and has characteristics of a participatory model (Dawkins and Gibson 2018, Minoru 2015).

‘Juvenile Classification Homes’ are pre-sentence facilities. During a period of two weeks (extended up to eight) these facilities engage in a ‘context building’ examination of a service users offending motivations and personal character. The assessment is based on Risk-Needs Responsivity principles.⁹¹ The facility attempts to classify the inmate's character and re-offending likelihood through a psychological evaluation, assessment of family circumstances and medical check. This is submitted to the family courts based on the opinions of professionally qualified persons. This process allows for the selection of an appropriate Juvenile Training School (Minoru 2016).

Youth justice maintains specialist ‘support infrastructure’ in the community. Generally, this support infrastructure has seen little examination, at least in Western literature (Baradel 2021). These exist as either private or charitable entities, and provide additional support to ex/offenders, prisoners, or delinquents. For example, Big Brothers and Sisters (colloquially called BBS) is perhaps the most notable and famous Japanese organisation, and is a youth volunteer organisation that attempts to facilitate supportive relationships and mentoring for troubled delinquents or youths (BBS 2023).

Scholars are not aligned on whether juvenile justice is supportive or punitive in recent years. There seem to have been recent shifts in priorities, since “in practice, many Family Court probation officers give up working as specialist case workers, in favor of serving judges as loyal servants to realize the just deserts model (Yokoyama 2012a).⁹²” (Minoru 2015, p. 188). While I would at this point like to include a section evaluating the supposed ‘welfare’ approach

⁹¹ How risk need responsivity principles have been operationalised is not totally clear from the assessed documents and papers. There will be two filters; [1] how the principles have been interpreted by policy makers (Andrews et al. 1990), and [2] how they are being used in practice.

⁹² Unfortunately, at the time of writing I was unable to access this earlier work (Minoru 2012), and thus lack insight into the evidence base for this claim. An issue with the citation of Japanese research is that it is hard to search for if the publication information is translated into English, as is the case here. Later in the book chapter, Minoru (2015) explains that probation officers act in relation to crime control models of justice.

of the youth justice system, to the best of my knowledge, is not easy. Empirical work that would provide insight into how periods in juvenile training schools are experienced is limited (in English). For example, Suzuki and Takeuchi (2020) when making their argument against lowering the age of criminal majority had to rely on empirical juvenile justice research outside of Japan. The on-paper view is clearer; support rather than punishment for most people under the age of 20. Later Chapters 6, 7 and 8 present the experiences and understanding of youth justice that came from interview and ethnography around a youth support network of formerly incarcerated juveniles. And I was provided access to Japanese materials in the late stages of this thesis, so Tsushima's (2021) work in a juvenile training school is considered in Chapter 8.

Yuma et al. (2006) look at juvenile training schools, and conducted statistical investigation on the effectiveness of juvenile training schools compared to probation in Japan. The statistical methods in this article make use of a Ministry of Justice dataset and thus maintain their associated issues; examining reincarceration to Japanese Juvenile Classification Homes of 12,644 people who were convicted first in 1991 and who had their full corrections history available. They argue that juvenile training schools are, at times, better than juvenile probation depending on the type of offender that is sent to them. They explain that those that start delinquency later in life benefit from juvenile training schools more than probation. This statistical result has an incredible degree of nuance; the result is dependent on offending types, a number of co-variables and gender. The point to take away is the reasoning around why the training schools are thought to be effective:

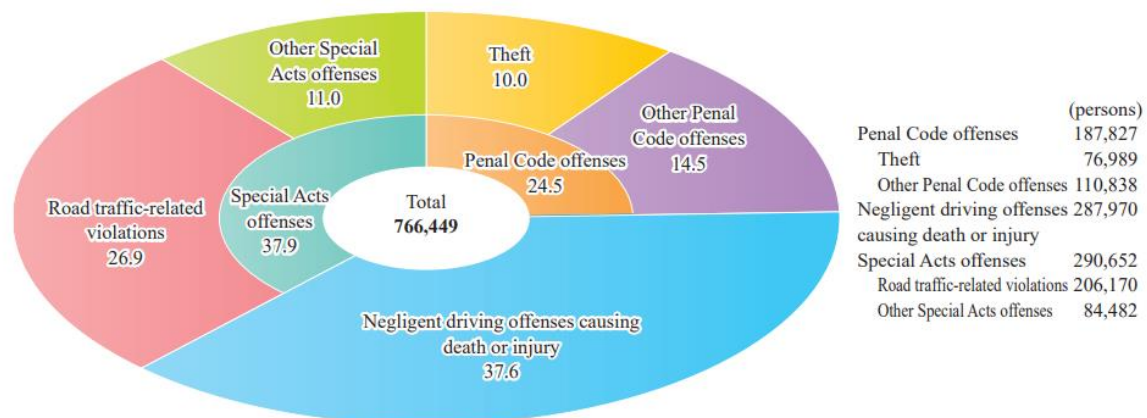
First the treatment plan at training school is designed to help them learn to build and maintain interpersonal relationships and acquire job skills. ...
Second, the intensity with which probation is administered is often too low.
(Yuma et al. 2006, p. 170)

They speculate that the intensity of rehabilitative support and dedicated time with juveniles by case managers is more beneficial than the more limited supervision impact of people on probation. They still found that the impact of the juvenile training school was variably positive and negative. Within these findings, they also found that social ties to society during incarceration in Juvenile Training Schools for a second time were more severe; indicating negative potential effects. Though these results might be correlation. The benefit of the Juvenile Justice pathway, particularly incarceration, is not clear. However, there are several strong suggestions that it is less detrimental than the adult justice pathway.

Closing the overview on Japan's two criminal justice processing structures, it is helpful to provide some context for Figures 5.1 and 5.2 alongside some additional clarification about what type of crime Japan is dealing with.

Fig. 2-2-1-1 Persons received by public prosecutors: composition by type of offense

(2021)



Source: Annual Report of Statistics on Prosecution

Figure 5.3 Offences dealt with by prosecutors.

Source: JP Ministry of Justice 2022, p. 14.

Figure 5.3 shows the composition of offence types for those processed by the prosecution. This figure is only composed of the offences that have been considered by the prosecution; reported cases for penal code offences total 568,104 which includes cleared cases which do not reach this stage.⁹³ 'Special Act Offenses' relate to the following Acts: Minor Offenses Act (7,636), Firearms and Sword Act (5,401), Waste Management Act (7,607), Amusement Business Act (1,336), Anti-Prostitution Act (508), Child Prostitution and Pornography (3,093), Youth Protection Ordinance (1,790), Child Welfare Act (150), Internet Dating Site Control Act (17). Penal Code Offenses have the following categories: Theft (381,760), Rape (1,388), Indecency (4,283), Homicide (874), Robbery (1,138), Injury (18,145), Assault (26,436), Intimidation (3,893), Fraud (33,353), Extortion (1,237), Embezzlement (13,028), Arson (749), Obstruction (2,094), Breaking into Residence (9,780), and Property Damage (56,925). Figure 5.1 shows the number for the category of 'not prosecuted' (492,096).⁹⁴ Within this number is also active 'suspension of prosecution' (429,589).⁹⁵ In both these categories a case does not proceed to the courts. Imprisonment 'without full suspension of execution' involves serving a prison term, some of which may result in a partial suspension of execution (a reduced term).

⁹³ JP Ministry of Justice (2022 p. iv) "The number of "cleared cases" or "cases cleared" refers to the number of cases cleared by the police or other investigative authorities. The number is not limited to cases referred to public prosecutors but includes cases disposed of by the police as trivial offenses and other dispositions.

⁹⁴ The Minor Offenses Act provides provisions for sanctions related to appropriate behaviour in daily life; in effect, social infraction (Imamura 2021).

⁹⁵ Grounds for suspension are defined in the White Paper 2022 (p. 15) "[1] a precondition for prosecution (e.g., a victim's complaint for certain offenses) is not satisfied, [2] the person's act does not constitute an offense (or the person is not punishable due to insanity, etc.), or [3] evidence is not sufficient to prove an offense."

Imprisonment with 'full suspension of execution' results in release from the system, even in cases where there is enough evidence for a conviction (grounds for this are the gravity of the offence, character, age, history, re-offending chance, circumstances, provision of apology, or civil settlements). 'Full-term completion' will result in release from prison with no provision of probation (which will be the case when an inmate cannot find housing, relevant to the later discussion of the Adult Centre in the findings chapter).⁹⁶

5.10 Is Japan's low crime rate a misleading point of analysis?

The goal of this chapter is to provide the reader criminal justice context. After going through various criminal justice bodies, it is helpful to provide the statistics related to the context of their operation. An overview of crime rate will allow for an understanding of why, despite indications of human rights abuses on a few levels, the service is maintained in the current structure. The scale of the crime problem in Japan and related issues are often used to frame the discussion of its society. Assumptions are made that something unique about Japan is driving down crime. The focus on 'explaining the crime rate' makes sense; since the low crime rate drew me (and many others) to study Japan, and Japan certainly is unique in many ways as a society from the perspective of a western (this) researcher. However, the validity of this connection needs to be questioned at a few different levels:

1. Are the official crime numbers close to the true crime levels? (addressed here)
2. Do these statistics provide evidence for the effectiveness of the criminal justice response to crime? (addressed here)
3. What impact has conversation and research related to the low crime rate had? (Addressed in Chapter 8)

5.10.1 *Japan's self-perception of the crime rate*

Japan maintains two dialogues; one with the outside world where it is understood to maintain an effective crime control system. As will be demonstrated, relative to other countries, the crime level is low. However, internally the conversation is more confused and nuanced. Recorded crime in Japan grew yearly from the mid-1950s to the early 2000s (see Figure 5.4 below). This rising crime resulted in moral panic and confusion (Johnson 2007b). Reaction to this rising crime rate created a shift from rehabilitation-focused justice practice to a more punitive system. Despite the crime rate starting to decline, public perception did not exit the moral panic. For example, from 2003 to 2008, the number of community crime prevention

⁹⁶ The state bodies I interviewed stated to me that once a person has completed their term, they are no longer a responsibility of the criminal justice system.

volunteers grew 1200% to 2.5 million people (Schimkowsky 2021). This growth was in reaction to the perceived increase in crime. At that time, year on year, (police recorded) crime had fallen since 2003 (Hamai and Ellis 2006) and has continued to fall until today (JP Ministry of Justice 2022):

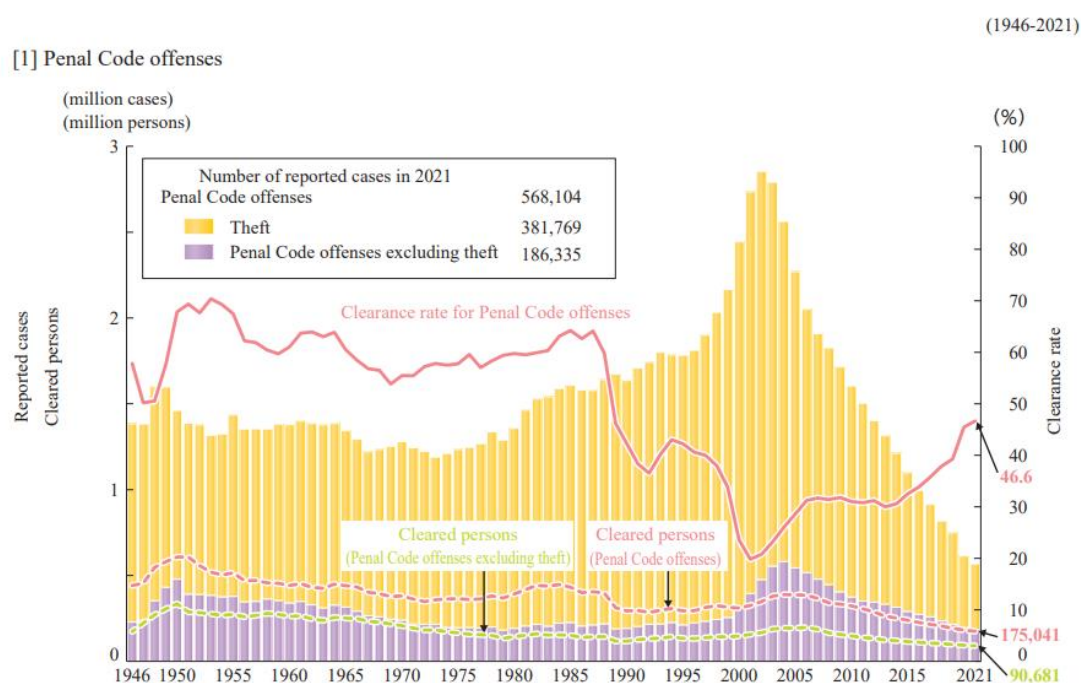


Figure 5.4 Penal code offenses.

Source: JP Ministry of Justice 2022, p. 3.

Internally, scholars fought against this moral panic since the early 2000s when recorded crime levels spiked (Herber 2018). Given Japan's comparatively low crime rate, this might seem odd, but Johnson raises the idea that even a small increase in crime with Japan's low levels would create large statistical changes. Additionally, Johnson (2007b, p. 379) highlights that in the past, Japanese police were understood to “cook the statistical books” and consequently there was an increase in transparency and reporting following public pressure and media scrutiny (see also Hamai and Ellis 2006).⁹⁷ Generally (in terms of international criminology), official statistics are seen by researchers as potentially misleading:

Researchers have raised questions about inaccuracy, incompleteness, and bias in official statistics ... The two most common criticisms are that official statistics fail to include unreported offenses (the problem of underreporting),

⁹⁷ Similar concerns were raised to me in contemporary Japan in confidence by academics during the conduct of my research that caused me to view official statistics more critically, and informed the perspective of the following section. Please note how in Figure 4 the crime rate has declined year on year even.

and that different countries use different indicators of crime. (Johnson 2002. p. 22)

The comparability of crime statistics across countries is limited. Archer and Gartner (1987) compared 110 countries' crime statistics. Their examination indicated that under-reporting scaled with lower seriousness (with notable exceptions including sex crimes). So comparative reliability of statistics descends in reliability from murder. In each country/jurisdiction, what constitutes a crime will be different (Roberts 2008). Further, the scope of police activities may be different. Crime problems will scale differently; countries define, experience, and contend with different crimes (Sandywell 2013). In Japan, for example, there is a problem with ageing offending, as 64.6 per cent of newly sentenced male inmates were over the age of 40, and 40.3 per cent were over the age of 50 in 2021 (JP Ministry of Justice 2022).⁹⁸ Overall, Johnson (2002) disregards these arguments in the case of Japan, in concluding that the crime rate is indeed low. We can see how such a conclusion is possible given just how much lower the crime rate is; two decades later Japan is experiencing a further decline in most crime metrics.

A comparison of crime rates is needed at this point to provide clarity on the perceived level of crime in Japan, and the police recorded crime rate in England and Wales will be used here. In 2021 Japan had 568,104 penal code offences (JP Ministry of Justice 2022).⁹⁹ The total police recorded crime in England and Wales for the year ending 2021 was 5,400,000 (Office of National Statistics 2022a).¹⁰⁰ England and Wales had a combined population of 59.6 million in 2020 (Office of National Statistics 2022b) and Japan had a population of 125.5 million in 2021 (Statistics Bureau of Japan 2021). Adjusting for population per 100,000 people Japan had approximately 454 offences and England and Wales had 9,060. Thus, the disparity is approaching a 20-fold difference.¹⁰¹

Direct comparison of police statistics has a number of issues. Initiatives in England and Wales may exaggerate the difference here. Consider the following excerpt from the 2022 Crime Survey for England and Wales:

*Improvements to recording processes and practices by the police,
expansions of the recorded crime collection to include new offences,*

⁹⁸ For women the statistics are similar with 70.2 and 45.8 respectively.

⁹⁹ 381,769 of these offences are theft; compared to England and Wales 1.4 million offences (Office of National Statistics 2022a). In a separate category there were 413,969 driving offences.

¹⁰⁰ Finding a comparable 'penal code offence' number was not possible. The dataset for 2021 police recorded crimes cited 4.2 million victim-based crimes, excluding computer misuse and fraud the total was 5.1 million, and the absolute total recorded crimes was 6 million. Furthermore, 900,000 are in the category of 'other crimes against society'. 5.4 million was selected due to a need to choose a number. Ideally, in the future, a quantitative expert familiar with both countries will conduct a more robust comparison (Office of National Statistics 2022a).

¹⁰¹ This figure is approximate.

variations in police activity, more victims reporting crime, and genuine increases in some types of crime, have each made substantial contributions to rises in recorded crime over recent years. (Crime Survey for England and Wales 2023, p. 8)

England and Wales maintain a victimisation survey of crime. In the year ending December 2021 it estimates roughly 12.8 million offences occurred; this estimate is based on data from victims collected via the telephone survey of 35,000 people aged over 18 (Crime Survey for England and Wales 2022). The police in England and Wales are thus motivated to scale up and capture the ‘true’ crime level that exists in these surveys (Okabe 2021). Japanese police-recorded data has no corresponding victimisation survey to hold them accountable, with Minoru (2015) reporting that the government are satisfied with the current crime data collection methodology. Victimisation surveys have taken place in the past in Japan, such as with the International Crime and Victimisation Survey (Van Dijk et al. 2007). However, there have been no large-scale surveys recently. The study is limited in terms of Japan specific insight, as it was only for the 10 common crimes, so as to add increased levels of inter-country comparability. Within a sample of 33 countries, Japan was ranked second lowest in terms of victimisation rate at 10 percent, globally there was a 15.7 percent average, and England and Wales was second highest with a rate of 22 percent. Overall, Japan is consistently shown to perform well in comparison to other countries in the survey. But the scale of difference is more reasonable compared to the quite dramatic comparison of police statistics in past work. For example, “in 1991, for each robbery in Japan, the United States recorded 182, and for each robbery in Tokyo, New York had 462” (Johnson 2002, p. 23).

5.11 The Research Institute of Japan

The research arm of the Japanese Criminal Justice System has produced several reports on the “dark numbers” of crime; in 2000, 2004, 2008 and 2019. These reports were focused on victimisation rates. Reviewing this document, one can find no attempt to determine a true crime level with the collected data, or compare this to police statistics. So while some awareness of a victimisation survey in the Criminal Justice System exists, it is not being utilised. The public facing data in these reports are limited. The 2019 report was interested in understanding reasons for non-reporting of various crimes (Research Department 2020). The report relays a finding that 7 percent of households experienced some form of victimisation in 2018 (this excludes fraud, the reader should note that this document is very limited in details). A random sample of 3,709 people was interviewed via in-person surveying and 3,500 people were interviewed by a self-administered questionnaire. In 2021, making the *substantial* assumption that each person in a crime victim household experienced one crime (this could

be more), the total crimes would be around 9 million. This indicates that the total crime level in Japan is significantly higher than currently recorded in police statistics, which would be expected. Awareness of these reports is limited; Amemiya et al. (2020, p. 4) state that a crime victim survey would be a “future challenge”, specifically in relation to the inaccuracy of police statistics for sex offences in Japan. During the research process, I investigated whether any criminologist or law scholar in Japan was doing work based on these publications, and I did not get any results. This is significant, as the full Japanese reports are much more detailed and not all are translated.

5.12 How to explain the crime rate of Japan - adding in a discussion of population decline

The elements and factors in the explanation of a crime rate are wide. The significance of culture and the criminal justice system need to be viewed against other significant aspects of Japanese society. Komiya (1999, p. 370) provides a list of previously proposed scholarly and state explanations of the ‘low crime’ in Japan:

Scholarly explanation, the cultural/philosophical context; geographical isolation; low rates of unemployment; high rates of literacy; active public participation in crime control/prevention; the overall structure, organization and management of criminal justice services; control of firearms/drugs; certainty of arrest, prosecution and punishment; the professionalism and overall competence of criminal justice agents; an integrated social control system with high interaction between formal/informal mechanisms; a criminal justice system which blends traditions of Japan and Western models.

State explanations, highly law-abiding citizens; excellent economic performance; low unemployment rate; high educational standards; the web of informal social control in local communities; the geographical condition of the country as ‘an island nation;’ the highly cooperative spirit of the citizens toward the criminal justice administration; strict control by the law enforcement authorities on firearms, swords, and drugs; efficient investigations by police as demonstrated by a high crime clearance rate; just and effective functions of the criminal justice agencies.

As one can see, the state explanations position low crime as validation of the rule of law (and the state’s role in this), though this is echoed in scholarly explanations. This should be noted for discussion in later chapters, and would help explain why the victimisation surveys did not feel a need to expose the true crime rate; earlier discussion of moral panics are relevant here too. A factor not noted by Komiya would be the now falling birth rate and the consequent lower

number of juvenile offenders. In 1999, the number of cleared penal code offences for juveniles was approximately the same for adults (160,000 and 170,000 respectively).¹⁰² In 2019, there were 173,000 cleared adult cases and 26,000 for juveniles (JP Ministry of Justice 2019). So, youth offending, on paper, has dropped significantly (this might be due to increased use of diversion for youth). The population change in Japan, and its influence on Japanese society are most likely underplayed in the criminological literature. The chain of consequence from a falling population, and the reasons for the falling population itself, most likely affect crime dynamics significantly. However, there is little research on this topic.

The National Institute of Population and Social Security Research (2017) indicates that Japan will decline from a population of 127 million in 2015 to around 88 million in 2065, assuming that the current trajectory holds. Relevant to this thesis, the population aged up to 19 years old has transitioned from accounting for 36% of the population in 1980 to 22% in 2015. In this time, the proportion of those aged 65 years and older changed from 11 percent to 34 percent. This means that while numbers of young people may have remained consistent due to population increases over time, the relative size of this demographic has declined.¹⁰³ The crime statistics of Japan need to be considered in this context and not in contrast to other countries, and this point limits comparability significantly.

Overall, what one can see in a review of the crime rate, that there is a difficulty in determining with clarity which factors are important. Thus, the true extent of crime and linking this to any specific cultural explanation of these numbers needs to be rigorously tested and re-tested before any claims are made. From this position, it is clear that the practice of criminal justice in Japan needs to be examined from the ground up via direct observation of practice and data collection from service users. The association of success with the crime rate is a potentially destructive scholarly practice that has most likely left Japan sitting comfortably on growing internal problems (Johnson 2002, Goold 2004, Baradel 2021). However, each element of its system needs to be considered from multiple perspectives, particularly that of human rights (Vize 2003, Kita 2018). Total recorded crime is not an effective tool for comparative purposes (Mosher et al. 2010). For the purposes of this research, it is not considered evidence that Japan is particularly adept at addressing crime, or that the criminal justice system is effective in generating a low level of crime.

¹⁰² Cleared penal code offences are those officially resolved in some form by either a prosecutor or police officer from the collection of reported offences.

¹⁰³ It is entirely possible that desistance theory needs to be reconsidered in the context of societies with declining populations over the next few decades, but the reasoning for this offending has yet to be fully examined in research. Initial inquiries indicate this is a failure of the welfare sector, and thus is congruent with established reasoning in desistance related to a need for social, economic and mental health support (Suzuki and Otani 2023).

5.13 Culture and crime - the need to examine from an individual level.

Multiple possible methodological approaches exist to examine and identify cultural elements of a social space. When looking at criminal justice, the procedure of justice, and its rules and regulations are one method. Another way of examining it is from the perspective of a person in that space; the way in which criminal justice is experienced. This section provides an overview of what we know about that experiential dimension in criminal justice in Japan. Certain spaces give more or less freedom in terms of what cultures can be called upon in practice. In this section, there are a few crucial points from the general experience of these “atmospheres”, as Young (2019, p. 765) put it. My own lived experience of Japan indicated this quite profoundly. My research process had me exist in three distinct social environments: the academic world of research, the activities and social practice of probation-related officials, and the world of social support via third-sector agencies. In these spaces, it was possible to see a variety of experiences. The point this stressed to me was that varied experiences of a single location indicate that any singular summary will invariably be incorrect: people behave in relation to different rules, as distinct individuals, in different spaces. The view of ‘Japanese justice’ needs to be divided across its criminal justice system, and then further across how different actors can experience these spaces in practice. Some consideration also needs to be given to researcher bias from the methodology used to examine said space (e.g. evaluations of recidivism statistics will not reveal human rights abuses).

As discussed in Chapter 2, the social structure of Japan is thought to generate greater levels of collective responsibility and oversight; “in Japan, the locality-based group formation causes both a sense of security and an infinite number of repressive rules; these two elements are bound together to produce high self-control which acts as a strong force restraining people from committing crime” (Komiya 1999, p. 369). Historically, work has theorised a rehabilitative Japanese criminal justice system (and society) because of its more general culture of collectivism and hierarchy (Braithwaite 1989). This past work has related culturally unique aspects of Japanese society to the low crime rate - a ‘reintegrative shaming’ by nature of the cooperative actions of a collectivist society (Leonardsen 2010). To some extent, at the broadest level, this theorising has a degree of truth. As seen above, Japanese criminal justice is designed around generating and using overlapping domains of inter-influencing effects across the family, community, and third sector, in cooperation with its criminal justice organisations. However, it is essential to emphasise that what might be experienced positively by one party (police, courts, the wider community, or the general public) might be experienced as stigmatisation for others (family, a detained person, or probationers). Suzuki and Otani (2017) propose that the restorative functions of Japanese society are a ‘myth’; a product of

foreign case studies in Japan that have idealised ‘the other’. This is an instance of the comparative researcher looking “in awe to Asia” (Karstedt 2001, p. 285).

Japan is described as people controlled by their *culture*, not as people informed by *cultures*. Goold (2004: 23) points out that “few Western criminologists would find arguments based on this sort of uncomplicated linguistic determinism acceptable if applied to their own cultures”. In this chapter, prison appears to maintain operations with a sharp focus on its punitive purpose. The courts seem to be more focused on operating according to the letter of the law than questioning why offending happens, limiting self-assessing functions that might result in changing practice in another jurisdiction (Johnson 2002). Third party review of criminal justice is lacking (Human Rights Watch 2023). It is not surprising that Hamai and Ellis (2008) directly contest the assertion that Japan is rehabilitative. They note how criminal justice in Japan is controlled by state actors in its spaces, so organisational aims override general public behaviours and traits. In place of this restorative function appears to be the potential for exclusionary stigmatising responses to crime. Stigma is known to be destructive, as it disables participation in the employment market, inhibits social network growth, and creates negative self-perceptions (Funk 2004). Thus, there is a need to examine each function of Japanese criminal justice and how its cultural elements emerge in context.

5.13.1 Japanese society, the operational context of criminal justice

This chapter aims to provide a rounded view of places relevant to the desisters’ experience, according to previous literature. So far this has been restricted to criminal justice context. However, wider societal context is helpful to understanding later discussion of pessimism in offender narratives. In contemporary Japan, there are elements of growing unease and unrest. Societal themes of dysfunction are particularly relevant to the low-status experience in desister spaces, as desisters are more likely to experience consequences of rising unemployment or collective social depression. In the past, these themes contextualised their offending, in the present, they explain what may be shaping their current journey, and in the future, they could determine what life might be strived for. Suzuki et al. (2010, p. 535) summarises these themes:

The previous patterns of social order [life-time employment] and social integration have collapsed, and at the same time, it has become increasingly difficult to confirm one’s identity in social relationships, or envision a stable life-course for oneself.

Suzuki et al. (2010) supposes that ontological strain in Japan is felt to be at an all-time high. The general public experiences long and unhealthy work hours (Nemoto 2013, Ono 2018, Ono 2022). In reaction to the general life expectations of Japan, one problem of particular interest is the emergence of isolationist withdrawal from society. Termed *hikikomori*, this group

is described by Furlong (2008) as a varied group, ranging in demographic composition, that does not participate socially in society. Furlong points to the collapse of the labour markets and the changed opportunity structure of modern Japan, the losses of socialisation in modern structures (part time jobs), and varied pressures of daily life. As of 2023, it is estimated that these people number 1.5 million (Jiji 2023), a figure which has grown from 1.1 million in 2016 (Kato et al. 2019). Another form of withdrawal is from dating, due to practical and counterculture reasoning termed singlehood (Dales 2014). This point is worth highlighting, as it alludes to the strongly patriarchal aspect of Japanese society that creates much dysfunction in social spaces. Furthermore, there are limited opportunities to convey social dissatisfaction constructively because of the reduced effectiveness of advocacy. Avenell (2009, p. 247) laments “how state, corporate, and civic actors have fashioned a domesticated and largely apolitical sphere of social activism.” These themes allude to a genre of research isolated from crime studies. Particularly with the Hikikomori, it appears as though Japan has non-criminal avenues for expressing dissatisfaction or reaction to dysfunction in its spaces. This expression in other countries would perhaps occur destructively, for example, as crime.

5.14 Conclusion

This chapter is a companion to the chapter on Japanese society. Chapter 4 details general cultures of importance in Japan, whereas this chapter has provided an explanation of the spaces, and surrounding social context, of where those experiences in the desistance process take place. These two chapters will allow the reader to understand the findings that are now presented and discussed over Chapters 6, 7 and 8. The key points to take forwards exist along large structural considerations and in terms of practice experienced by participants. This chapter has shown that numerous points of diversion from incarceration or sanction exist throughout criminal justice; before the courts (police contact), at the courts (prosecutor decisions) and after conviction (sanction decisions). This means that a majority of offenders are not incarcerated. These experiences are not addressed in this thesis and might involve informal sanction from the family, community or workplace. Further research is needed on this aspect of desistance and crime control within Japan. Instead, this thesis provides insight into post incarceration/sanction desistance that involves third sectors; one group of adult desisters that lack criminal justice support and another set of youth desisters. Thus, the chapter has provided insight into the experiences that are possible at each stage of the criminal justice system in Japan. This review is helpful in situating the findings of this research and how they align with existing understanding of criminal justice experiences in Japan. Along another dimension, this chapter highlights how and why the findings of this research are important to understanding crime control in Japan. It has contested the idea that the low crime rate is related to criminal justice practice and made a case for conducting more service user research.

Chapter 6 Desister experiences in two Japanese contexts

6.1 Introduction

This chapter presents the results of the research from the point of view of the desister, concentrating on the desisting context, whilst the following chapter looks at the role and work of the probation service. These two chapters help to establish an image of desistance in Japan; via an overview of two third sector bodies that aid the service, what life in society is like post sanction and some insight into one of the major institutional mechanisms that aims to effect desistance. Chapter 4 looked at the wider Japanese context with Chapter 5 zooming in on criminal justice in Japan. This chapter now zooms in further on the desistance process itself discussing how troubled people were found navigating towards a more stable and safe pro-social state of life.

The chapter is then divided into two sections: one focusing on an 'adult support centre' and another on a 'youth network'. Each of the two sections begins with a comprehensive description of the 'fieldsite', as this allows for the reader to understand the type of desistance pathway found within each Japanese context. The adult centre is a support centre helping people who have left adult prison or received sanctions in adulthood and found themselves in need of intensive support from a voluntary agency. The chapter goes over the experience of people with usually longer offending careers. People with histories of attempted reform and failure are provided with a significant period free from offending motivations in a new location. The next section features insights from a peer support network primarily composed of people who went through the juvenile criminal justice system and experienced juvenile training schools/prisons. The third section of the chapter overviews findings not tied to either of the fieldsites and relates to experiences across both samples; detailing some key features of the Japanese context. When looking at the wider context, Japanese society provides grounds for desistance that did not diverge from the main patterns seen in other research in other countries (see Chapter 2). However, the social features through which these desistance mechanism are distinctly informed by features of the Japanese context.

6.2 What desistance pathways were and were not observed?

Interviews in this project were arranged via support centres or peer support networks, as official channels did not grant access to desisting probationers. Thus, it was not possible to directly research a pathway independent of non-governmental intervention. The methodology chapter sets out the specifics of who was interviewed and where. Here it is important to identify the specific pathways and organisations that were of relevance across my sample, and to indicate that all desistance-effecting structures and pathways were not captured in the data.

In documentation provided to me, there were the following officially recognised stakeholders in rehabilitation.¹⁰⁴ They were primarily bodies in the provision of ‘community correction’, either in desisting narratives or probation meso level interviews. The ‘Women’s Association for Rehabilitation Aid’ (WARA) is a volunteer organisation focused on child rearing support (no data was gained on this). ‘Co-operating Employers’ are private businesses that focus on facilitating independence by providing housing and income specifically for desisters (referenced a few times, noted below). The organisations which were explored in this research were the probation office (the official government staff), voluntary probation association (a collection of volunteers), the ‘Offender Rehabilitation and Self-reliance support home’ (an organisation that provides temporary housing), and ‘Big Brothers and Sisters’ (BBS) (youth volunteer groups that take on monitoring, befriending, supporting and enjoyment activities).¹⁰⁵ The two desister pathways in this chapter are in this last classification: ‘Rehabilitation aid associations’ are private organisations that perform varied aid and awareness building activities.

People from the adult centre are referred to as being on the ‘adult pathway’ (a total of 7) and called ‘adult desisters’, and people from the peer-support network (a total of 4) experienced juvenile criminal justice, leaving juvenile training schools prior to their desistance. This group are called ‘youth desisters’ and are referred to as being on a ‘youth pathway’.¹⁰⁶ All participants were adults at the time of interview. Due to the varied roles held by participants, quotes are labelled to describe which interview context a quote is from.

6.3 Section 1 - field site overview of the adult support centre (adult pathway)

It will be helpful to paint a picture of the field sites in this research so the reader can better understand how they shaped and interacted with participants’ lives and desistance efforts. This introduction provides an outline which the desisters’ own experiences will colour. The adult desisters in this research undertook their desistance process within a metropolitan area of the Tokyo region. The adult support centre provided desisters with a physical base for their desistance process. The multi-story building was situated off the side of a major traffic route and so was surrounded by businesses, shops, food places and the many conveniences one would expect within the dense infrastructure of a Tokyo city. The centre was situated among surrounding support infrastructure; other charities, state welfare programs (e.g. a psychological help centre) and religious congregations.

¹⁰⁴ An English summary publication that provides a basic overview of the sector - handed out to visitors and interested parties shown to me by a Kansai probation office.

¹⁰⁵ Capitalisation maintained from original.

¹⁰⁶ These findings are representative of a very specific experience in Japan, not all youth or adult desistance pathways.

The building had two major areas, a second-floor office space that had numerous computers, stacks of books, letters and an assortment of accumulated documents. The space reminded me of a messy teacher's office in an English secondary school. The ground floor was more of a workspace and was effectively a converted car garage with large machines, printers and conveniences (a sink, water dispenser and so on) set against exposed brickwork. The work room was designed around a massive table capable of seating over 20 people in a central area.

The second floor was the space within which the more trusted and senior staff managed business objectives, held small meetings and ran the external charity goals of outreach, commerce (selling small goods), donations, communication with business partners, replying to emails and the general management of the administration of the charity branch. My interviews took place in the manager's private office on this floor.

The first floor acted as the base for most of the volunteer activities. People from around the neighbourhood could easily walk into the first-floor area through raised shutters. This created a sense of 'community' as a revolving door of people entered throughout the day to assist the desisters with whatever task was their primary focus, e.g. event preparation, outreach flier production, meals, planning of activities or just simple conversation.

I was led to believe that there was a third floor which could provide hostel like housing for centre members if they lacked accommodation. I was not shown this area as they were in the midst of construction work.

The adult support centre did not give off the sense of a building and staff flush with cash. The décor, state of repair and general uncleanliness (messy rather than dirty) hinted at the business being down on the ropes and struggling to get by with a lower staff count than would be ideal (confirmed in interview later). Still, the space was inviting and welcoming and provided a sense of community to all those visiting. While sat in the first-floor workspace it was possible to hear passing cars, people outside and ambient noises such as birds chirping. The first floor provided a muted contrast that felt suited to efficient and professional business.

Overall, the design fostered community and conversation over isolation (with the exception of the manager's office). People on both floors could at any point stop their work to talk, gaze out of the window or get up and make a coffee. This relatively normal environment provided a sharp contrast to prison life and other criminal justice institutions my participants talked about. As noted in Chapter 5, looking out of a window in a Japanese prison, losing focus, talking or doing anything not prescribed by the prison staff would result in punishment, verbal abuse and a potential stay in solitary confinement. It was thus an ingrained habit that had a few of the former prisoners sat in a rigid posture, with unmoving gazes and silence as they worked while

volunteers conversed about business, other volunteer activities and various local happenings. I wonder what I would have seen with a longer period of ethnography within the organisation. In my short one week stay many people visited the centre, sometimes for something as simple as saying hello. This included previous centre members checking in with the new desisters at the venue.

In the case that centre participants did not wish to live in the building itself they benefited from the dense public transfer infrastructure in the Tokyo region that effectively eliminated the need for private transport. This same infrastructure provided mobility if centre activities required movement of members to event spaces. In the case that long distance travel was required the business had access to private transport to move members, for instance, to a charity event about prison experiences in a different prefecture.

The day-to-day activities of the centre focused on running the charity. People coming to the centre were not concerned with or focused on the 'status' of the people participating. Desisters at the centre were treated the same as the civil volunteers in the expectations and roles they played for the business. One might expect personal development programs, weekly/monthly meetings or some kind of progress tracker. And I asked these questions but found that this was not a major focus of the charity. One might assume that this lack was a failing of the business, that perhaps the lower staff count limited the possibility of supervision or guidance that could be found inside the more serious Japanese criminal justice agencies. However, there were assumptions in this environment about what a 'criminal' was and 'why' people did crime. As will become clearer over this chapter, participants and civil volunteers shared a view of people 'trapped' in offending cycles; the deck stacked against them to the extent that 'pro-social' life seemed like a dream. Consequently, centre members were seen as capable of integrating into the workflow and practice of charity ongoing – with exceptions made for those with diagnosed medical disabilities or conditions. There was no view within the charity that a 'change process' was needed to re-write conditioned or ingrained criminality. Therefore, while the on-paper name of the centre related to post conviction support, the 'desisters' simply *did* charity work – they did not *receive* charity work. Activities centred on communication to the government, public and other former prisoners that a 'pro-social life' should not be denied to former convicted criminals – diligent social commitment and work at the centre were a demonstration of this capability.

Participants at the centre were often former prisoners (but not always). The centre deliberately sought out (e.g. through advertisement in prison, online posts or word of mouth) people with issues related to housing, family support (e.g. a lack of family), stigmatisation in their current local area, or problems finding work. So it was generalist and saw many different types of

offenders, ages, and backgrounds. Attendance at the centre required signing an informal contract of work at the charity. Desisters would commit to 18 months of full-time work at the centre. In return the centre would provide housing, assistance with government income support (the government provided 'seikatsu hogo' life protection welfare), and eventually provide support looking for employment after their contract at the centre (e.g. acting as a reference). While technically not homeless, participants' lives during their period of 'employment' at the centre contained very little; they were effectively destitute, without wage (reliant on welfare or savings) and with a time burden to the charity. Still, attendance provided people with a stable period of primary desistance (a period free of offending).

The rules of the centre were relatively relaxed; with a good reason it was possible for people to miss workdays (e.g. gaining part time employment). Outside of working hours participants were free to wander the streets as they pleased – lacking the economic resources to do anything interesting. The centre existed outside of government oversight like most other post-incarceration support programs in Japan. Consequently, the 'risk' management of offending was not a concern of the centre.

In terms of desistance progress (beyond the primary desistance provided), it was left up to the participants themselves how they leveraged their situation into this community to achieve long term desistance. Resources existed that could be accessed; friends, volunteers, academics, events, employment opportunities and more will be detailed in the following paragraphs. However, these needed to be accessed informally and did not stem from any structuring effect of the centre. Over this chapter I will detail what I found out during my stay at the centre, and the interviews I conducted with the people running, working and living at the charity.

6.3.1 *Experiences of the adult support centre*

The adult centre was composed of people who had limited support options and had been drawn to a voluntary organisation that provided some hope of a crime free future. My observation during ethnography was of a people committed to a road that was harsh, unfair, and unforgiving. They were making a commitment that required 'endurance' of low status and poor life conditions. The centre required that people sign a contract to participate. It provided a desister with housing, work, life structure, and social belonging. The requirement was that they had to dedicate full time work hours to volunteer activities. In the Japanese tongue, *gaman* was a common talking point when they introduced me to their current desistance effort:

That's the thing, of course, you need perseverance (gaman); anyone, if you have it then the thing you need to do will get done, that is the end of it. It's the most important thing. So, it's really important to be patient with people you don't like. You have to be patient with your relationships with people. If

something happens to you, you will be punished [in general - not just during time in the centre], over and over again. I think... you have to put up with that in society as well. (Adult desister 6)

The interviewee went on to lament his lack of endurance in previous periods out of prison. He wanted me to understand that existence in society for ex-offenders was harsh. He described how people would look down on or abuse ex-offenders, and in general, how they were punished more harshly.¹⁰⁷ This was demonstrated generally in the demeanour of desisters at the centre. Their deference to non-offenders was apparent to me (academics, volunteers or random visitors, such as the mailman). A common theme of the interviews was a person realising what they needed to do to change their lives, and the endurance (*gaman*) required to obtain this change. Bottoms and Shapland (2011) note how offenders are required to take a 'pay cut' (p. 61) in the process of desisting - the direct financial consequence of entering the transition period where offending resources are cut off. There were several dimensions to this difficulty that emerged in the adult centre: loss of social status (by moving away from their delinquent groups); loss of economic benefits from crime; loss of time for their own interests; low/no employment quality. The below quotes demonstrate these points. Thus, the adult support centre could be considered a type of pay-cut, entering a location in which every person you interact with will know that you are a former offender (Bottoms and Shapland 2011).

The benefits were enormous for participants (especially those facing homelessness on release, or on the verge of being cast out by family); this or a dedicated housing centre nearby could act as a designated 'return-point' for participants while they completed volunteer activities at the centre. This is important because a designated return point means that a person can leave prison, and is more likely to gain parole and complete their sentence in society. A lack of any such return point was indicated by probation staff and desisters to mean that a person would most likely serve their entire sentence in prison. (Return points are explained in detail later in the probation section)

6.3.2 Little money and living in fear

The lives of everyone interviewed who was on the adult pathway entailed financial destitution. This was because the motivation most participants had for attendance at the adult centre was a lack of support or housing, which the centre provided. An important aspect of this support centre practically, perhaps the most critical outside of temporary housing and providing a designated return point, was assistance in qualifying for, and then also helping to complete,

¹⁰⁷ Here there was a hierarchical dynamic to the way desisters were experiencing their lives. Their low status made it hard for them to resist poor treatment, or for people to consider their perspective valid in a conflict.

an application for the daily life protection fund (*seikatsu hogo*). In terms of desistance, this fund was reported to me as being of fundamental importance, allowing the desister to cover the absolute bare minimum of expenses for living, and thus not be forced into destitution and true homelessness. Still, the standard of living for people at the centre was extremely low, with hours spent wandering the street during free time (from the interview of the below participant), lack of funds for any meaningful activities, and the need to incorporate food banks and donations of clothing into their daily lives. But receiving the fund provided a small platform on which endurance with hope of a better future was possible. A hope that was underscored by stress. Observations from participants indicated that this was often a point of failure in the desistance process:

*[Melancholic laughter] the amount is not enough.*¹⁰⁸ (Adult desister 1)

This quote came after the participant's description of their daily life after emerging from prison and entering the volunteer centre. He explained to me how after participation in the centre's activities he would wander aimlessly, unable to build a life, pursue interests or find stable housing. Adult desister 1 expressed feeling as though normal society was not suited to them, he had no hobbies or interests, and generally seemed apathetic towards engaging in life's joys.¹⁰⁹ This sentiment was shared, albeit to a lesser extent, in the other participants' view of their lives. On the spectrum of happiness this participant had a notably poor outlook. He had no structures in his life outside of the support centre, few friends, no interests, no job, and one mentor of note. He seemed to experience his currently low status existence as a distinctly deserving status. He had internalised responsibility for his actions such that he could not see the offending behaviour as within his control. An English idiom is to shame the action not the person.¹¹⁰ In contrast here, shaming of the offender had occurred systemically: via family, via the state, and within himself. He indicated to me that he had diagnosed mental health issues.¹¹¹ It is at this point important to stress an element of these findings: they relate to individual level desistance processes. Adult desister 1 exemplified the relevance of personal context in how desistance will be experienced. While the conditions of the adult support centre were harsh for all centre attendees, these conditions interacted with participants' context such that there were very distinct experiences of these conditions. Being a sex offender, his rejection and shaming was amplified. Some context is needed for the next point. Participants (staff and desisters) indicated to me that prison for many represented a better standard of living with at

¹⁰⁸ This desister was the one participant who identified themselves as being on (*Kinkyuu hogo*) 'emergency probation'. They reported no notable financial support from participation in this system.

¹⁰⁹ A quote later in this chapter from this participant indicated that they wanted to go back to prison.

¹¹⁰ This concept is used in restorative justice literature and practice (Braithwaite 1989).

¹¹¹ The participant was in a good state mentally during interviews.

least minimum guarantees of safety, food, *health-care*, clothing, work-life and housing.¹¹² Thus, Adult desister 1 indicated a strong desire to go back. However, they represented a key beneficiary of the all-encompassing support provided by the centre. Activities there provided full time work hours of structured time to maintain their desistance. His activities were the same as all other centre members, however, his status as a 'sex-offender', self-diagnosed as mentally ill, with broken family dynamics made his experience at the centre less pleasant and desistance far harsher.

6.3.3 *Shared suffering and informal social support*

The conditions around the centre gave the desisting participants insight into their 'feared selves' on a daily basis (Paternoster and Bushway 2009). Participants would see other ex-offenders going back to prison in their area, and this was a common talking point. In my single week at the centre, I witnessed first-hand the impact that such an event had on the mood. A former member of the centre was caught for theft and sentenced to a period in prison. To provide a descriptive parallel, it was like a family member dying. Members of the centre collectively went to the court in shared silence. But from another perspective, this was a positive: the centre was a place of social belonging. However, not all interview participants seemed to recognise this. The centre provided structured activities that were completed with volunteers, often from the local faith centre or volunteer groups. These were relatively simple tasks such as creating pamphlets that could be completed by all skill levels, and this provided an opportunity for conversation.

Research observation: a group of eight people sit around a table as a woman from the local church talks about a relatively mundane topic. The desisters and peer-supporters and volunteers are all completing the same tasks. They listen and talk with each other. Over the day, conversation goes on at the centre as volunteers and service users come and go. It gets to lunch, and food is ordered; everyone at the centre eats together. This continues for the entire day. People congratulate each other on another day of hard work as they make their way to whatever plans they have for the evening.

The people at the centre were able to develop a social network which in the long term facilitated reflective conversations about the past, present and future. Staff indicated that they would often play counselling roles. In addition, peer-support relations allowed for candid conversation about past experiences:

¹¹² Please note that part of this finding 'no money and living in fear' stems from observation of ongoing at the centre and informal conversations.

I received Mika's [volunteer pseudonym] advice and various reprimands and things like that, yes, including reprimands. (Adult desister 1)

It needs to be stressed, however, that the lack of professional assistance in these conversations and the environmental design created issues. Shouting, anger and hierarchy informed the nature of conversations at times; participants saw parallels with prison experiences. The support centre did not have strong financial or governmental backing. The lack of funding was particularly problematic when desisters faced mental/physical health challenges, and it inhibited the creation of additional activities for the service users:

What do I want to see changed? Let's see. I'd like to see people make more time to talk about returning to society, or instead of doing the volunteer work here all the time, they could be here two or three times a week and then out somewhere else two times a week. That kind of thing. That's the kind of thing I would like to see change. Yes, and also... I'd like to have outside experts come to the centre and work on such things [mental health, employment, living advice, listening - based on earlier comments]. I think it would be good if we could have that kind of programme. That's what I would like to see changed. What do I not want to see changed? Nothing. I want to see a change in the people here.¹¹³ (Staff-role, adult desister 7)

The support in the centre did not directly provide help accessing pro-social features of wider society, so desisters needed to find their own place outside the centre. However, during the staff interviews it was clear that members of the centre who managed to gain good standing with the volunteers had some support, as the volunteers would leverage their social capital in other support networks/organisations to facilitate specialist assistance such as mental health support or housing applications. In addition, they sometimes used their own funds or transport to provide assistance (field note). The same participant then explained the centre:

Adam: The problems people have, what is this place doing?

I mean, for who comes here, who comes to the centre... So, comparatively speaking, the people who come here are people who can't go back to their parents' homes, or rather, they don't have contact with their families. So, comparatively speaking, people who come don't have any place to go. That's why I think... I don't know. Of the people that have attended, I am the best among them [the desisters]. So, comparatively speaking, of course I try not

¹¹³ The focus on maintaining the business of the charity provided little time for meta reflections on what could be changed and how to have positive long-term impacts.

to oppose them [other centre managers], but... How should I put it? They speak up quite strictly. They say things like, 'What are you doing?' or 'Why are you late?' The seniors say to others that they 'should clean their rooms already, because a messy room is a messy mind.' I don't really say things like that. I was quite strict at times, but I do this when it is needed. But when I work with them on site... How should I put it? I don't know how to say it, but when I'm on site with them, they all try to get rid of me, but if I don't do it, it won't get done. Also yes, it's the same work for everyone, the level of pain is the same. I don't know how to put it. (Staff-role, adult desister 7)

The participant here was expressing frustration in the adult centre environment. The general focus of the centre was on the activities rather than the volunteers themselves. I asked at one point if they kept track of progress or had reviews, and the response was that there was not really time for that kind of intensive support. They continued this discussion later, only this time focusing on the types of people who become staff in the centre:

[continued] Should I say that everyone is saying the wrong things? In the end, they are all [including the leaders] people who have never worked for a big company, they don't have any social common sense. Like, when they get on the train, they sit like this [a rude wide stance¹¹⁴], and I wonder if they will kick off their shoes ... how did they decide to get on the train like that?

I've talked to the leaders here about this, they say I'm like an old man, that I'm just saying annoying words. It's important for them to be here - after all, not being here is the same as not being in society. But you are not in contact with [wider] society. We all have the same wounds, so there is no recovery. We work here as volunteers from hour to hour. We may be able to learn about the rules and the proper way of life here, but yes. In such a situation, we also all have to go out into society from now on. Once the job training period is over, I do not hesitate to nag them in various ways to prepare them for that time. (Staff-role, adult desister 7)

In this interview a senior peer supporter at the centre reflected on the general regime, and tried to relate to me what the centre was attempting to achieve. The interviewee here had a unique perspective as they came from a background of privilege and success. So, their

¹¹⁴ Sitting with wide legs in a train is considered very rude, and in my time in Japan I very rarely saw people doing this; even on empty trains.

perspective was informed by a comparative position with knowledge of behavioural expectations in wider company or pro-social spaces. In reflection on the centre, his primary point of concern was the limited social skills of those who came, and the inability of this centre to provide templates of good behaviour due to their isolation from many aspects of the mainstream social world. The main data points that confirmed this perspective were my observation of the management structure and the concern non staff volunteers had for the centre ongoings:

I feel sort of sorry for the people coming here, it says you will do some pretty good things. But I'm starting to wonder if they do it at all. They say something like they're going to support people into work, but they don't support people into work at all. If you can't get a job, you can't get a living. (Volunteer staff interview¹¹⁵)

The volunteer was not particularly harsh about the centre overall, and they just highlighted that progression in the context of the centre was not a priority. Ironically, in my observation the volunteers seeing the lack of progression in desistance would then attempt to address the problem themselves. For example, the above participant would informally pull people aside and point out or explain their failure to 'read the room' or behave like a socially apt person.

So, participants received no structured help within the centre activities towards sustained desistance (employment, job application support, and so on). Activities focused mainly on the centre activities, and giving the people at the centre a sense of stability, social life and 'job-experience'. However, this approach was not necessarily detrimental to their desistance process, as will become clearer over the next few chapters. In this example, informal connection between peers generated an opportunity for shared learning.

6.3.4 Desisting stigma in the family

The reason for attendance at the centre was often a lack of family support after prison. The application process for admission to the centre would often start in prison, when volunteers would correspond with inmates. Participation at the centre also came via contact post release - seeing the centre's website or via word of mouth across volunteer staff sites (e.g. a food bank). A common thread from all the people at the centre, even permanent staff, was that their family either did not exist or had collapsed at some point in a person's offending career.

It is helpful to go over this historical context, as this aids in understanding the adult desisters' experience of the centre. One case in the research involved a one-off offence caused by extreme economic strain by Covid-related job loss. This resulted in a suspended prison term

¹¹⁵ Participant numbering intentionally omitted.

for the individual, but their experience is illustrative of the effect of becoming a known offender and the practical barriers to pro-social life this causes. Particularly here, family dynamics were deeply affected:

I was living alone in Tokyo until my offence, but I went back to my parents' house. And now that I was back home: 'what are you going to do now?' I tried to work, but. Well, I thought that in order to live at home, there was a possibility that my neighbours might find out that I had committed a crime. I decided that I could not go on living at home because it would cause trouble for my family, so I moved back to Tokyo where I had lived before. I thought I would try to live on my own while finding a job. But so soon after I was involved in a criminal case, I was not in a situation where I could find a job right away, and I didn't have any money. So, I couldn't live alone and rent a room or anything like that. Well, I had to go to work and get support from a place that supports ex-convicts in various ways. I decided that I could not live without such support. Yes, I looked for such support on the Internet. So, I looked, but I couldn't find that many places. Well, here was the only place I could find on the Internet. Then I contacted them, yes, I did. (Adult desister 3)

Family support did not exist for any of the 7 interviewed participants in their return to society after prison (5 of the 7 losing contact completely). Past research in Japan indicates that families whose kin become a known offender will be shunned and shamed in the community. Kita's (2018) work far more concretely demonstrates these principles from the perspective of the family (see Chapter 2) – while people are associating with a known criminal there are indications that they absorb a level of responsibility for how they are orientating to that person. Thus, there was a culture of abandonment in reaction to prison cited to me by people at the adult centre. At one point I was tempted to call this 'labelling', but the mechanics and thought processes behind family reaction raises more questions than they answer. People do not just become criminals and internalise this 'label', then come to be seen as criminal by their family and are stigmatised (see Chapter 2 discussion of Lemert 1951). A more delicate and intricate layered system of mechanics is at play as social-groups interact. In this case, the family is stigmatised by the community, and this affected the desister's relational support system. However, they were also subject to stigma from the family and the community; a compounded stigma to both the individual and their relational network. For the other adult desisters, the consequence was rejection; support staff interviews set out this desisting reality in fairly blunt terms:

*People in prison [are] abandoned by their families. Well, they have nowhere to go back to. There is no way to change them, and even if they are the prime minister, they are just thrown out. Well, there is a high probability of reoffending. They have nowhere to go, they have no money.*¹¹⁶ (Adult desister 1)

At the adult centre, the consequence of collective moral responsibility seemed to be negative and desistance was made much more difficult. It is worth remembering how biased this centre was by the types of desisters it was exposed to; actively searching for and drawing in people without families that have abandoned, abused or been absent for the desister. At the adult centre 'family' in the 'blood' sense was a dirty word. In one case, a participant had such an extreme level of disdain for their 'family' I was certain he would spit on the floor - he definitively ended that topic with suppressed fury.

I talked about group responsibility (collectivistic morality) with my participants from the academic sector. When the conversation steered towards shared responsibility, there was observation about an increased likelihood of groups being blamed for an individual's actions. The goal of our conversation was to explore how such a concept might relate to the desistance process:

Adam: I was just wondering whether you've come across this phenomenon yourself having existed in both places, whether you think that this is the case and can be the case in both places?

Expert: Well sure yeah I think that's exactly the case, I mean well in that it is because in the questions of the crime, you know, when the son commits a crime... especially a heinous or serious crime... you know normally in many individual countries, e.g. in the UK, probably only the son who committed the crime will be accused or blamed. But in Japan the parents are also accused, and not only the parent, probably relatives or, I don't know, maybe their friends or someone who has connections with the perpetrator [and this] has a negative impact because you know, they are kind of considered a group, and because part of the group committed a crime, did something wrong that impacted society, so the group itself is labelled as you know 'outsiders' or [they] get negative labelling. (Academic interview 11)

¹¹⁶ The prime minister is a reference to the tendency of society to react harshly to those arrested in Japan - independent of status.

The academic interviews allowed for a more meta-orientated conversation; given inherent understandings of the research process. This meant that we could evaluate a questioning approach. What was identified was a limitation in interviewee knowledge related to their own culture. For example, a Japanese academic not specifically working on cultural study of their own country might not have a comparative frame of reference. An offender will be even less capable of explaining their own or other actions. Thus, the ethnographic component of this research was very helpful as it allowed me to see cultural mechanisms in practice. And in interview it was possible to observe group responsibility across participants in the study without a direct question by considering family reactions to offending. Of the 7 adult centre participants, 2 of 7 maintained their family connection, and 3 of 4 in the youth sample.¹¹⁷

6.3.5 *How desisters were perceived*

Moving onto a different topic within the theme of stigma, it is helpful to explain a mechanism of desistance progress at the adult centre; communicating to people a 'readiness' for pro-social life as a 'criminal'. A theme that emerged in the post-conviction life of participants was the need to demonstrate a 'desisting ethos' and behave in a way that was expected for someone in their position. This demonstration was important for creating effective relationships in the centre, in criminal justice settings and during outside events where the status of the desister was known. This finding emerged from desisters in reflections and through the stories of staff at the centre:

*I think this is the case. I've been told that there is a day when those who are in prison are allowed to buy sweets, to do this you need to use your own money. But the people that are determined, they don't buy the sweets and save their money. So, these people that spend their money are told that they aren't ready to go back to society.*¹¹⁸ (Adult support centre, volunteer interview 2)

Evident in this quote is the kind of sub-textual communication that was needed to demonstrate a commitment to change. What is interesting, is that desisters needed to demonstrate readiness for support before awareness of such support was even possible. Here, the volunteer perceived that opportunity for post service support was denied to inmates that did not diligently save all their prison earnings (show restraint). In another example, one

¹¹⁷ Within this thesis communicating family responsibility with the theoretical depth it demands is difficult; it would involve going through each participant's narrative with that explicit focus. Additionally, the research design had limited insight into family dynamics. However, it was obvious that the dynamics of family, community, and criminal justice were important as they affected participants' desistance.

¹¹⁸ Prison and probation staff (including voluntary probation officers) will conduct assessments of parole suitability, or suitability for a support scheme (e.g. housing or work).

participant was enlisted onto a government housing scheme, and he was accepted due to perceived good behaviour by one staff member. It is illustrative of the personal dimension of assessment in receiving support:

So well, my time in prison was finally coming to an end, I didn't think it was going to go well after that. But then my father [my nickname], who is a prison guard, told me that there was a probation facility. I called him my father, he said, 'Here's the thing,' and asked me if I wanted to go on special probation. I said that if it was okay, I would like to go. I told him to apply, and he did. It took a month or so. I got it in, and I thought, 'Oh, that's good.' Everyone was surprised! I thought it was really good, but I was surprised because at first I thought I wouldn't get it at all. Everyone else didn't have anything [acceptance to the scheme] after about a year. Even after 3 or 4 years some people didn't even get it, not at all. (Adult desister 6)

There was an anticipation that prisoners and convicts would be required to debase and supplicate themselves to authority in the reform process. Adult desister 6 relayed both deference and deep gratitude to the prison officer by referring to them as a 'father'. Note that use of names in Japan has significant weight and requires careful deliberation. Visually this might appear odd to an English observer, but in the tone and facial expressions of the participant I could see that this person represented a very significant and meaningful relationship, and they were deeply grateful. So, he needed to ignore relevant context such as his status as victim, economic deprivation and previous lack of support. Instead, he embraced a lower status when negotiating his desistance.

Consider the following quote, the centre leader is lamenting the lack of understanding in society - that people do not think about how offending behaviour has logical motivations and mitigating context:

Well, of course, I think that the person who committed the crime should take a hard look at what he or she has done, and change, or rather, the person should repent and do the right thing, such as making amends or reflecting on what he or she has done. But more than that, I think it should be the victims to be the ones to do so. Simply put, we should not only ask the offender to do this or that. I think that society as a whole should be more tolerant and accepting of offending people. From the standpoint that they are all human beings. You know what? I think for people it is possible to imagine being a victim. I think people in society in general can imagine being a victim. I don't think there is anyone who has ever imagined being the perpetrator of

a car accident or any other incident. In reality, however, there is a possibility that you could suddenly become a perpetrator for some reason or another. If people in society think about this more, they will be more likely to think about the possibility of becoming a perpetrator. The most important thing is not just to ask the prisoner to be sorry, but to find out the cause of why he/she committed the crime. There must be some reason, and I don't want to say 'understanding', but I would say 'listening'. I think there are various factors, such as intellectual, developmental, mental, and [drug/sex/theft/power/etc] dependency factors. However, I do not intend to justify all of them. I do not intend to defend the perpetrators at all. It's just that I think there are people who commit crimes because they are trapped in such a situation. If we can make the society more aware of such people, rather than being indifferent to them, it will probably lead to the prevention of recidivism because of our tolerant society. (Adult desister 5)

In this quote one can see a participant reflecting on what society asks of himself and the many people he has helped over the years. The consequence of this perception: extreme punishments and expectations for 'criminals'. This punishment was a topic brought up during informal conversations with staff and desisters. In these conversations we discussed centre activities and perceptions of desisters more widely in society. There were themes of an uncaring general public that viewed criminals without any potential for reform. Additionally, there was the perception of a criminal justice system that did not see desisters as people. The centre dialogue was that experiences within wider society lacked empathy and care. The perspective of the centre was a vision into the lives of people that had slipped through the criminal justice system's *supposedly* more effective support programs (see Chapter 5). So, these findings are biased by a very focused exposure to harsh desistance experiences.

The perspective of volunteer staff during interviews helps to explain how these perceptive conditions shaped the experience of desisters. The opinions of the volunteer staff were that desisters seemed to be set up to fail. Their vision extended beyond the centre and into their activities in the wider community, where large homeless populations were stuck in cycles of offending and incarceration:

That's why quite a lot of people go back, you know? It's said that half of the people who were out go back [to prison]. So they end up thinking it's easier [prison is easier]. If people come out thinking that they were better protected from food needs and suffering in prison, then there is no point in prison at all. (Adult support centre, volunteer interview 2)

The concerns of this voluntary staff member underlined the conditions as they were experienced by prison leavers, which were extremely unforgiving to the extent that for many of them prison represented a safer place with food, shelter, and some semblance of normal life. This echoed the sentiment of desisters at the centre. The above staff member's view was that people offended knowing they would eventually be sent back into an environment that guarantees safety, food, housing, and medical care. There was clear frustration on the volunteer's face as she explained how prisoners on release were given very little money for their employment during their incarceration (50,000 yen, approximately 260 pounds¹¹⁹). She explained that a large cost for these people was returning to their place of former residence, which could result in costs of up to half the money they had earned during prison work.¹²⁰ I was told about how people immediately find themselves living in internet cafes (closet like spaces not designed for a long-term stay) or on the streets. She lamented that criminals were considered a dangerous and not vulnerable group, and how this perception imposed a very difficult reform process.

The perception of the civil volunteers at the centre was different and can be seen in what they hoped to achieve in their work. From their perspective, people coming to the centre had strong distrust of the system and society. A lifetime volunteer noted this when she explained what made some of the service users more successful than others. This was echoed independently by another volunteer at the centre:

Adam: Why were the people here successful?

They were able to trust. Being able to trust is something, you have to realise that variety in people. It's really amazing. It's not that everyone is broken, but that there are people like this [that are not able to trust]. (Adult support centre, volunteer interview 3)

Well, well, what exactly? Coming here they get a place to live or, you know it helps with the procedure to get welfare. After, the result is security, trust and bonding. (Adult support centre, volunteer interview 4)

So, these volunteers saw a need to develop a sense of safety and family for the service users. While they acknowledged that the people coming to centres did so most likely due to practical considerations, over time the provision of key life necessities and some level of emotional

¹¹⁹ The timeframe of these earnings was not mentioned.

¹²⁰ This concern was directly echoed by probation staff during their interviews; discussed in the next chapter.

support was thought to *create* (not return) a level of societal trust that did not exist in their past lives. The life history of criminal justice service users was an experience of society that did not see the desister and their struggles - undiagnosed mental health issues, limited/no/abusive family, or state ignorance of their contextual motivation for offending (e.g. no provision of support for drug taking). The observation of the staff was of people who had an inherent distrust in social institutions. This distrust can be seen in other quotes in this chapter. The goal of the volunteers was thus to give trust freely. Their seeing the centre acting as a bridge to connect people sensitive to desister positionality was a significant deviation and very different perspective.

It is worth also noting here how religion (Protestantism and Catholicism) to varying degrees acted as direct or indirect motivation for the volunteer workers at the centres and community spaces. Desistance is thought to require not only a resolution to not offend, but also a commitment to that resolution that will be sustained over the trials that are endured (Bottoms and Shapland 2011). The role of religion informed the direction for some of those at the centre and acted as a premise for some of the volunteering.¹²¹ For the desisters themselves, becoming religious was less important than the general direction indicated in primary or secondary teachings of the doctrine:

You know before [reading the Bible], when I honestly didn't know... I thought I could do everything by myself. But there was nothing there - no foundation in the past. But now that I think about it, my condition then was sort of floaty [uneasy]. Now that the [ideological and social] foundation is in place, I don't have that same sense of uneasiness ... (Adult desister 4)

Participation in church groups and their network gave a new community to desisters: *if* they searched for such a community.

6.3.6 *Knowing why you offend and avoiding it*

This next topic moves the discussion from context to practical objectives, by discussing what people at the centre thought was the 'problem' and how they could address this; successfully desist. Experienced peer supporters at the voluntary centre felt it was key for a desister to have self-insight about their circumstances in order to understand what changes would be required to move their life forwards:

¹²¹ Religion was relevant to two leaders of the centre, all 4-volunteer staff interviewed, and the other volunteers at the centre who were not interviewed. There was also one other instance of admission via a church group.

Adam: So I'd like to talk about your experience with other people at your centre. And ask what you think makes a successful desister and what makes an unsuccessful desister?

Those who aren't honest with themselves, yes, they end up going back to jail. For example, lying, or making oneself look good. Even people with high ideals and a great deal of hope are still going to leave and be ruined. (Senior peer support role, adult desister 4)

Here a participant is discussing the people who he has helped. An ability to cultivate a self-image that accurately captures past failings and honestly reflects current shortcomings was seen to be important for long term success. In practice, I saw this in participants' reflection on past centre conversations; in these they explained realisations about what drove their offending and allowed for the type of desisting process that would result in useful changes. In a centre that dealt with drug use, sex offending, kleptomania, financial theft, gang participation, fraud and so on, it was more obvious that non-standardised approaches and reflections needed to be incorporated.

As discussed, people at the centre engaged together in a period free from offending need and motivation. Planning for the future was something that occurred via informal conversations over a person's stay. It is important to stress that people at the centre were relatively realistic about how hard it would be to get to a stable pro-social stage of life. Planning needed to be realistic, and this hints towards a later discussion in this chapter; positivity in the desisting process, commitment, and persistence to a new life, were often met with suffering and disappointment. So while there was a practical dimension to desistance, a part of the planning phase was a person coming to realise they needed to endure (this endurance '*gaman*' was almost like a mantra for participants). We have already discussed the endurance of stigma, but this endurance had more practically minded points too. A part of this endurance involved developing self-control related to impulses, friends, and activities that would lead to offending. This topic arose in response to the question to desisters:

Adam: What was important for you in moving out of crime?

First of all, why did I commit this crime? I would thoroughly ask myself why I did this crime and what I did. And why? Then, I thought about all kinds of things, and I was able to think about them. The point is whether we can simply fix it. In other words, if you can easily fix it, you won't commit crimes. So, when I first came out, the first thing I did was not drink alcohol! And not go to dangerous places. I made it a rule not to go to dangerous places. I'm

a person drawn to crime. I'm a dangerous person, an unsafe person, but if I understand myself ... So I have to meet people who are not dangerous. I think you can become friends, and live and survive in a less dangerous place, however you want to put it. (Adult desister 5)

Well, that is... Relationships. If you have a bad relationship, you'll have a bad day, and if you involve yourself with a bad person, you'll easily fall back into crime, won't you? (Adult desister 5)

Here we can see that a part of effective desistance was thought to come from realising what acted as a trigger for criminal activity and a consequent commitment to behaviour that would not provide temptation to offend. There were elements of Japanese culture in the triggers that were cited during the interview, including cabaret clubs or the very close drinking environment of the Japanese *izakaya* (night-time bar).

6.4 Section 2 - Field site overview of the youth network (youth pathway)

The second 'field site' was not a physical location, but a network of people who had experienced the juvenile justice system. At least, that was the primary 'type' of person in the network as (to my knowledge) there were no hard rules about who could participate. The network operated across Japan connecting people across prefectural boundaries (in the UK, for example, it might connect Yorkshire and greater London) at its highest levels of operation.

High level staff (long term desisters) and supporters of the charity (former probation officers, voluntary probation officers or academics) engaged to plan and effect outreach, advocacy and expansion. The organisation perceived a myriad of mis-conceptions and hostility towards 'delinquents' in society. The organisation's objective was to provide a safe and stable social foundation for people to attempt a transition away from delinquent sub-cultures and negative influences. The organisation was tuned towards people in patterns of social offending; gang membership, youth subculture and/or destructive family influences. The high-level goal of the advocacy was centred around communicating the need to support young people out of offending; to the young people directly in prison, via information packets, in conversation with government and via directing information towards the general public. But the charity also had the internal goal of providing this support directly for members who join the organisation.

It is helpful at this point to paint a picture of what members at this organisation came from to understand what they were attempting to create as an alternative. Imagining Japan tends to produce in one's mind a quite social event with people talking politely in formal dress: a culture of polite people that do not engage with violence, avoid conflict and meet the expectations of any environment they enter. To understand this social network it is important to shatter that image. Youth desisters in this research were previously embedded into delinquent youth cultures. In metropolitan areas it was not uncommon to see young people gathering in designated spots. In these environments people meet with friends, mix across social groups and 'hang out'. In England, I have very vivid memories of football 'hooligans' screaming chants in Sheffield's normally peaceful train station. While not quite that loud and abrasive there are parallels to the effect these groups of people had. Japanese adults did not see this sub-culture as illegal inherently. But there was a dangerous edge that made surrounding members of the public just slightly uncomfortable (perhaps very uncomfortable depending on proximity). Consequently, the youth network was centred on re-orientating people away from social groups with negative effects. These assumptions of what causes criminality will become increasingly apparent as we progress through the chapter.

The way that the network looked to impact its members related to this assumption of what was driving criminality. Very simply, the network had various prefectural and local managers who

ran bodies of the organisation. These managers would lead in person events such as meals or meetings. My time in the group showed me a network of people that wanted friends and a safe place to make connections on a person-to-person level. The way the group influenced its members was highly varied. Senior members of the organisation understood as successful would guide and support newer members through early desistance processes. The organisation acted as a network to share information. So the guidance could be personal, mentoring on person-specific family dynamics or practical guidance, for example, job opportunities, local programs designed to support young offenders post incarceration, or mental health charities. Consequently, the significance of the social network to any member would vary with their level of commitment to the group and the members of any given branch.

An image of one of these events might help; imagine a group of 20 people, some well-dressed and others in the current fashions – of varying ages, genders and dispositions. People stand in small groups conversing and laughing. The atmosphere is like a party. There is a sense of gratitude at the event; members of the gathering smiling with a family they *chose* and earned. The picture could be described as joyful, sincere and honest.

Overall, the goal of the organisation was very simple, its objective was to connect like-minded people that had had another chance at society and wanted to create that chance for others. There are several important cultural premises that functioned to orient the structure and operations of the social network. These will be clarified over this and with following descriptions. But is helpful to state one simply and clearly now. The wider public was seen as hostile to ‘former criminals’. Members of the network did not see it as a realistic possibility to wear their former criminality as a badge, like a ‘wounded healer’ might do in the English and Welsh probation service. Thus, the group was seen as a haven where people could gather and share honestly.

6.4.1 Escaping into delinquent subculture

The next source of data stemmed from interviews with adults who had desisted after coming through the juvenile justice system; either a juvenile training school or juvenile prison. These are presented as four case studies which illustrate various desistance mechanisms for each participant, but did not share the more homogenised lifestyle that was experienced due to the large structuring effect of placement at the adult support centre.¹²² The interviews included both conversations about the participants’ own desistance and their experiences as peers in the network. I have attempted to allow my participants the opportunity to convey their

¹²² Please note that it would have been possible to conduct more interviews if not for the effects of Covid.

experience (via long quotes), thus, limiting imposing my own understanding of 'what desistance is and what desistance requires'.

Explaining how these people exited from offending requires some overview of what offending meant to them. Interviews indicated that participants acquired a social reality outside of standard social spaces when offending. This reality was the result of gaining access to a delinquent social group that provided an alternative ideological construction of society - a subculture premised on socialisation which permitted, enabled, and was (at times) premised on offending behaviour. This place circumvented the controlling authority of the community and family, as these delinquents were able to reorient their lives and living conditions towards their subculture's resources and away from institutions where (from their perspective) they failed. The premise of these groups was related to familial absences and breakdown of trust in wider society (trauma and abuse):

The reason I started delinquent behaviour was that I have older brothers, and they were very good at studying, and I was a dropout and couldn't study. I couldn't study because I was a dropout. And then I started to ... I was so happy when I joined the group. It became a place of being for me...

So, my two older brothers succeeded in their entrance examinations, and I failed? Well, as for why I started a new chapter, even though I became a delinquent and hit rock bottom, my family never gave up on me. They never gave up on me... which was a big factor. (Youth desister 1¹²³)

It needs to be made clear here that a key aspect of early offending for these individuals was fun. People enjoyed participation in these subcultures. The same interviewee continued their explanation:

I'm going to continue to talk about it, but back then it was, let's see, motorbikes and so on. What was it? I was interested in the culture of delinquents and things like that. I wanted to stand out and be popular, that was the main reason. (Youth desister 1)

What can be seen in this quote is the simple observation that participation in a delinquent subculture provided a place to have fun, make friends and gain success socially. During the interview when reflecting on these activities over ten years later, there was visible disappointment and frustration. He stated that these were memories of joy and freedom based on finding a place of belonging after many years of having a sense of isolation in society. He

¹²³ 'Youth desister' is used to refer to the people who desisted after going through the juvenile criminal justice system.

had managed to escape a family dynamic that based self-worth on academic and career success. Japan's pressurised society was a major theme when attempting to understand the school-employment dynamics in Japan during the academic stage of the interviews, and that was apparent here.

A senior peer supporter illustrated a structural mechanism of delinquent subcultures in Tokyo that she observed over her time talking with delinquents in juvenile centres and during her peer-support network activities (visiting juvenile training prisons):

[suburb name] is one of the downtown areas of Shinjuku, and recently there are many young people around, in their early 20's, they gather because they feel lonely in their family or in their school, and sometimes they have a history of being abused by their family or not doing well in their job. (Peer-support role, youth desister 2)

In this example, the participant is describing a designated space where young people can gather and socialise – only this space has a dangerous edge. I personally observed many such 'spots' across metropolitan areas of Japan. The point to stress here is that delinquent subculture provided to participants a value they were not getting from participation in the 'standard' structures offered to them in school or family networking opportunities. And that the organisation of people in their new networks was robust and 'culturally established'. There was a counter cultural element to delinquent participation in Japan; participants were not pleased with their experience with the social structure of life in Japan and seemed to perceive this dissatisfaction when looking out over the world. The exact circumstance has a lot of variety which will become more apparent as I move through their experiences.

Youth desister 3 – a pathway into and out of crime

The case of youth desister 3 provides insight into a few different factors that gave shape to a single desistance process in the Japanese context. Additionally, by looking at their experience in more depth it is possible to gain insight into the multiplication of contextual dynamics that informed their transition to non-offending life. He experienced more of a push and pull. From the age of 12 he had intermittent contact with criminal justice agents which eventually led to a year in a juvenile prison as a young adult.¹²⁴ His explanation of how he moved away from crime revolved around his delinquent social groups:

¹²⁴ Juvenile prisons are more serious facilities in Japan, compared to training schools, but it was not clear that is what the participant meant, as they demonstrated no awareness of the different types of facilities.

So, I changed the weather, I live in a different place now, but my hometown is [place name], and I've been doing bad things in my hometown for a long time, and that's the kind of relationship I had. There were a lot of bad relationships there, so if I stayed in my hometown ... I felt that I couldn't change if I stayed, so I was introduced to an organisation in this new place that supports juvenile delinquents, and I think that's the biggest reason why I came to the new town.

I heard that they were supporting juvenile delinquents there, and I was really impressed by that, and I thought that if I stayed in my current place the bad relationship would continue. Yeah, and then I heard that story - they were voluntarily providing meals, and that gave me the courage ... or the courage to run away at least.

Before discussing this participant's exit, I want to stress what drew them to offending and set out his home-town environment. His case illustrates a 'pervasive-potential' for the delinquent subculture to draw people away from family and introduce them into the hierarchy of a gang.¹²⁵ This was also the case for another five of the interviewed desisters (3 youths and 2 adults). Gangs provided direction in lifestyle, housing or accommodation, substantial social networks, social capital based on delinquent anti-social values, and economic criminal infrastructure.

One thing I want to stress is how his social environment changed slowly over a long period of time without the youth desister 3 really 'noticing': the social space subsuming/changing aspects of his life and orientation:

Rather than being involved in that [criminal] way at first, we were originally classmates from primary and junior high school, and then we started going out together. I was not so much involved in the group at first. It was originally a classmate of mine in primary and junior high school, and I started to ride with the group, but at first I was not so much invited to join the group. I was out doing things on my own, but as I got older, I became a member of a motorcycle gang or some kind of group. As I became a member of that group, rather than the direction of just my friends and peers, there was someone above them who was like an enforcer, and when the will of that kind of person exists, it goes in the group, what did that mean? [you might be thinking] Well, when I wanted to quit going out, it wasn't something I could easily do, and I was told by my superiors that I should do this or that. I was told to do this or

¹²⁵ An informal social network of a varying number of people with delinquent practices and dynamics.

that by my boss, which was a change. It's like I'm being told by my superiors to do this or that, so it was hard to stop.

The controlling aspect of the social organisation was significant for this participant's desistance.

Some more context was that he lacked of family support (a distinction from the other three youth desisters):

You know... after I became a delinquent, my family started to distance themselves from me. Well, they didn't want me to come back home either. I didn't really like them afterwards. I didn't go home very often and stayed over at my friends' houses, so after I started misbehaving, the relationship itself started to fade, so I don't really have much to say about my family after my recent run [of incarceration]. Maybe that's why I don't have much to say about my family since the relationship is thin, I quit.

The significance of family in supporting the desistance process is well established in the literature so far. Combining this with a controlling criminal social organisation makes sense how this participant did not really feel like he was 'in-control' during his offending career.

This helps frame his motivation for the bold decision to take a chance at living in a new area. He illustrated how this created an internal conflict (a conflict that they observed in other delinquents they helped or were associated with):

Yes, but there are few of them [people that move to new areas], and I guess it's a way of thinking that's peculiar to people who were delinquents, but we are very attached to our hometowns, and I always felt that running away from my hometown, or even the very act of running away, was something to be ashamed of. The people who are delinquents love their home, so moving is not appealing to most people I think, even though they could leave crime behind they hesitate. I've met some people that have moved to another place, these people are escaping because of trouble.

There weren't many people who did that, and even if they did, it was more like they just left their local area to escape rather than quit the delinquent lifestyle, but it was difficult to get out of the group or leave the local area. I don't think there were too many people who wanted to leave.

So this participant ventured into offending accidentally, found that his family relationship had soured and was supported into a desistance period through post incarceration support systems.

The desister highlighted two factors that informed the maintenance of his desistance. The first was his role as a 'brother' in the organisation 'BBS' (big brothers and sisters) that helps delinquent/troubled children all over Japan via peer mentoring (not just delinquent peers, as anyone can volunteer):

*I usually work as a carer. I usually work as a carer, and on my days off, I do BBS activities. I'm involved in BBS activities, which are activities to prevent juvenile delinquents from committing juvenile delinquency.*¹²⁶

The second factor followed from the support provided by volunteers that provided him practical help in his current effort to desist:

Now I am in a new place, and that is why I came, and here there are people who are supporting me. There are people who support me, who serve food to juvenile delinquents every day, but I've not had any big relationship with them yet. I have not had a deep relationship with them, but they feed me every day, and if I have any problems, they help me with various things. I had never really trusted adults, so when I saw people doing things for other people without regard for themselves, I realised that there were adults I could trust a little bit, and that gradually changed. That was the biggest thing.

Reflection also demonstrated how belief in society and trust of adults developed during his period of incarceration:

I was not very trusting of adults, but the boys' teacher was very kind and listened to what I had to say, but he also scolded me a lot. I think that's what they want from me. I felt that he wanted me to be more composed, to be decent, and if there was something wrong with me, he would not only work overtime and listen to me all the time, but he would also do things like ... he had to do a lot of other paperwork, so he had to work overtime to do that too.

So, the change that happened at the juvenile school was really good, yeah, he would listen to me. What did he say to me? What he said to me was that I could live as a delinquent from now on, and it did not matter if I was serious or not. He said it was fine either way. But he told me that if I couldn't find responsibilities, I would never be happy ... The teachers and adults before [my time incarcerated] just told me to stop doing illegal things, to just not do

¹²⁶ These activities could include forming a friendship with and supporting other delinquents directly: events that put at-risk youth together such as support activities, and which provide pro-social experiences of society (sports), public relations events such as stalls at events and festivals, or improvement activities such as skills development workshops.

something. But these teachers gave me that kind of advice about my life, so I thought they were really thinking about me, and that really changed things. I could see that [care] in his actions and words. In my opinion, the best thing about the institution is the way the teachers are involved.

This experiential account provides insight into the dynamic factors in realising a desire to desist, coming to understand a method to gain a pro-social life, and that the support of this process can be both active in the environment and also in memory as internalised guidance. There is much to unpack in this participant's experience, but it is first helpful to establish some of the other factors in participants' desistance journeys.

6.4.2 Family support

While not abandoned, family relations became strained for the other three youth desisters during their offending. However, after incarceration the family became the primary point of support. In practical terms, resources were provided to aid in the transition phase in which a new lifestyle was sought. This can be seen in the following quotes:

Adam: Where do you feel you got the support to make these changes?

My father... he went, well money got bad, and things happened, so he went to work somewhere else instead of home. He decided to work there and I went with him. (Youth desister 1)

Consistent support through setbacks, even just the small indication that the support remained can be seen in the following story:

Well, as for why I started over, even though I became a delinquent and hit rock bottom, they always offered me support. My family never gave up on me, which was a big factor. At first, they kept sending me letters. And then when I was in the institution, I started to look forward to those letters. And at that time I started to think for the first time that if I could change after this, I would like to change. And there was a time after I went back home that I returned to crime. There was a time when I went back to being a delinquent, but they didn't cut contact.

Interpreter: What happened?

Well, I didn't even go to school. I wandered around downtown. And ... I didn't have any money. I was trying to make some money. So I started selling illegal things and repeated other stuff ... (Youth desister 1)

This ongoing support was seen in the way a mother gave consistent and loving support despite setbacks and failures:

Well, I'll be honest with you, I've been, well, let's see, I've been good since I came out. Really, I adapted to society. Just, you know, my mother, so she died. [Participant shows a picture of her mother]. So, at that time I was really sad. Yeah, only once at that time, but I used drugs again. Yeah, my father, well he doesn't really talk much, it was hard to communicate. You know, we don't talk, we don't communicate. My mother always told me 'I love you,' always she would say that kind of thing. Even when I committed crimes, she kept telling me, 'You'll be fine, you'll be fine'. We still had a lot of fights, but she was there. I knew what I did was wrong. So when she died I had this feeling that maybe she was looking down at me, saying 'no, don't do it'. She looked down at me from the sky and told me that. [Also] my daughter is 3, (shows picture of daughter), so now if I think about my daughter, there isn't really anything I can't do. (Youth desister 2)

Healthy family dynamics for this participant acted as grounds to move away from ways of life that would put pro-social existence at risk. The participant wanted to avoid the strain that offending would cause and was encouraged by the relationships.

6.4.3 Employment

Briefly, finance and employment were noted as key to long term desistance efforts, both practically and in terms of general ontological security:

I didn't say, but I belonged to a ... free school? Yes. The headmaster was a church pastor. And he asked me if I would help out at the free school. And there this was my first experience keeping a job. I became confident and proud. Until then, I thought that I was not a member of society. But when I continued working, I started to think that I was a member of society. My values changed. (Youth desister 1)

As a general rule, employment of some kind formed the basis of any successful long-term desistance. This was expected, but the route into this employment varied. In this chapter it is possible to see employment given, earned, and desperately searched for.

6.4.4 Change in what deviance meant

Once trouble with the law became more serious for these participants, the meaning of delinquent sub-culture changed. The social environment for each participant, in varying ways,

at first represented an escape from the challenges and trials of their living circumstances. Over time, however, what the space meant changed. In one case this was practical: a long-term female offender with gang ties recognised pending change to the risk dynamics of her offending:

Oh, I've been arrested four times. And, let's see, the second time, when I was 14, I went to a juvenile detention centre. But at that time I didn't feel remorse. But that's ... I didn't know what was wrong because I was a child doing drugs, I didn't understand why it was bad. Well, they were on sale, so I was buying them. So, there used to be gangs in Japan ... [explanation of gang culture]... The gangs, the people there and we were part of a family, you know. We wanted to do those kinds of bad things. If we wanted to do drugs, we did that. We would gather together and send invitations, and that's how it started. And then, just ... Money. I already had money, but ...my heart was weak, and I didn't have enough to go and party. I was lonely all the time. Also, with [legal] work I wasn't really doing a good job - my heart was not in it. I think I used drugs because of my frustration, alcohol too. I was scared all the time. And I don't know ... when I was 19. At the airport. The family [crime group] was arrested. They got to the airport and were arrested on the plane ride with a gun pointed at their back. And then, two months later, I got out and was caught by the police, the Police Narcotics Control. I was a minor, I was 19. Say you know the juvenile law right? [less harsh for children]. So there you go, I saw the difference in treatment between adults and children under that law. I thought it was scary. The point is that the punishment for taking down an adult is completely different to the punishment for taking down a child. So, I thought it's finally getting dangerous, and I thought that if I don't become a normal person, I'd lose my ability to live a normal life. There was a lot that I would not be able to do if I didn't become a normal person, because I was going to become an adult soon - I thought, 'I can't keep doing this. I can only get away with it because I'm a child'. I felt certain that I could not go back to that life.¹²⁷ (Youth desister 2)

In this narrative of change there is a change in perception of what the group would mean for the future. One participant cited loneliness as the driver behind his offending. Realising this,

¹²⁷ At the time of interview, for criminal justice related processes minor status was held until the age of 20.

he was enabled in desisting efforts by finding a place that stopped this feeling in a pro-social environment.

When I look back on my life. Let's see. The cause of my criminality was loneliness. Well, the cause of re-offending was loneliness. So, the reason for my return [desistance]? With a person that did not abandon me. With such a person who needed me. I had a relationship and place where I could talk about my true feelings. (Youth desister 1)

There was a personal dimension to what offending meant and what stopping would require of them. I would also point out the emotional dimension to the 'in the moment' decision making. When exiting the juvenile institutions the knifing-off effect was not all positive (Maruna and Roy 2007). The whiplash participants experienced in relation to moving away from deviant sub-cultures was at times sharp. As soon as participation in these delinquent spheres ended, so too did the support, connection, status, economic value, and general positive benefits of membership to a sub-culture. The loss of long-term friends was particularly trying for participants.

The case of youth desister 4 provided a lot of insight into how the development of delinquent activities interacted with the life-course. The relevant context here is that entry into high school is achieved via an entrance exam, and there was lack of meaningful options that existed outside of high school from her perspective.¹²⁸

I started delinquent behaviour in May of my first year of junior high school, when I got involved in a little incident [where she was a victim]. I couldn't go to school from then on, and gradually I became a beauty girl (Japanese slang: bijou¹²⁹) and started to mess around with other girls who didn't go to school. I mainly drank and smoked, but I also broke windows in the school. I had a lot of problems controlling my emotions, such as breaking fire extinguishers, distrusting adults and so on. After graduating from junior high school, I didn't take the entrance exam for high school and started working, and I took my job seriously, but outside of work I got a motorbike licence and did some activities with my biker friends. And I should say I was involved in some prostitution and theft. (Youth desister 4)

¹²⁸ There are free schools but these are not able to provide recognised qualifications.

¹²⁹ A sub-cultural group in Japan with a varying set of values some of which exist in conflict to mainstream society (e.g. opposition to the idea Japanese women/men should be meek). The specific meaning of this group on the individual level is varied.

She provided quite detailed insight into her situation and what motivated her to move out of her anti-social lifestyle:

I was in this relationship, this man was violent towards me on a daily basis, and it was a case of domestic violence. About two weeks before the incident, I was made to write a written pledge that I would die by a certain date and time. He also made me practice committing suicide. Punching and kicking were a daily occurrence, I couldn't stop him from coming into my work and hitting me at the charity where I was working at the time. I couldn't stop them on my own. I'd be dragged out of the car, I felt my life was in danger every day. I couldn't talk to the adults around me about it. So, then I thought about how I could escape from him. That I couldn't escape alive. I changed phone number several times in the past, moved away, and then I got connected to him again. It was a small world back then. So, I thought I couldn't escape like this.

I thought about it, but I thought that if I attempted suicide ... and came back ... I was told that if I tried to kill myself and came back, that he would kill the people I worked with in front of me. So, the option of dying disappeared, and I was really depressed at the time. So, then I thought it would be better to get caught, so I decided to offend to go into prison. If I had only done a small thing, I would have ended up on probation, because I had family to go back to. So, I had to make a big case that would let me move away. So, in terms of the victims... I mean, my feelings towards the victim... I have very strong feelings, but...

Her story illustrates the dual nature of life in offending cultures, she was simultaneously victim and offender for large parts of her life. For her, the juvenile training school provided an opportunity to plan and eventually move very far away - to cut herself off from the delinquent network. She developed this plan to move and implemented it with the help of her mother on release. After this she reflected on how her experiences in society had changed:

The most changed part is my local friends and how unattached I am to the local environment. Before, it was a very small world at the bottom, but this connection was very important to me. I used to lose sight of myself in this, and to be honest, there were times when I would go out on my own to places I didn't know. I was afraid to say that I was going ... to break that relationship [with the area]. But ... I think I've grown in that I don't see myself in my hometown at all. Also, the way I speak, the way I express my feelings. I think

it's more than that. I think I've learnt to think about what the other person thinks first. I used to immediately rant about what I thought, but now... but now ... I can control my emotions. I think that I had more ups and downs in my emotions.

These insights provide a view into how personal the experience of being inside a delinquent group can be. A motivation to stop offending was not the impetus; instead, one can see a desire to end her abuse. The sensitivity of the juvenile training school to the potential victim status of this service users was key in this case.

6.4.5 Criminal justice influences

In this chapter I am attempting to highlight the diverse set of influences that informed decisions to pursue pro-social life. One of the key points that was stressed to me, was that incarceration did not have a negative effect. Youth desister 1 indicated that their detention provided a period of reflexivity:

Well, it's not so much that the training in juvenile detention was useful. But, I was arrested once. The fact that I was isolated from society, and also that time looking back on my life. Yes. It was the first time for me to think about how I should live my life, and in that sense it was important for my direction ... I am not in a position to speak as a concerned citizen, but I think that the gap between juvenile detention and society needs to be bridged, and that many juvenile delinquents and offenders have lost confidence, so if they have the opportunity to feel that they are part of society and regain confidence and pride somewhere, they will change. (Youth desister 1)

For another desister, the main point was they gained perspective on the effects of their activities and the long-term effects of what offending meant for them, and they expressed this using sharp and pointed words:

Yes. Let's see, first of all, from the view of a legal instructor. They said, 'Well, I'm going to tell you that you can change when you go back, the way you were is because you aren't finished developing'. And then, well, that's a little bit ... And with those words, he says, 'I don't know, I'm not sure. I don't mind if you do your own drugs, I don't mind if you die. But if you sell them, you destroy the life of the person and his/her family. You have to take responsibility for that when you hear these words.' Oh. After I got goosebumps, I kind of, I knew I was doing something wrong. I'm not going to be lucky, maybe I'm going to be out of luck. That's what I kept feeling. But,

well, once I stopped I had many opportunities, and luck - yeah because I behaved properly I was able to be lucky. So, it's still something. I think there's a feeling I got, a desire to take action and a motivation. (Youth desister 2)

Thus, one element of the youth pathway was the positive influence on participants' long-term outlook that came from the juvenile training school. The point to stress from the last few sections is that the youth desisters did not gain collateral consequences once in the system, and when leaving they did not find the key points of pro-social life blocked. The incarceration process did not destroy the family or impose stigmatising labels. In contrast it enhanced participant perception of personal agency to take control of their life. The employment markets and social spaces in the world were not gated but receptive to the young people, and special support programs provided ease of transitioning to new areas and accessing work programs and housing.

6.4.6 Peer network support

Up to this point the role of the youth support network has not been stressed. This is because the organisation is auxiliary in role and not directly involved with members' desistance processes. The support group primarily functioned as a new place of belonging - one sensitive to the criminogenic factors that led each person to delinquency and crime. Consequently, the way the organisation affected each participant's desistance had a great deal of variety due to the free form informal structure.

To begin, the reflexivity of the peer support environment provided opportunity for evaluation of past relationships and a person's experiences with criminality. One of the senior staff relayed how the organisation tried to address loneliness and create a space where people could have reflective conversations:

My own ambition with the support network, well it is about 200 people now. But I'd like to see 1,000 people or even 2,000 people. You can decide to stop crime with this... You can make a lot of friends. If you become a member of a society where you can make a lot of good relationships, instead of the situation where you were alone and lonely well, you can decide to quit. If you can be in a society where you can increase your friends, well that would make it easier to start over, but... I think it would reduce the number of people who are reoffending...

[later]... in the group, everyone knows that we have the same background, and we don't have to be serious or badass so we share our true feelings, so

in that sense, it's like a brand-new kind of relationship. In that sense, it's like a brand new kind of self. It was the same for me. (Youth desister 1)

The environments it creates for peer support were informal: activities such as meals or day events. The specific activities would be based on the regional (e.g. across Kansai) dynamics of members – how close they are to each other, available resources (homes/restaurants) and the group's size. The leaders of an area would contact members to discuss personal issues, provide advice and plan large or small meetings with their members depending on what issues people were facing. I had the opportunity to attend one such meeting (the four participants' description of other events matched my experience):

Observation: I look across groups of people, there is laughter over drink (both alcoholic and non-alcoholic) as members of the network converse. The event is perhaps a little grander than what normally happens, one senior member has opened their house to local and cross-regional members of the network. At the party new desisters are interacting with senior desisters and former state officials and academics. The relaxed informal environment was orientated around inclusivity and seemed to be focused on providing a good and positive experience.

It is important to stress the group as a happy and meaningful part of participants' lives. While not the central point of any participant's desistance, the group provided a powerful place of belonging to motivate pro-social commitments.

A key point of context about this organisation was its stance on re-offending. Being primarily ex-offenders, this group maintained an ability to support actors through relapse into offending habits, drug taking or other problematic behaviour.

I think it's definitely going to happen, you know, as far as I know. There are a few people who haven't been re-offending, but ... There are many people who do offend again. I think that if we abandoned those people if they re-offend, then our group will gradually disappear.

To be honest, we are not responsible for them, so we visit the people who get caught and ask them if they have done it again, but we will always be connected to them as friends, so that's the root. We understand their perspective, so re-offending doesn't matter to us. We are connected to each other as friends, and that's the basis of our relationship. We give a lot of chances to people. (Youth desister 1)

6.4.7 Advice while in the youth network

The network did have some more direct impacts in the way that desistance learnings could be communicated. This specific point provided some more clear insights about the context of offending in Japan, the generalisable advice that would be useful for members entering the network. For example, one participant reported that it was a common practice to use probation as an excuse to avoid gang participation requests:

So, you know, right after you leave, you get a phone call from a gang or something like that telling you to come back. That's when you have to say, 'Hey, I'm still on probation, I'll come back but need this finished first'. I'm still here, so I'll call you when I'm done.' People can do that so they can get out. Yes, I did that too. I didn't want to go back, [I wanted] to stay away from it all. So that is a good thing, and my probation lasted two years. It was a bit of a long time, so, well, that's what helped/saved me. (Youth desister 2)

Being established by desisters the network's activities were based around their lived understanding of success and failure. In a more general way this cultivated a general understanding of desistance as a process. She later went on to explain that she would tell her story to young desisters in the network or when interacting with people that were incarcerated:

So I always say, when people get out of prison, they are contacted by bad actors. Even... this is sometimes even their parents, and this contact always ends up happening. I gave this kind of presentation at a girls' juvenile centre to many girls. I tell people this and then say, 'let's go eat, go to a fun place or the park.' At that time, there were, let's see, 11 students. I knew they were all anxious about when they were going to be released. To people that want to quit drugs or quit prostitution I say this: before anything, the most important thing I tell them is to find a way to love/care for themselves. (Senior peer support role, youth desister 2)

It is relevant to bring in a point from a different sample. The dynamics of exit from delinquent groups was indicated to be a primary concern of the probation office:

So, the first one is going to be economic reasons, looking for a job but you don't have the skills. Second, if you are a part of a group it's going to be hard to disassociate from that group. Now with the kids everyone has SNS [Social

Network Services¹³⁰] so everyone is linked. So that is one of the problems they are facing. (Probation officer 1)

Modern technology was also relevant; it was understood to increase a network's reach to delinquents. Therefore, exit from a crime/delinquent group has to occur digitally along with the more physical aspects of that transition. The peer network was sensitive to these technological dynamics and contemporary issues in the Japanese context, though their impact extended only into the small moments of re-assurance.

6.5 Section 3 - Triangulated findings on desistance – background context

Some small findings emerged which were independent of the contextual experience created by membership of either the adult centre, the peer network, or any dynamics created via experience of the youth justice system. These provide important context relevant to understanding what each of the organisations was attempting to achieve and relevant hurdles related to some general experiences in society. These last three sections provide helpful context for the summative discussion in Chapter 8.

6.5.1 *Fear of revealing the truth*

A theme during interviews with desisters was a consistent fear that stemmed from someone finding out they were an offender. This was particularly important in relation to employment:

In my case, there was a time when I hid the fact that I was a delinquent and so on. On the other hand, there was also a time when I forced myself to say, to share my experience, all the time, because I wanted to make people understand. But after coming to the group, with my friends ... But now that I have a group of friends, I don't have to hide it. I don't have to force myself to be anything because I have the group. (Youth desister 1)

If I hide it and later cause damage to that company, if they say 'I hired that kind of person', It'll cause a lot of damage. They get a job without telling them and then when it is found out later, they resign. (Adult desister 7)

One participant relayed the careful dance of connecting with someone that they believed to have a similar background, and how this bond became a core point of friendship once the mutual realisation occurred in their workplace:

¹³⁰ Social network services which provide the ability to text, post or communicate in chat groups depending on which service is used.

I just covered it up and told only trusted people, even after I got a job. I told him that I used to be like that. But, you know. I didn't say anything revealing. But for someone with the same kind of past, who is the same to a certain extent, we formed a relationship of trust. (Youth desister 2)

Furthermore, this dynamic was a concern for the probation officers I interviewed:

Something came up in my mind; one of my probationers once said that she's trying so hard at work not to be found out that she's under probation. I don't know why because at first, I couldn't understand why they would find out that she's on probation. But she's so afraid of it being, you know, pointed out that she's on probation. (Probation officer 6)

The effects of stigma in Japan will be raised in the discussion sections. The point to stress is that every single participant, from the academic interviews to the desister interviews, and even in informal conversation at the centre had the same opinion. Any uneducated member of the Japanese public would not react well to a person being 'criminal'. This helps to frame the two fieldsites as atypical experiences during the desistance process.

6.5.2 Peer support dynamics in Japan - *senpai* and *kohai*

One factor relevant to desistance that was observable across both environments was how peer dynamics informed experience in a group (both anti-social and pro-social). Japanese spaces have the potential to be made up of mentorship dynamics (see culture chapter for an in-depth discussion). People are respectively given the designation of senior (*senpai*) and junior (*kohai*¹³¹). When entering into this dynamic there are expectations of commitment placed on both the parties:

I was thinking about a lot of things and even contemplating suicide. I don't know why, but I told the leader what I was thinking. I wanted to go to jail. But he says, well, I'm on my way to you and I'm here. 'Well, please tell me you're there because I'm on my way right now' he says. I answered, well, when he came to see me, I felt a little relieved. I felt like, 'Oh, now I don't need to die, I don't need to go to prison again. I felt relieved.' (Adult desister 1)

It was possible for me to observe these peer dynamics across *all* members in the adult centre and peer network. This aspect of Japanese culture was reflected in the structural design of

¹³¹ Readers may have had experiences where a person takes them 'under their wing' in a new environment. The key distinction here is that this phenomenon is coded into language in Japan, and the actors in a space all recognise where each member is based on the hierarchy of who is a senior and junior in each member pair (Bright 2005). Importantly, this occurs in place of more formal mentor designation.

spaces observed; within the various activities, relationships, or conversations of the centre and peer network had the expectation that these relationships would form.

6.5.3 Giving back

A key aspect of volunteer activities for participants was the opportunity to engage in reparation. In terms of desistance, engaging in the world to do good provided an opportunity for participants to make realisations about their past ways of life, and gain insight into the emotional positivity that could come from being a successful and positive community member:

There was a parking lot, or rather a public square where I was doing my nightly rounds. I see a man rubbing his hands like this [cold hands]. I think he was an old man, not really a young man, but he was shaking like this [demonstrates shaking]. I asked him, how about a little food and some drink? And, he was, you know, not Japanese. He wasn't Japanese. And at that time I remembered the words of Mother Teresa, and even though that man had many complaints, he just said thank you. So I realised I need to be thankful for many aspects of society. I thought that was an amazing thing. I was incredibly shocked. When he said that, I wondered about myself. I complained about many things in prison. I did whatever I wanted to do. But that bit of gratitude didn't arise. I had resentment towards the prison guards. But when I thought about it, I was taking care of elderly inmates. I was very grateful to the prison officers who allowed me to do that. That was the first time I felt that sense of gratitude. (Adult desister 5)

It was possible to see 'giving back' in the activities of the support centre to assist people transitioning back into society from offending, and providing emotional support to people in prison and those who helped each other in the centre.

The youth peer support network participants were more varied in experiences of giving back, by virtue of their more disparate pathways out of crime. All participants had support activities in the peer network (see above on peer roles). But many maintained activities beyond those relationships. For example, supporting children in need:

Now it's like this, there is an organisation that is active in the area. There are people who are working in Hiroshima. The volunteers. I've become one of them. For example, we run a children's cafeteria. We serve food free of charge to children who can't eat. We listen to their stories and give them advice. That kind of activity, little by little, it helps. (Youth desister 4)

Throughout this chapter it is possible to see mentions of extraneous activities in the quotations. Youth desister 1 maintained 'awareness raising' activities for the peer support network in various societies and events. Youth desister 2 went to juvenile centres to directly support people. Youth desister 3 was a member of BBS and was thus contributing in one of the most widespread Japanese volunteer organisations. These overtly pro-social roles seemed to provide external validation of desister status.

6.6 Summary of desistance mechanisms - looking at how everything fits together for the adults and youth desisters

6.6.1 *Adult support centre desistance experiences*

The first part of the findings chapter briefly noted revelations about the Japanese context from the past two chapters (4 and 5). These chapters set out Japanese structures and patterns of life - explaining them to be structurally congruent to other societies around the world. This point is stressed in relation to participants' desistance processes where the more fundamental features of desistance were not challenged by this data. People desisted to escape from negative social contexts, were motivated by fear of what consequences would meet them if their life continued down its offending path, pro-social connections acted as foundations for desistance in both motivation and practical terms, and support for the process was a key consideration. Structurally, Japanese society provided grounds for a pattern for desistance similar to other jurisdictions. People transitioned from early offending, interacted with the police and courts, and found themselves in prison. People then exited from incarceration into hostile worlds having to re-establish or create a pro-social lives for themselves with relatively limited resources. Thematically, this is a match to past research. Mechanically, this process had deviations in what problems and support were important.

The chapter then provided a description of the first field site; creating an image of the environment and type of desistance undertaken for participants there. The adult desistance centre was assisting people who wanted to reform but had little to no help in actually achieving this goal. It was a support centre for people late into their offending career. Bottoms and Shapland (2011) discuss desistance as an iterative process of change and reform; one that is steeped in failure and may not always look or be successful for long periods. The participants of the adult centre had managed to attain a very long period (1-2 years) of primary desistance, and were being enabled to effect long held motivations to attain a stable pro-social life.

The chapter then moved on to explain participants' experiences at the centre, providing a view into how this social support institution interacted with and gave shape to participants' lives. How participants experienced their time at the centre varied very significantly on a person-to-

person level. The range was extreme; one participant was considering the viability of prison as a better alternative to his currently unstable and low resource life (a recent member of the centre). Yet on the other hand, two people I interviewed were positive and happy in their current circumstances (both a recent and former member). Thus, desistance at the centre was shown to vary in experiential terms on a person-to-person level – despite the homogeneous experience provided by its structure and participants' similar motivations for attendance.

Desistance was then explored in practical terms by going over the centre conditions. Participants' desistance context provided the core human needs of safety, food and housing. However, participants at the centre did not receive much money as the government-provided 'life protection fund' was explained to be limiting. In practical terms, this provided the desisters with relatively few economic resources to progress their situation or engage in the vast variety of social activities and pastimes that require economic resources; participants were bored and frustrated. This contributed to a relatively pessimistic view of pro-social life.

The participants had their experience made more difficult due to their status as a 'former criminal'. A critical point that limited progress into pro-social life was that participants at the centre could not hide their past offending. Thus, they were gated from employment opportunities or creating effective pro-social bonds in communities. This 'criminal' status went beyond just shaping opportunity structures during desistance and informed participants' experiential realities. Historically, people at the centre had been stigmatised in prison, by their families, the courts, and their local communities. This understanding was shared by people (civil volunteers, the charity owners, visiting academics) at the centre who viewed wider society as unforgiving and blindly hostile to people with criminal histories. In fact, the centre was formed in light of this ideological position advocating for a more understanding and forgiving society. Chapter 4 outlined that interactions in Japan often occur within hierarchy structures. This affected participants at the adult centre by making it so they were almost always 'lower' within any interaction. I would stress the example of bullying for the one participant that did manage to gain employment outside the centre. Participants had become weary in doing good outside their 'walled garden', their positive social and practical efforts consistently meeting the barrier of their status.

Correspondingly, the experience at the centre was underscored by a need to remain aware of the temptation a life of offending provided. Participants would contrast their current circumstances with what their life might look like if they went back to crime - the status, belonging and happiness that this could provide. While participants had certainly gained a view of a 'fear' from continued offending, they had also developed a 'fear' of what life as a pro-

social actor might entail - to the extent that prison, *Japanese prison life* (see Chapter 5), was seen as a preferable experience.

My participants' experience suggests that the Japanese environment can be so stigmatising that it can prevent a view that one can desist. A relatively significant mechanism of desistance is the pursuit of a 'pro-social life'. Thus, what 'pro-social life' is seen as is relatively important. For participants at the adult centre, there was a collective understanding that true pro-social life was not realistically achievable for them. They would forever be criminals and have that shape their experiences in the world. In Chapter 2 I went over relational desistance theory and later works on that topic. This work highlights the significance of being recognised in a relationship as an equal. Belonging is understood to be a very significant part of feeling important, accepted and happy with one's life (McNeill and Schinkel 2024). Participants at the centre lacked a view that attaining 'true' acceptance as valuable in a social relationship was possible. There are a number of corresponding effects to participants' desistance efforts beyond just motivation. For example, this context did not seem suited to reformulating self-perceptions, and new social relationships were not pursued. Overall, they had accepted the stigmatising context as their experiential reality; with non-stigmatised experiences being the exception and not the rule.

I would speculate at this point that some of my participants' morality is misaligned to offenders' moral reasoning in past desistance work, e.g. in England and Israel (Segev 2018). When I look at other scholars' work their participants tend to talk about past offending action in the narrative frame of a 'personal journey' (see Chapter 2). Correspondingly, it is not uncommon for the desistance process to involve a 'personal transformation' (Maruna 2001, Giordano et al. 2002). However, a by-product of framing one's life in agentic terms is that participants tend to accept and nurture responsibility for their past actions; even when placed into situations where offending is less of a 'choice' (e.g. because a person is starving, lacks housing and so on). However, adult desisters in Japan did not stress to me their personal transformation. Their desistance process was something that required a set of strong agentic choices. They needed to commit to moving across the country, actively reshape their demeanour in social interactions, engage in a process of self-discovery related to their offending motivation. However, they lamented that even with such an extreme commitment it all felt meaningless as they could not see in society a place to belong.

I expected this lack of agentic emphasis for the early desisters, but was expecting volunteers, senior staff and conversation at the centre to reveal some directive towards re-orienting one's self-perceived role in society. However, offending was seen as a natural consequence of placement into a negative environment (abusive family, delinquent peers, bad employment

conditions). Rather than directing criticism at themselves, participants were harshly critical of their past experiences in society; explicitly citing how they had been negatively oriented. Consequently, desistance was not seen to require (to the same extent as I have observed in other scholars' work) personal transformation. Instead, the end of offending was seen to require an alternative social environment; one that provided a sense of belonging and the motivation to effectively contribute to this environment and its members. Thus, desistance was seen via the lens of a social transformation. I am tempted to cite relational theory, given it highlights the social dimension of desistance (e.g. Weaver 2015). However, this work tends to stress how identity forms in line with one's relationships. In contrast, I saw identity *as social situation*, that is not developed; but changes upon obtaining a new environment.

Furthermore, the immediate environment did not effectively address participants' desire for belonging. While the centre was a community, it did not provide feelings of lasting safety, commitment or shared purpose. *Ibasho ga nai* was the major problem cited to me. If I translate the phrase literally it means 'I have no place' but in sentiment it can be taken to mean 'I lack a place of true belonging'. Participation at the centre provided social contact and a community. However, this was not seen as a true place of belonging because participation was premised on desister status. Participants had membership because they were seen as 'in need' of help. Thus, centre members understood that the social connections they had were not natural or 'chosen'; they lacked true 'acceptance' in a natural space as a member of a social group that provided as much value as they received.

Moving to a more practically minded aspect of desistance, there was no direct help within the centre towards sustained desistance (employment, job application support, and so on). Activities focused mainly on the charity and contribution towards the charity. There was an expectation that the socialisation and culture of the centre would pull people into 'desister' like conditions - a learn by doing approach talked about in Chapter 5. Progress and the change process seemed to be based on an immersion into an environment that demanded pro-social capability; abilities which participants demonstrated. This approach seems to reflect the centre's desire to show former prisoners as capable members of society if given space and opportunity.

In the background of their current experience were participants' historical experiences. Family and community support for people at the adult centre had mostly collapsed. In Chapter 2, I explained how family in Japan seems to be made responsible for a person's offending; with the police and courts looking at how a person's social network is failing to orientate them as a pro-social member of society. My research seems to corroborate this experiential reality, but not in the way one might anticipate. As family directed stigma was redirected into desisters'

relationships a type of compounded stigma emerged. Participants at the adult centre suffered from having no support from family or community after going to prison. The exact mechanism of this rejection was obscure to me. I was not able to speak with participants' families. I gained insight into the version of events from the desisters' own perspectives. They explained how their families had variably been unhelpful, absent or unwilling to support them – or how participants were unwilling to risk damage to their families.

As I think on my participants' explanations I find myself wondering about two siloed experiences. As desisters experienced being abandoned by family, it is also possible that their families may have been experiencing a stigmatisation that pushed them towards providing that abandonment. In Kita's (2018) work she discusses the extremely painful stigmatisation mothers felt as their children or partners continued committing crime. Yet my participants did not indicate any awareness of their own family's experience. Instead, I was given insight into the experience of familial abandonment or abuse. Only one of the seven participants recognised how trying for their family their offending was.

The next section detailed the 'perceptive context' of 'the desister' and how this shaped interactions during desistance; particularly desistance steps (e.g. gaining housing, securing medical support, employment or family support). Participants explained to me how they needed to adopt a deferential status in desistance related interactions. Actors within their desistance journey seemed to have various negative assumptions about offending. For example, participants explained that communicating offending motivation was fruitless. The relevant context here is Japan's extremely low crime rate, and related view of a standardised, or 'monolithic', life course experience (Brewster 2020). My participants seemed to be impacted by assumptions that offending had no acceptable excuse. Consequently, participants illustrated to me that desistance opportunity required committing to their lower status and demonstrating overtly admirable behaviour (e.g. helping others, saving and denying oneself pleasure, and generally accepting a low status during interactions). In a way, it appears as though desistance opportunity was something that needed to be earned. Chapter 5 talks about prison, and the extreme conditions it provides; with control extended to where people look, the way they walk, talk and what they do every day. Participants explained not just subscribing to this status in prison, but a success that came from willingly and forcefully committing to their deferential role in society. Adult desister 6 talked about needing to anticipate and endure abuse from people in society to not be pushed back into offending. The volunteers and senior staff at the centre more robustly evidenced the highly stigmatising perception and treatment of former prisoners. Relational theory provides a helpful frame to understand this finding: the 'negotiation context' for pro-social membership in a society was ideologically averse to and unaccepting of the idea of a 'successful desister' (Weaver 2019).

Perception and treatment at the centre provided a contrasting negotiation context: actors running the centre were ideologically opposed to this type of treatment for 'former offenders'. Civil volunteers in particular had come to recognise the victimisation that came from being designated 'criminal' in social interactions. The civil volunteer perspective was uniquely informed by experiences listening to centre members' struggles and seeing the struggles of post-prison homeless populations. They lamented the consequences of how society's blindness to desisters' context caused numerous problems. Desister perception as 'lesser' was explained to limit a person's steps towards stable pro-social life; people navigated poor employment conditions (if any), derision in social interaction, and unexpected/irrational punishment due to a 'criminal' status that did not seem to disappear. The centre attempted to provide a sense of trust and being valued as a human.

6.6.2 *Youth network desistance experiences*

The chapter then moved on to discuss the youth network and the experiences of four individuals who had been in the juvenile justice system, a man and woman early in their desistance effort and a man and woman who were senior figures in the network. This fieldsite provided a far less stable 'type' of desistance environment as membership to the organisation had few requirements in terms of participation and activities.

The section began by establishing that people in the network had been drawn into delinquent and offending sub-cultures in order to escape the 'real' world. This provided the relatively important context that participants' pro-social life circumstances were broken in some critical way. As noted across the thesis, the Japanese environment provides the general expectation of stability in what a 'life' entails (set out in Chapters 2, 3, 4, 5 and 8). Something that will be important for Chapter 8's discussion is how the Japanese social features were shown to be dysfunctional. Chapter 4 set out the dense system of rules, hierarchy, and informal controls that shape people within very structured social environments. It seems important to stress that environments and circumstances can arise that limit or invert the expected controlling effect of any given social environment. Past scholars have asserted that the controlling features of Japan's society have positive effects in relation to crime, as with Braithwaite's (1989) supposition that there is 're-integrative shaming' within Japan (see Chapter 8). I would like to point out that I did indeed observe a dense system of expectations and controls in the family, school and wider society via my participants' narratives, observations and literature investigations. However, these mechanisms were not inherently positive social features. In prison control was used as a punishment, in the family expectations created depression, hierarchy provided controlling power for criminal infrastructures, family sometimes was

criminal, and schooling inflicted trauma and stigma related to 'grades'. Thus, participants' social environments failed to motivate pro-social engagement.

Consequently, each participant and many members of the network were drawn to delinquent youth cultures. This allowed them to escape whatever breakdown was pushing them out of standard non-delinquent lifestyles. However, it is also important to stress that delinquent social groups had a 'draw' – a pull towards them that motivated participation. It is difficult not to think of Weaver's (2015) research when looking at this aspect of participants' narratives (see Chapter 2 for more). Weaver (2015) describes an offending group that provided an alternative world and moral structure related to the group's interests. Violence, offending and conflict with the law for her participants was made normal by the all-consuming organisation of people in a social network. Similarly, my participants had been embedded into a different moral and social structure that had alternative views about delinquent acts, pro-social life and offending.

The chapter illustrated this alternative world via youth desister 3's experience. If we consider their social environment as the unit of analysis it becomes clear how significant his membership to a 'gang' was. His early non-criminal/non-delinquent friendship group merged with an anti-social biker gang as he aged. Consequently, his offending was far less intentional and was a consequence of how his social organisation was re-orientated in objective and purpose over time. The way people interacted in his social network seemed to reflect Japanese cultures of hierarchy, social organisation and commitment. As a result, he and his friends had far less agency in what they did (demands, oversight and reliance). Chapter 4 set out that Japanese spaces have the potential to provide social expectations with people required to respect hierarchy, listen to their elders and be guided by their seniors. Consequently, desistance for this person required an escape from the controlling social environment – an escape that required he perceive the controlling aspect of his network. There is a parallel, Bottoms and Shapland (2011) make use of their theory of 'diachronic self-control': a person choosing to avoid a certain space or relationship because they have perceived how these draw them into offending (see also Bottoms 2009). Thus a mechanism of desistance is a person recognising the chain of consequence of certain social spaces (and exerting agency to remove themselves from such spaces). An example is a gambling hall with acquaintances that will offer 'jobs'. In Japan this seems to be a far more important aspect of the desistance process. Not only was a social environment thought to orientate a person towards crime while participating within the group, the four youth desisters described spaces which would look for their members and pull people back into offending, demand criminal activity and consume a person's sense of self.

While the mechanics of this desistance mechanism are roughly similar, it is important to point out a key difference. What I would stress here is that youth desister 3 considered their social membership 'as the unit of analysis' within which they used to explain their desistance process (Weaver 2019). To restate things again simply; (1) the youth desister expected social control, (2) his group's dynamics were structured in relation to a collective understanding of hierarchy, (3) he behaved in relation to a 'cultural script' of social control. Thus, his ideological context placed emphasis on social control over personal responsibility. Personal responsibility was still present, but the responsibility was built in relation to capability to understand the consequences of social participation and group members. The mistake was not who he became during group participation, but was seen as the decision to participate in the group.

Moving on, the chapter then took some time to establish desistance factors that were relevant across the participants' experience: family, employment and fear from offending. While it was stated earlier that the experiences of participants matched existing theory, it was still helpful to evidence this point. While important, the effect of the Japanese context was not overpowering enough to shape all participants' offending into similar patterns. In one case, gaining recognition from a teacher provided youth desister 1 with the economic opportunity to establish a pro-social life. In that connection he found a meaning and sense of belonging that was until that point filled through gang participation. Youth desister 4 communicated how her delinquent group transitioned in meaning as she found herself in an abusive relationship. She used her time while incarcerated to plan an escape much like youth desister 3. Youth desister 2 relied on her family to mitigate and sustain her withdrawal from a place of socialisation and fun that had gone too far. Her vivid description of arrest on a plane cemented a shift in perspective and sharp fear. Variably, employment and support from family provided a stable foundation on which to establish long term pro-social lives. There is a need to point out significant within cultural variation of social context and the different desistance experiences it can create.

Some key aspects of the Japanese context were then addressed. These participants' experience with the juvenile justice system seemed to be resoundingly positive. Participants did not gain collateral consequences from their time incarcerated. A finding of no difficulty imposed post incarceration needs to be stressed. Furthermore, emotionally, their time in juvenile training schools was focused on long term goals and skill development. Each participant reported to me that their time at the training school provided a period of helpful reflection. Significantly, participants tended to respect the staff at the schools and gave weight to the advice they received. The institutions seemed to be 'desistance' focused (although not using desistance theory explicitly), with effort and time taken in preparing each person for the world, discovering their specific issues and aid in planning and preparation. The fact that one

participant was still receiving counselling from their arresting police officer all this time later illustrates that the staff seemed to be committed and on the side of the juveniles – the training centre facilitating this mentoring.

The peer support network meant different things to each participant. For the two senior desisters the network was an incredibly important part of their lives to which they dedicated personal resources and time in large volumes. For the younger desisters the network was in the background of an ongoing desistance process – yet provided an anchor of stability. However, the most obvious desisting effect for the network was how it related to participants' past criminal activities. When discussing their criminal pasts, participants raised the significance of 'social orientation'. Participants' offending periods related to anti-social orientation due to membership within an anti-social network. Consequently, participants valued the youth network for its re-orientation towards pro-social commitment and participation. Participants were provided with a social environment where members could share their generative work in communities, and their success in pro-social life and knowledge on how they had done so. In terms of orientation, participation was premised on a shared commitment to turning away from crime and gaining more stable and meaningful lives. In the background of the network was a place to share pain and suffering of hard lives, with mentors and mentees able to reflect on trauma, trouble and stress. The value of a pro-social bond is something which is underscored in much desistance work. There seems to be an added value in a pro-social bond premised and focused on a co-operative shared desistance journey.

This concludes the description of the desistance journey framed from the perspective of the two fieldsites. The chapter now ends with a reflection on the desistance process that was observed and a notable absence in the finding's chapters of this thesis.

6.6.3 The lack of expert knowledge on social context in Japan

The academic interviews conducted in the first wave of data collection helped in the design of the overall approach seen in this chapter. However, due to scope limitations caused by COVID-19 these are not presented in full within this thesis or as a separate chapter - see Appendix E. Some quotes from the academics interviewed, where relevant, have been included. Although, this aspect of data collection was not as directly useful as expected anyway.

While this aspect of data collection related primarily to personal development goals in terms of learning Japanese and understanding the Japanese context, as outlined in Chapter 3, there were expectations that data would be collected that related directly to desistance. It is important to stress that this data was not found at the macro level. There was a hope that internal Japanese research or practice would have developed understandings of social

context and social features related to the desistance processes specific to Japan. Such knowledge would have been helpful to include in this chapter. However, I was not able to gain an insight into any nuanced view of social context. It is possible this relates to the sampling methodology and that this data exists; but was held by people I could not access. However, the literature seems to corroborate that, in fact, such data only occasionally exist. Brewster (2020) recently produced a paper on the topic. His argument is that a 'monolithic' view of the Japanese experience has taken root among Japanese researchers, so that more localised research is perceived as not necessary (see Chapter 8). The implication is that this thesis overall represents the discovery and exploration of data that are novel and at the forefront of a recent and developing field of socially nuanced research. Secondly, expert level practitioners did not see a real need for substantial adaptation of global criminal justice practices into the Japanese context. This leads into a finding from the ethnographic aspect of the research about Japanese society holistically: cross-national similarity.

6.6.4 The lack of a need for expert knowledge on social context relating to desistance in Japan

It was raised early on during internal university dialogue in England, reviewing the feasibility of this study, that western models of desistance are potentially not applicable in Asian cultures. However, from this fieldwork, it is important to understand that when viewed holistically, Japan is far more similar to Western countries than different from them. Japanese people exist with human desires and emotions in a capitalist economy that maintains similar social spaces when compared with England and Wales. The people there complain about queuing, drink beer into states of rowdy deliriousness, argue with each other on trains, and work to buy homes and gain status. While these processes have a distinct Japanese appearance, the core of the society is similar. When I first arrived in Japan, my sense was that I had stepped into an entirely different world. So, it makes sense to me that much work on Japan has approached analysis from a position of expected difference in societal mechanisms (Braithwaite 1989, Johnson 2002). Yet, over time Japan became increasingly familiar to me, as I learned the language and became familiar with, for example, expressions of disinterest or anger. During my time there, I participated in social gatherings, observed business practices, lived away from touristic areas, and talked with ordinary people about their jobs and lives. What became apparent was that Japan was functionally very similar to my own country, the UK, while visually appearing very different. Consider that Japanese architecture over the centuries has resulted in a country revered for monoliths of beauty with unique designs. A few moments with a picture book should convey this - giant orange gates (*mon*), curated gardens, and expansive temples. Yet any country will maintain a similar culture of art and monuments to important events and beliefs.

The visual scale of difference is massive, but at the same time the purpose of such architecture remains across countries. People might build to remember or perhaps leave a legacy.

Academics consistently raised frustration with how Japan has been 'used' in past research. They argued to me that Japan was far more similar to the west than is stated and understood in literature, pointing me to debates which are addressed in Chapter 8. They were angry that research had caricatured the country. For example, one academic addressed the process by which this has happened:

So like, 80s 90s. And then there was suddenly like the early 2000s, and there was like [many] sub studies just exploring low crime [in] Japan all [of a] sudden, like, oh, why is Japan so low, we need to like learn from Japan. And then it just dies off, for some reason. And I think that has to do with, then you go into some dodgy territory, like you start to go into, oh, let's explain it. Let's explain it through, oh, 'there's something really different about them, there has to be something different.' And then it takes on this tinge of Orientalism, it takes on the, these kind of racist tropes... (Academic interview 12)

Behind the 'Japanese' visuals of its society it is possible to see a people who mirror in many ways the practices of my own culture. Pointedly, when looking over my findings about desistance in Japan it is clear that the themes of desistance were generally similar to research that has taken place in the past (Chapter 2). For participants, the transition from life involving offending to life without can be summarised as messy (Bottoms and Shapland 2011). The process fitted existing conceptual models so in desister accounts it was possible to see pro-social bonds (Laub et al. 2018), desistance motivation involving fear (Paternoster and Bushway 2009), a hope to move away from deprivation (Sharpe 2024), and gradual change in participants over time in their interest and priorities (Farrington 2017). All of this was underpinned by themes of support (Chouhy et al. 2020) in desistance that required generation of motivation and commitment to a change process that would be back and forth (Bottoms and Shapland 2011). It is important to stress the finding of similarity, as this will be important in discussion Chapter 8. My view is that academics based in Japan have gone too far in the opposite direction: some have views that Japan is not exceptional at all. There are clearly features of the Japanese context that augment the processes of desistance, but not as much as once expected. The thesis now moves on to discuss voluntary probation.

Chapter 7 Volunteer Probation System findings

7.1 Introduction

The purpose of this chapter is to present an understanding of the Japanese probation service, detailing its role in society - to reflect on wider goals of the service and point out desistance related effects. The chapter draws its material from the 15-month ethnography in Japan, observation of probation activities, interviews with various levels of probation officers (POs), and interviews with voluntary probation officers (VPOs). The chapter also makes use of reflection during desister interviews when participants considered if and how probation had affected their reform efforts.

The chapter begins with a brief description of the probation system in Japan, adding descriptive context to the structural overview provided in Chapter 5. Following this the chapter slowly builds up a picture of how each stakeholder looks at probation and its role in society. This begins with case studies detailing two voluntary probation officer perspectives. The first case study illustrates an approach to probation supervision that is centred on understanding and connection. For him the practical needs of the probationer are learned through forging a bond of trust. The second case study examples a practitioner focused on problem solving via his personal access to practical resources and business connections. Going over the two senior voluntary probation officers' perspectives shows how Japanese probation is not standardised and affords volunteers a large degree of freedom in how they leverage personal experience and resources. Discussion then transitions into an overview of one of the key roles effected by the VPO: the creation and maintenance of the 'return point'. Japanese voluntary probation requires a nominated supporter to accept supportive responsibility before earlier release can occur. This discussion introduces how probation in Japan is (in theory) a co-operative process involving probationer, probation staff, the community and a significant community member (the voluntary probation officer).

These findings portray probation in Japan as a type of maintenance for a person's relational environment. This leads into a discussion of the variety of approaches and ethos applied by interviewed POs in their management and supervision roles. The service seems to have good flexibility, providing a great deal of freedom to volunteers and professional staff. It is possible to see that a probation officer's management is structured around facilitating an effective relationship between VPO, probationer and the designated supporter. These ground level perspectives are then considered against high level staff views of probation. The chapter concludes with a reflection on social culture within Japan. Volunteer probation in Japan provides a significantly valuable experience and place of belonging for the volunteers. And

probation offices are similarly benefiting from an enriching social culture. This raises the question whether probationers are the main beneficiary of the service.

7.2 What is probation in Japan?

Providing a complete fieldsite description (as in the last chapter) is not possible in the case of my data on probation as I was not permitted access during probation supervision. Still, it is helpful to paint a picture of what the probation system does. Probation in Japan is at its core a two-party system. The government is represented by the professional probation officer. And the re-settlement community is represented by a voluntary probation officer (a state co-ordinated organisation of civil actors). These two people work together to provide probation services for people who have been deemed in need of the probation services (detailed in Chapter 5).

Probation in Japan is based on the familiar pattern of supervision meetings found in western probation systems, only there is a very significant focus on community-based mentoring.¹³² Consequently, the probationers infrequently meet with state POs (for example once a month) and meet regularly with their designated VPO (for example once a week). The place of the meeting is often (at least historically) the home of the VPO. Interestingly, some of my participants only considered the formal state PO meetings as part of 'probation', with VPO meetings seen as community support meetings with a friend/mentor. This may relate to the contrasting environment and structure of meetings and how the different aspects of probation are divided into the two types of meeting.

PO supervision is far more formal with probationers asked to come into the probation office. In purpose the meeting is focused on setting targets, meeting objectives, progress and indicators of successful 're-integration'. The setting of the meeting also plays a part. The probation office I was given insight into was nested in an 'elite' area of a metropolitan city. The office was situated on a high floor of a grandiose high-rise building. Looking at the towering building surrounded by similar structures I was struck with a level of awe. The probationer upon entry to the building would be met with a security team scanning bags and vetting permission to enter. They would be surrounded by people in strict business attire. Entry to the probation office would require ascending floors to an office filled with people. The probation supervision rooms were box like meeting rooms; of a size for two people sat at a table.

In contrast, VPO meetings were undertaken without any formal structure or location at the discretion of the VPO officers. VPO meetings variously took place in VPO's homes, the

¹³² This thesis does not contain much data on specialist probation services. For example, like the services provided to people with diagnosed mental illness or deemed to be high risk.

probationer's home and designated probation facilities. Consequently, a high-level description would be misleading. The tone, meeting plan, contents, location (e.g. large house, small home, office, business site) and members of the meeting could vary considerably in Japan. However, there was a very strong contrast in the formal-informal dichotomy between PO and VPO meetings.

A description of the office sets the scene for a key theme and finding about the work of the PO; endless paperwork. A high-level view of the service is of an organisation with a focus on management:

Observation: the probation office was a place of business, a labyrinth of corridors and closed doors. The one open space I found was a corporate office typical of Japan: men in suits and women in smart dresses following the standard Japanese business dress code; with black and white attire for all. During interviews, participants complained of extensive responsibilities related to filing and paperwork. I can now see this in how the office is designed for this paper management.

To quickly recap there are around 800-2000 officially employed PO staff and a workforce of 50,000 volunteers (see Chapter 3).¹³³ It is not unsurprising to find that POs function in a management role for the larger force of volunteers. However, I would stress that participants felt tied down by bureaucratic responsibilities and obligation (this point will be returned to after some more context is provided).

7.3 Relationships as the main concern of the VPO system

The interviews had the goal of exploring how POs felt about their job and what they thought their role in society was. Throughout this chapter I would like to highlight how their perspective was not just centred on the probationer; but also on who was around them (in terms of family and friends). One PO's concern provides a nice introduction to this theme. He indicated that loneliness was a major barrier towards success. He thought that if a person was lonely, they would not have people there in their environment to support them:

When I talk to people who have committed crimes, I hear about the type of family ties that don't allow them to get help from their families. They are lonely because they are unable to ask for help in such areas as bonds with friends. I feel that there are many people who are lonely in various ways, so if there

¹³³ These numbers have fluctuated in the reviewed papers and evidence, most likely due to how and when (what year) auxiliary staff or trainees are counted; this is an educated guess based on the supplied documents and literature reviewed in Chapters 5 and 8.

are people like that, I think it would be a big step for them to get away from crime. I think it would be a big step forward. (Probation officer 3)

In terms of purpose, probation service providers (both POs and VPOs) had the goal of linking the probationer with some element of society; either the VPO themselves or helping a probationer find someone else to connect with. This goal is very important in the process of understanding what the VPO system is attempting to achieve.

Desisters had a different perspective on what the service was and what it could do for society. The gap between the perspective of volunteers and service users is important. The current study is limited because the adult desister perspectives come from people in third sector support services. Thus, they represent potential points of failure; having constantly met people (including themselves) that have failed desistance attempts that involve probation support. It was therefore unsurprising to find negative opinions of the service as it related to desistance:

Do you know that the VPO position is not so practical? It is symbolic as a position - honorary. Neighbourhood association presidents are there, and so on. You know, like, there are temple priests or something like that, and it's rooted in that [high] society ... You know. For example, there are very few people who are working in real life. I don't know what to call it, I don't know, how to say it, maybe in nighttime conversation people say, 'do we really need the VPO's' I'm not really sure myself. (Senior peer support role, adult desister 4)

One might think that youth desister perspectives would contrast with these experiences due to their desistance being more successful (on the qualitative life improvement dimension of desistance). However, I found a similar sentiment in youth desister interviews. An artefact of the service focusing on connecting a person to society is perhaps that it becomes hard to see meaning in the probation experience itself. The main value will be family or some other community that was motivated to support someone because of a VPO or PO. Direct periods of supervision will be seen as less or minimally important. However, while not as important as the core support network for a desister, PO and VPO connections were still important:

Let's see, once every two weeks, the probation officer, I go and say hello. And then, if I don't do anything wrong, it's good, but if I'm found to have done something wrong, it would be bad, I'd be sanctioned, that's about it. To be honest, probation staff are really trying hard, they are very precious. I'm grateful to him now, but he didn't reach me at all back then. He was too old for me, and he was a businessman. I don't think there was any way he could

know who I am, what I felt or what I was doing. Looking back, I didn't have anyone to talk to about my true feelings at the time. (Youth desister 1)

I went on probation ... four times. Well, but ... I just go to the VPO to get a stamp. And only every month. I knew that ... I don't know what to call it ... so I was seen by a rich lady who just wanted to help ... that person didn't understand anything about me. So, I think that groups like ours [the peer support network] make sense. There was not much influence. I don't think so ... This is important though, they were a good person. (Youth desister 2)

Youth desister 2 refers to the instantaneous bond that two people in her organisation of former offenders might have had due to their shared experiential knowledge of offending and desisting (discussed in the previous chapter). She and youth desister 1 contrast this to the positionality difference that exists for young delinquents and the VPO/PO – though probation was still seen as something beneficial after years of reflection. However, I would stress that desisters did not perceive or make central the 'social restoration' aspect of the process.

7.4 The first Volunteer Probation Officer interview findings

VPOs seem to be provided with a large amount of freedom in what their probation remit involves. Two senior volunteers to whom I spoke during the research provided some insight into how they went about their work. Here they are divided into two case studies, as this will provide insight into how personal perspectives and resources inform the practice of probation:

Adam: What is your objective with probation, what kind of influence on society do you want to have?

So, for example, I want to forge an understanding with the probationer. I want to show him that I am sad he is sad. I want to show that from my heart I am committed to helping. By sharing this suffering, we can become closer and help each other. (VPO 1)

VPO 1 indicated to me that his supervision regime did not require attendance, because the supervision was supposed to be of benefit to his probationer. So, if someone did not wish to turn up there was no value in forcing them to attend. His goal seemed to be centred on forming a meaningful bond. He wished to create and offer a relationship that had value via its desire to be pursued by probationers. VPO 1 described how the process of supervision worked with his POs:

First, the probation officer reaches out to me, they mention that a person is coming back to society in my region. They ask me if I want to be a part of this process. They give me the written documentation on the process, I read this over many times. Once I agree to the process we all meet and decided how many times a month we will meet ...

... If there are a hundred people, there are a hundred different ways to deal with those hundred people. I have to think of a hundred different ways to deal with them, in the way I have learned in my own life, and then go out and live. For example, if I met Adam [using the listener, me, as an example], I thought, 'Oh, he is this kind of person, he has this kind of character'. Then, I would adapt my story to fit that. And if Adam doesn't keep his word? Well, I'll keep my word, man. 'He's that kind of kid, isn't he?' There are many cases where I promise to meet him to do a home visit, but he breaks his promise. But I'm patient there. I would go to the house where Adam lived. I would visit Adam's house to see how his work was going, and I would make frequent contact with him. In my case I've not really had many people that were good at keeping their promises. That's okay. And I would continue to do that for a number of months. It could be a long time, it could be two or three years, and if it was a short time, it could be six months. During that period of time, you try to deepen the relationship. (VPO 1)

In this explanation it is possible to see how the VPO is applying their 20 years of experience in the supervision of offenders; they explained that their work had involved a range of probationers including drug users, shoplifters, and ex-gang members. It is possible to see a sensitivity to the positionality of the probationer in this paragraph. It is interesting to consider that while the probationer might simply see an 'old rich lady/gentleman', the VPO is more in tune with the perspective and life history of their service user.

He went on to explain how he approached forming a good and meaningful bond with his 'partner'.

Adam: If you were to teach a new VPO, what are the three things you would tell them?

First, be patient. Develop the habit of patience. Don't worry when people don't show up, you need to have self-control (gaman). Secondly, listening right? Even when a person is lying, you need to listen in the Japanese

language. It is very important to listen to everything that your partner (aite¹³⁴) is saying. Lastly, you need to be able to say if what the other person is doing is bad ...

[later] ... One of the best skills for a VPO to have is communication, so it's not only about listening and talking but also facial expression, body language and atmosphere. Not being able to do this is pretty bad. (VPO 1)

With this question the goal was to gain insight into the critical issues or points of practice that generate 'success'. The answers are relatively simple guiding principles that centre the probation on accurately building practice from understanding of the perspective and issues of the probationer.

Adam: In terms of finding success, what are you doing to provide practical support, and what are you doing to provide emotional support?

So the Japanese people don't really separate their mind from the more practical things. I'm trying to find a balance across both of these things, so it is hard for me to separate these things...

... If the probationer needs a place to sleep, well I try and find them a place to sleep, find them a way of getting money to afford a place to sleep. If they are lonely, we find time to talk. We keep an eye on the balance of these things. (VPO 1)

This question prompted a relatively long conversation. The outcome of this was a realisation between the translator, myself and the participant that emotional needs in Japan are connected to practical success. That is, if a VPO can help improve practical issues then emotional problems are seen to follow suit.

This line of questioning had the intention of revealing the way good practice was determined within the service. These interviews were with high level and well-accredited 'elite' members of the VPO system. They stressed to me during interviews that they could only provide their own perspective, and that it would not represent everyone in the service. The following answer is particularly interesting in that it reveals that long term impacts are not always relayed to VPO's, and that the long-term contact that I observed in desister narratives was optional:

Adam: So, when you are helping someone, is there ever anything you noticed about someone, that's like 'oh this person is going to be successful'?

¹³⁴ The use of this word indicated that this participant viewed their probationer as an equal in terms of status. Overall, the language used to describe the supervision process was very informal and relaxed.

It is very hard for me to say, but I do notice the atmosphere of the person I am with, I could think that yeah, 'this person is going to be okay'. And sometimes I have people where I think I need to be more careful. But I can't really know what my judgment was like as I don't really see them once the probation period is over. So, I can't know if the feeling I had was good or not. If the person was a drug user, it really is hard to know, as their issue is something physical. So it's very hard to look for what signals that a person is going to be okay. For example, if a person is a drug addict, a drinker, a sex offender, or a person with such a personality, I don't know if he/she will reoffend or not. I think it is important to keep an eye on them. The most important thing is to be constantly aware that the people living around them are at risk. That is the difficult part. (VPO 1)

The other point raised in this answer is the variety of service users that VPOs are exposed to. Staff confirmed to me outside of interview that the service user offending type varied by area. This is a tentative indication that the VPO system will look quite different depending on where it is examined; e.g. in a metropolitan area more drug-based support will be needed.

7.5 The second Volunteer Probation Officer interview findings

The second VPO interview was with a less senior member of the organisation (still with over 10 years' experience). His role in the VPO system is interesting as it indicates that specialisation is possible:

The probation officers' association has an organization called the 'Cooperating Employers', which is responsible for the employment of people who have committed crimes before, and for the introduction of people who are interested in electricity or other fields, Hello Work [a famous employment agency in Japan], you know, that kind of thing. So, my activities are mostly linked to those organisations. For me, getting a job is the most important point, because if you don't have one then you can't live.¹³⁵ (VPO 2)

In this case the VPO was far more practically minded with their activities. It is worth bearing in mind that a VPO's location will determine what organisational resources are available to support them in their work. VPO 2's approach seemed to reflect a good understanding of

¹³⁵ 'Cooperating Employers' is explained in a Ministry of Justice (2024, f1) web publication that indicates a scheme with around 25,000 partnered employers over the entire country. This provides a payout for participating in the scheme (note that this publication is in Japanese).

desistance (as reviewed in Chapter 2), only with a focus on how successful desistance affects the VPO-probationer relationship:

So my time with the probationer is short, I can only meet them a few times and for a set amount of time, so I need to build a relationship with them in that time. So I want to try and understand them, this is very important to me.

When I take on a probationer, I usually find that this person has some issue in their environment. This understanding helps me to find out if that issue is with family etc. Crime is linked to their environment, so by understanding them little by little I can understand why they are offending, and this leads to us having a better relationship. (VPO 2)

While their objective was more focused on the provision of a solution, they still emphasised the process of understanding what problem was facing their probationer. The problem resolution approach is indicative of how well resourced this VPO was in terms of ability to provide a given solution to the service users' problems.

During the relatively short interview time I wanted to understand what lessons he liked to pass on to new VPOs who join the organisation:

First of all, you might be nervous. There are various things. My first case was with someone who had committed murder, who was paroled. So, I was scared. This guy had tattoos all over his arms, so it was shocking. This was a very stressful time, so I want to warn people about that aspect of the work. But at the same time, I want to emphasize that this work brings a lot of happiness. That same person, they contacted me recently and explained how they were now doing well and that their children had started to work. This kind of news makes you very happy. There are extremes in this job. (VPO 2)

In contrast to the earlier note from the previous interview, suggesting that it was not possible to understand if one has been successful as a VPO, this participant indicated to me that in some cases he would remain in contact with participants. There was stress placed on the valuable effect his role had on society.

7.6 Forging a 'place' - creating a return point

Moving on from discussion of the VPO perspective, an important role of the VPO is to assist in finding an incarcerated person a place to return to (family, friend, workplace or service). This return point acts as the foundation for VPO activities – note again that supervision may occur

within the home of a probationer. In the interview my participant drew my attention to how he would form a relationship with the family:

So, what is important? Is the target of probation important? The target is important, the person who committed the crime is important, but the family that surrounds the target is also important. Without the understanding and cooperation of these families, it would be difficult to create a stable structure. Therefore, I try to talk as much as possible with the people around the offenders. So, I try to take every opportunity to talk with those who are around this criminal. I talk honestly and more often than not [this is what matters]. In Japan, we have this kind of thing, where you are in jail, and before you get out of jail, they clearly decide who the underwriter of this type of case will be. The guarantor is usually a family member or a sibling of the applicant. Before the person comes back, there is a lot of time here [with this person]. We spend a lot of time here. I talk to them about various things. I will talk about various things and ask for their cooperation. When they come back, I ask for their cooperation to create a stable life without court cases. That's how we are doing it. (VPO 1)

In a way, it is possible to see how responsibility for offending exists both for the offender and the offenders' family. In the pre-meeting (a 2-hour period during which I was interviewed) the participants raised some points about how they view probation and its practice. They explained to me that they see Japan as a small country, so in the community everyone is densely packed together. In their view, a person who is offending has a really large potential to be disruptive to a very large number of people. It is therefore the responsibility of the community to address this together; state, community, family and probationer.

This topic was raised in other interviews; the probation office (collectively) indicated to me that a primary goal of their practice was to support the relationships around the return point for someone coming to their organisation from prison, sentencing and so on. The unique status and authority of the VPO provides the role with negotiating power on behalf of the desister. A youth desister explained this benefit:

The good thing is that you have to talk to them once a month. That can help you stay clean. Well, for example, if you aren't in contact with your parents, maybe they can talk to them, and they can make that connection for you.
(Youth desister 2)

In the documentation (a variety of pamphlets explaining probation related organisations) I received from the probation office I observed, this is referred to 'coordination of the social

circumstances for inmates' with reference both to juvenile training schools and penal institutions. VPO participants indicated that a substantial amount of work prior to release occurred at the return point, beyond the sight of the returning probationer, including investigation of the viability of various sites, conversation with, most commonly, family, and ongoing facilitation of support. Thus, VPOs are responsible for helping a person to find somewhere to return to in society; something very important for desistance.

To move to another perspective, one PO interviewed worked for the parole board. She could therefore illustrate what this process involved for someone in prison:

Oh, as a probation officer, yeah. Ah, day to day work. It's messy. Well, it's also fun. Okay, I actually worked at two different departments. So for my first year, I was working at the regional parole board. And then I went on to the probation office, and then I spent two years there. So as the probation officer and the regional parole board, we're doing interviews with inmates to see if they might be qualified as a probationer for parole.

So the process of permission for parole is that if the prison officer thinks that they are okay, then the prison officer reports to us at the parole board, 'look, we have these inmates, they're doing good, doing well, so we think that they might be able to get parole.' And then the probation officers at the parole board actually go to the prison to see them. See the potential parolees and then do the interviews, like what, 'what is your plan after release?' 'What do you think about getting the parole?' It's kind of funny way to ask about are you confident, you know about your life after release, stuff like that. And then we make a report to the actual board. And then the board member interviews the prisoner as well. And then they decide whether they're actually getting parole or not. So, in my daily life as a probation officer at the parole board, I was doing interviews, not every day but doing interviews, making reports.

Adam: what were the criteria for coming out?

That's, actually that's legally stipulated. And the first thing is whether they have a supporter in the society, like family, you know, partner, maybe child. And then we asked, if they have a good connection with them? Or if they have an extra plan to make a life out there? Like, do you have any, potential job? And also, we ask them about their past criminal conduct; how do you feel about that? How do you feel about what you've done? Or towards the victims, stuff like that? (Probation officer 6)

So, to restate; in the case that no return point is available no probation is provided (e.g. people complete their prison term without parole). While a return point can be created in the form of special probation or a halfway house, it is important to stress that for VPO activities are designed around natural social relationships; friends, family and community situation at a return point. Later in the interview the participant explained how the place of return was assessed:

I mean, if he gets the parole, and then says, 'Tokyo, and my support will be my mom', then the prison officers will send a letter to the probation office nearby saying, we have this new guy, and he says, he wants to go back to his mom's place. So can you go and check her. And you know, to see what she says about that, and stuff like that. So, we actually go to this supporter and ask her, 'is it okay, if he comes back?' 'Are you sure?' 'Is there anything you're afraid of, or stuff like that?' 'And what do you think the problem is?' - (Probation officer 6)

This methodology of gaining co-operation for a return point is something that requires future research investigation, particularly from the perspective of family given their experience of this criminal justice mechanism might be very different (for example, Kita 2018's work with offending families in Japan as discussed in Chapter 2). It is important to highlight that this interview is practice seen from the perspective of a high-level probation officer. How this mechanism functions for the VPO, probationer and family/supporter may have a nuance in practice that is not captured in the current research.

7.7 Agency and impact - fostering happiness, control and reform goals for probation officers

The chapter now moves on to look at the PO and their role in probation. During the interviews it became apparent that probation staff were able to utilise their own personal strengths to conduct probation supervision, rather than working from a prescribed doctrine of practice. Participants evidenced very different perspectives when explaining their methodology:

Well, I wish their crime would stop, but more than that, people who have committed crimes, or have done bad things before, come to us. Plus, there are the family members of those people. In many cases, it's the person's parents. So, in my opinion, the person who committed the crime should be able to live happily, or should be able to live in his/her own way. I want to help the person who committed the crime to lead a happy life, or rather, to live in a way that is unique to that person. So, by doing what this person wants to do, which will make this person happy, the people around him or her will also

be happy, and by helping this person, I want to make his or her parents and children happy as well.

So of course it would be nice if there was no more delinquency, but that isn't the main focus of this work. My main focus is for people to feel better existing in society. And for the people around them, his family to be there for them.

Adam: What are the steps in order to achieve this?

Right. Well, the person, of course. I think it depends on the person, what things are troublesome, and that will vary by person I think. So, what is important for a person to lead a social life is whether or not he or she can work to realize his or her goals. For those who cannot work, is it a life service like welfare or something like that? I think what people are looking for and what they can do differ from person to person. Steps? Well, it is necessary. What is important is to communicate with the people around them. And to change what it is that is troubling them. I believe that the person needs to understand what they lack, and those around them need to understand what they lack, and what can be changed, before reaching an agreement. So, for example, things like study, work skills, work related things and so on. And then there are those who support you. Is it a friend or family member? Well, I think there are many different kinds. Certainly, there is a difference between what an individual can do and the relationship with those around you. There is also the issue of ability, isn't there?

In other words. I have already said, 'I am not sure what the person needs', but first of all, we need to understand what the person needs, what he/she is having trouble with, and what the people around them are having trouble with, and what we can do to help. In other words, we need to confirm the needs.

(Probation officer 1)

In this excerpt from the interview, it is possible to see that the approach adopted has an interesting focus on happiness. This was not the case in other interviews, where participants cited control-based reasoning, or to limit future victims.

Having an ability to create a personal probation practice was explained to me as providing value through variety. Along one dimension, this allowed for practitioners to adapt and mold their practice to the problems and solutions in their area. For example, an academic interviewed pointed out the significance of local resource infrastructure. Probation needs to

be flexible if it wishes to use these types of schemes. One academic made this comment after explaining the development of a new scheme in her area:

In the Japanese forestry and agriculture sectors, young people, they don't want those kind of jobs. So I think that it is good for ex-offenders to find work in these places. They can develop a good identity and get a job. (Academic interview 14)

Making a wider point, the dynamics in an area can cause variation in the types of offending, demographics, economics, geographic structure, and the support infrastructure. POs need to not just organise probation activities around a great variety of possible circumstances, but also around a combination of those circumstance and different VPOs who might be former government staff, full time mothers, retired office workers, and so on. Thus, POs being free in methodology allows for them to leverage their personal strengths more effectively. One PO explained this as a system that enabled success through variety:

I had many probationers or parolees who were sent to probation schemes again and again. So that probation or parole was not their first time. And every time I saw this kind of probationer, I was thinking, why am I doing this to them? Because it is kind of, isn't it obvious that it's no use for them? The probation is no use for them. But later on, I started to think that probation by me is different from probation by my colleagues. So what I thought was, maybe somebody's probation was not for them. I don't know if my probation is good for this guy. But why don't I try? You know, I will try. I would love to try. Maybe he thinks that he's supported by me.¹³⁶ (Probation officer 6)

During this interview I asked why employment had not been mentioned so far in the explanations, and the answer indicated that employment for certain individuals is not the goal:

I would say employment is really important, but the importance of employment is not employment itself, but more like being busy, right. So, they are not disturbed by peers and stuff. They can feel needed by the society, that feeling is really important, not employment itself. That's why/[how] I'm thinking, because I had so many supervisees who actually cannot work properly. But it doesn't mean that they cannot desist. I think that's the reason why I didn't mention employment.

¹³⁶ It is worth highlighting that perspective change over time is a possibility, so depending on the average career stage of the interviewed criminal justice workers their answer might be different.

We Japanese have a stronger need for that, I would say. Because I think being a member of something like, a company, a society, a community, a family, is really important for us. More precisely, I think, not being excluded is very important for Japanese people. (Probation officer 6)

It should be noted that this PO had international experience and was thus more sensitive to the 'Japanese' cultural dynamics in probation, which was not possible for other interviewees. The answer to this question was interesting and raised a point on desistance that employment is valuable in what it provides emotionally, but that there are other routes to this (family, mental health support, friends). The need for an income remains, but employment alone was not seen as a full solution. It was thus not surprising to find out executive level staff had referenced 'good life' literature in policy and practice (discussed in Chapter 8). PO interviews all seemed to create practice in relation to their views around the importance of community.

Another officer indicated that their practice focused on self-realisation and building an understanding of the way offending actions affect society, the offenders themselves and the people they care about:

Adam: What do you think is important for moving away from crime?

Well, I would say it's to understand the person's motivation - they need to want the change. There are many kinds of crimes, such as shoplifting, or a child in junior high school or high school riding a motorcycle. The person himself/herself. Well, you know ... well, in order to live a proper life, or to achieve that self-realisation, it is necessary to understand the need to follow the rules of society. And what else? Let's see. Well, I think it is also important not to betray the trust of the people who are important to you, your parents and children. (Probation officer 1)

This view pointed towards experience with a very specific type of offending. - a view with assumptions about the meaning of family and society as victims, and not as risk factors for offending. The view is different from 'problem' and 'breakdown' views of offending that stem from problems around an offender; placing attention on the individual and their choices within their environment.

Another officer had a far more relaxed approach – looking to provide people with the opportunity for self-discovery:

The most important thing is that I want to help people understand themselves. 'Why did I commit the crime?' 'How do I feel and think about myself?' I want to help them to understand themselves. This is the purpose of the interview...

... You mean, how will we come to understand? I think it's all about listening to feelings. I think it is the whole process. How a person feels, how he/she thinks, and how he/she feels. All of it. Questions, mostly. Well, it's not like I'm giving them guidance. I ask them how they were thinking and how they were feeling, and then I tell them that's why they did what they did. (Probation officer 4)

The approach of officer 4 centred on a therapeutic conversation within supervision.

For probation officer 3, their overall goals were to make the probationer feel like an ordinary citizen rather than a 'criminal'. A substantial part of the interview was dedicated to this point:

So at that point when the probation time is done, it is time for the probationer to feel like a normal citizen. At the same time, during probation they are living in society, but they are not in prison anymore. So I am just trying to treat them as normal citizens ...

[later] ... The VPOs are the people that create the link between the community and offender, and aim to look at the ex-offender not in a negative way. And treat them as a normal citizen in the community. (Probation officer 3)

The goal of probation for the POs was multifaceted. In general, there appeared to be a variety of methodologies in the probation office. However, the limited depth of these interviews needs to be stressed.¹³⁷ With more interview time it is possible that overlap in methodologies may have emerged.

A couple of further points can be made on the topic of variation and practice. Probation officer 2 highlighted the need to build trust during the supervision period:

By building a relationship of trust with the probation officer, by making contact with the probation officer many times, a relationship of trust will be built, and the person will be able to keep his/her promise. So, by making contact over and over again, we can build a relationship of trust, and then the person will be able to keep his or her word. By making them think that it is natural for them to do such things, we can build a foundation for them. I think it would

¹³⁷ For reference, four of the interviews lasted for 30 minutes, one interview lasted for 50 minutes, and another two interviews lasted for 1 hour. While there were extensive informal meetings with the various participants, these meetings were not recorded, but simply allowed me to observe the social culture of the office.

be ideal if they could contribute to society after the observation or even during the observation period. I think that they need that kind of spirit.

This observation of trust being important in probation is something worth highlighting. A probation system that wants to provide a valuable pro-social bond is interesting to consider (Laub et al. 2018). The VPO system is at the halfway point from criminal justice to community, and thus represents in some ways a return/entrance to society and socialisation that might not have happened before. Probation in Japan has the potential to *be* the pro-social bond.

The second point is to simply confirm that regional (e.g within Kansai) considerations are an important part of management responsibility in probation office work:

Yes, that's right. Well, there are differences depending on the government office, such as Osaka or Kyoto, but there is a BBS [big brothers and sisters] organization, there is one in each prefecture. But, uh ... well ... it's not functioning properly. At least, there are some areas where it is not functioning properly. (Probation officer 1)

To explain this hesitation, a further question revealed that probationer types did not always align with the voluntary services - such as a drug user not being eligible for support via BBS, and requiring professional help or internal resources at the probation office. BBS obviously could not be used with older probationers, due to its premise of being a youth-to-youth support system. The VPO system was noted as less effective in rural areas where population density was lower, thus increasing distance between VPO, probationer, community and support.

Overall, the perspective of the POs was long term and objective; they looked at how everything fitted together. Asked to reflect on what probationers needed to be successful one participant stated three factors important in desisting effectively:

So, the first one is a place to live, so most of the time it's going to be [key] to have a roof over your head. The second one is something 'to do', like you have a goal, a feeling that you are needed and doing what people want you to do, and the last one is someone that makes you want to do a good rehabilitation. The probationer can't do it just by themselves, they need someone, like for example a family member, to make the probationer want to successfully rehabilitate

[adding explanation to two points] work is necessary for one's self-esteem and affirmation of one's existence, so if you can't find a job, you can't do that, so ... I think it becomes that hard... if they don't have that kind of support, then they become lonely... (Probation officer 1)

In this answer it is possible to see a holistic view of a 'desistance' process. The officer looked to each aspect of the support period and how practical and emotional components of the process needed to fit together to create an effective supervision period. They were not in the trenches of probation but looking over them.

Each of the POs held a fairly coherent and logical approach towards probation practice. They had a goal and were provided with the agency to affect that goal. However, there were some limitations to the freedom in supervision approach:

Well, my personal answer is, we can do almost whatever we want, as a probation officer, as long as it's legally permitted, but sometimes there's a limitation of the legal framework, right? Let's say, I have this parolee and he made a breach. So, I needed him to go back to prison. Well, because he breached probation there is a very, very, small chance for him to get another parole, right. Then what we expect is he'll be released without any supervision after his prison term. But I think people like him will be the people who need more support, because he can't keep the promise even though he was on parole. And we need to see I thought we needed to see why But we can't do that within the legal framework, because it's not going to be under our supervision anymore. (Probation officer 6)

The inability for probation to occur for people leaving prison at full term has significant implications for the likely desistance of those people. However, other infrastructure does exist in the criminal justice system, including halfway houses, work schemes, and skill development prisons (detailed in Chapter 5). While I have highlighted freedom in approach in this chapter, there are legal limits that stop probation from being totally able to promote desistance in the same ways as were seen in the previous chapter's two fieldsites.

7.8 Senior staff and policy level directive versus in practice application

One interview with a Ministry of Justice worker with a background in probation and community corrections, via email correspondence, added high level views related to desisting in Japan. Their comments show the rehabilitation arm of the criminal justice system seems to have a solid understanding of the main problems in desistance – having been exposed to some western desistance literature (later confirmed in other interviews with high level probation officers). They stressed to me that the organisation *during their leadership period* was focused on evidenced based practice. This helps to frame the educational context of probation activities:

*There are some barriers, such as stigmatization, difficulty in getting a job or appropriate house, and absence of good neighbours... Many of them [desisters] have no family or friends. So many of them [need to] reconstruct his/her relationship with others through their daily lives ... It seems that good neighbours, like colleagues in their workplace, [keep] them away from reoffending ... It seems that isolation from society is the biggest risk for reoffending.*¹³⁸ (Ministry of Justice, written communication 1)

This view was corroborated in the governmental documentation (information pamphlets) that were provided to me.

Importantly, another thread in the above quote relates to stigma (a topic raised in the last chapter). High level probation officers recognised that this was a problem for desisters. In an interview with another senior level staff member, they indicated that they had begun to work on activities generating understanding of offenders' circumstance in wider society, also helping the VPOs to understand needs and the general situation of probationers. An example of this was building awareness of disabilities by giving lectures and running workshops - although this was his personal initiative, and he was not directed to do so by the Ministry of Justice.

As an example, let's take a man who has been single for 35, 40 years. About 65 years old, living alone in a simple lodging house. He had been working as a construction worker for 40 years, and had not even been to elementary school, let alone junior high school, and he was working very hard at this site. At the site you know, the leader of the construction site told him that he had to leave the site because he was 65 years old. Well, this guy doesn't know how to make a living. So, three times he shoplifted rice balls from a convenience store. He went to jail. So Well, then. So, I checked him out in prison and found out that he had some kind of mental disability. He would go home from work, have a drink at night, sleep, wake up in the morning, and get up in the morning and go to work. He had been doing the same pattern for 40 years. 'When that stopped, I didn't know how to make a living, so I shoplifted onigiri (rice balls) three times because I was having trouble finding food.' He said too, after he realised, 'If I had accepted welfare care earlier, I wouldn't have committed that crime.' (Probation officer 5)

¹³⁸ Untranslated direct quote, respectively in response to the following questions: What were the major barriers for long term repeat offenders that you dealt with, that made it difficult ending their offending? What types of relationships do long term repeat offenders have coming out of prison? What relationships enabled successful moving away from crime? And the opposite, what relationships were problematic?

The point of this story was to illustrate an issue that faced probation conduct: a lack of disability aware thinking in criminal justice, and police with a 'three strikes and you're out' mindset, that is, sending a lot of needy older people to prison for crimes that are arguably the fault of the state. This represents a failure to provide adequate welfare and support systems, particularly to those unable to recognise or apply for the available support.

I would like to raise at this point the different informational perspectives that exist in the probation service. Elite level probation staff and policy-makers are educated roundly with some international academic knowledge. However, the people doing the probation work had very different perspectives. VPO probation is undertaken with an 'ideal' sub-section of criminal justice service users: VPO probation for people with a return point. Thus, the population of 50,000 civil actors does not have a rounded view of desistance amongst those without a 'return point'. Consequently, POs and VPOs operate with a curated view of what is needed during probation, and their desistance-related knowledge is consequently narrowly focused on relational environments in a 'return point'.

7.8.1 *The ideal case in the VPO system*

I mentioned previously the 'ideal' VPO case. It is helpful to provide an example I saw during desister interviews. In this case the VPO system facilitated a motivating social connection, friendship and a place to spend time. Overall, the connection had allowed this desister to re-frame who they were and helped them to adopt a positive perspective for the future:

Right. The VPO was really close to me from the beginning, he seems now like some sort of distant relative, but it just so happens that he is a supervisor. Of course, I'm obliged to do that [the probation], but there I can ask him, 'How are you feeling these days?' And we would talk about things like that. Well, even after the [supervision] period was over, I went to visit him once in a while, and there were karaoke facilities downstairs, and I asked him if I could sing a little. I could sometimes go downstairs to relax there, so the VPO was very good to me. I don't know how other people do it [experience probation], but I'm glad I did. I feel that the VPO kept the probation office alive. Well, I was close to the VPO, so I felt like I could do my best by just saying what I wanted to say. (Adult desister 2)

However, of the 11 desister interviews, and 16 peer supporter and staff interviews, only this conversation provided evidence of the ability of the voluntary service to provide transformative levels of support. Most participants reported little impact from their VPO, or a total lack of a VPO. Co-operation with government agencies in generating a pool of desisters to interview would theoretically have inverted the issue. The VPO system is theoretically ideal for

desistance and I did see some indications of the system's power. However, it is worth bearing in mind that any offender will most likely have a dysfunctional social environment. So more work is needed to understand the power of the VPO system to directly address this.

7.9 VPO and PO supervision impact limitations

The chapter began with notes on the bureaucratic concerns of the POs. Their role as probation managers (versus supervisors) was a major point stressed to me. During the group discussions it was stated to me that POs have to spend large amounts of time handwriting reports, and this was a point of frustration. Consider that a staff of 800-2000 people have been made managers of 50,000 volunteers and that they also need to co-ordinate the return point. They spend a large amount of time reviewing VPO reports. Consequently, POs (the 5 low level staff) explained they had a limited ability to have a meaningful impact on probationers themselves, unable to interact with probationers directly:

The rehabilitation does not happen during the probation, actually, our work is largely preparatory, we have the goal to create a good relationship between the offender, the institute and the volunteer, and once that relationship of trust is built, it is important for the probationer to get accustomed to listening to people who are giving him advice and work towards the rehabilitation.

(Probation officer 1)

POs are exceptionally well educated (e.g. with university degrees in psychology, social work, crime studies or sociology), informed and knowledgeable about effective probation in Japan. However, they did not actually get to do much for any single probationer directly. One participant explained the system of classification in place for probationers:

The volunteer probation officers are doing the main part of probation. But we classify the probationers from A to C or something like that. It is a weird way of saying that probationers are dangerous. Well, in terms of dangerous I mean, with a high risk of reoffending. So people under C are like the lowest risk of reoffending is for C Class probationers/parolees I barely met them...

I saw the class C people when they, when they need a serious decision from me, from a professional probation officer. But other than that, volunteer probation officers do the job.' (Probation officer 6)

The evaluation of practice in Japanese probation most likely needs to be divided across its VPO and PO supervision systems. The standard PO supervision requires a management role, whereas high risk cases only involve a PO. Outside of probation officer 6, I did not speak with

anyone who fulfilled this type of role. They note that the VPOs are the ones who do most of the supervision for the vast majority of probationers in class C.

It is worth noting that even for the VPOs doing the bulk of supervision VPO supervision time is short. A participant raised the point that probation is relatively limited in terms of the direct impacts it can have. This point requires some emphasis:

To be frank, I think it is much more difficult with the way probation is done now. The issue of the person's ability is something that cannot be nurtured without living in society, so it is not something that can be improved by two people in interview with each other, so I think it is very difficult. The VPO interview is only about twice a month. And the frequency of meetings with the probation officer is even less, so it is not easy. I can't see their skills and abilities improve, and I can't see that they are getting better at what they do. It is not often that I get to see that kind of thing. (Probation officer 4)

Interviews and conversations with PO staff indicated to me that a primary limitation of their role was time to conduct supervisions, and how thinly they were spread over managing multiple cases with the VPOs under their direction. This point was also raised during an academic interview with a person who did not explicitly focus on probation practice. It was interesting to hear this side of their research:

Yeah. And I think what was remarkable about the vast majority of these [former and current offender] interviews was just how little they talked about their time on probation, or their interaction with probation officers or support services or whatever. Barely mentioned, unless I specifically mentioned. (Non-native researcher, academic interview 1)

The theoretical impact of VPO work needs to be tempered with realistic consideration of what one hour a week can do.

7.10 Informal social bonds, dense networks and what that means

The final point is a reflection on what the probation service provides not to the service user, but to the service provider. The topic centres on motivation to participate without payment: 'Why volunteer, what can one gain from the VPO experience?' And this has strong links to the overall Japanese context of socialisation I observed. People wanted to form communities, friendships and bonds in contrast to businesses, allies and links.

Some of my participants in both the sample of POs and of the voluntary staff made me aware that the body of voluntary probation officers is a large and politically influential social organisation. It is worth considering power dynamics in this 'service'. One of the POs indicated that on occasion it was possible for VPOs to not submit reports (meeting summaries) on time. In this case probation staff would put pressure on them to do so. However, they are not employees and had a limited degree of control. They noted that VPOs who did this kind of thing were very rare. This raised an important topic: commitment. They went on to explain that different levels of commitment created differences in practice quality:

There are a lot of different kinds of volunteers. So, depending on their skills, their potential, their motivation, maybe it will have an impact on the other person. If the person is very dedicated to their work then it's going to make a big difference. (Probation officer 1)

I would stress the lack of formality and structure in the service. My observation of probation was that it provided a community to the volunteers. Difficult work can be rewarding, and there is much to gain in emotional satisfaction when one's work improves or possibly saves the life of another person. In addition, VPO members gain access to an exclusive club of high-status members of the community. Social events, award ceremonies and such are undertaken within the organisation. What an organisation does for its members is arguably just as important as what its members are doing in the world, as this is why it exists. POs did not need to manage uncommitted lower-level staff. The role was voluntary, and people wanted to be doing the work. This leads into an observation of what was providing that commitment to the work.

This next point also applies to the adult support centre, the youth justice peer support network, and the academic community. There was a distinct lack of focus on results, outputs, or performance throughout my period researching desistance spaces. Organisations valued cohesion and community harmony over ruthless pursuit of objectives and goals – expecting the later would follow the former. Socialisation and after work meetings were as important, if

not more important, than the worktime itself. As explained, my access to probation was limited; on paper, I was allowed five 20-minute interviews with staff. Yet on the same day I was able to converse with those staff informally for close to four hours. The strongest image I hold from my ethnography in Japan is of periods of informal socialisation. This point I feel is important, as the sense of community I experienced in Japan was forceful and imposing. I observed cultures of work disappear into rowdy fun, serious characters break into laughter and watched social connections form and strengthen across organisations. Consequently, my observation was that organisations did not demand commitment; they encouraged it through meaningful social interactions.

Social networks in my research period had a habit of overlapping. For example, probation and academic networks are integrated such that during my access process I was tested on my social capabilities simultaneously by both organisations:

Observation: I have very vivid memories of my designated probation staff contact attending my first meal in Japan with a tangentially connected research group. However, I did not even know that they would be my contact at the time or that I was being assessed. At that time I was lost in an ocean of new words that made my head spin, trying not to comprehend but simply to hear anything at all. The lively atmosphere was infectious, with academics and government officials talking with little reference to their work.

This contact later became a critical person in my research. I was tested in a way that gave me no way to prepare, and which required that I be acceptable in performance during socialisation, not just in the research setting. If that meeting had gone wrong or if I had failed to attend, I fear that my research may have stalled significantly. In the access process these experiences were quite frequent; often I found access links during informal meetings and invitations that I did not realise would be relevant to my work. This shows that my context of observation within Japan was an abundance of socialisation.

'Employment at the probation office' does not capture the way POs seemed to value their social group. Academic interviews provided contextual insight into organisational dynamics:

I think anyone who works here is, the extent to which the foreigners who work here, is the extent to which everything is highly, like what how can I put it ... let's use the word[s] procedural [and] bureaucratic, the extent to which institutions are ... how can I say 'bound by, by tradition', that there is procedures for everything, and every procedure is done the way it's done, not because it survives any kind of critical evaluation, it's done the way it's done because it was done that way last year, and it was done that way the

year before, and so on [and later]... I probably shouldn't say this, but it's a kind of, it's a kind of nationalism. It's my sense. It's not nationalism, in the sense, you're [thinking], I would understand that as a kind of political ideology, but it is a kind of cultural nationalism. (Academic interview 11)

POs were confused at times when asked to reflect on the positives and negatives of their organisation. Perhaps reflection was not needed or was unusual in the normal conduct of their work. They may have been uncomfortable sharing such opinions in the format provided. However, their perspective did not strike me as professional or objective. Why would someone be critical of their friends and family? This was a theme across social spaces I observed during my time in Japan. People did not go to work with colleagues. Their life was work, and they engaged with the bonds that existed within their world. What is important to stress is the inherent value of membership provided; a sense of belonging and community - a community that extended across organisational boundaries.

From my small point of view and narrow focus the Japanese context is a landscape of dense and meaningful socialisation. An ability to thrive in this type of socialisation seemed to be important (particularly for a participant's desistance). But I would point out in this chapter how significant the Japanese socialisation dynamics were to the functions and viability of the probation structure in Japan. I cannot imagine the VPO system working outside of an environment that provided inherent value to social participation beyond objective purpose. Otherwise, it would not be able to attract the elite members of society the VPO system is premised on. People engage as a community with a shared purpose.

There are elements to hierarchy I observed that are worth noting, as this limited in some ways what could be gained from the interviews; critical opinion was often provided hesitantly or not at all. In the instances when I developed good levels of rapport, such a dialogue did emerge; only they were uncertain and often communicated in sub-text. Power structures in Japan are not the direct topic of this thesis, but awareness of these helped me greatly during the research process (see Chapter 4 discussion of *senpai/kohai*, collectivistic organisational structure and language). A quote from an academic interview helps explain this context:

People can be quite rude and direct here in a way, at least in a work situation. Yeah, again, things like, they call it here... they call it power harassment, which annoys me, because, it's ... let's call it 'power harassment', because that kind of bullying is, I would say, extremely common here. And routinized, and that, if you want to characterize that as an extreme form of impoliteness, I would, it was... quite a lot of Japan doesn't have it, doesn't have the institutions and structures to deal with those kinds of sort of dysfunctional

situations. And what tends to happen is things get sort of hidden. And so there's very little accountability and transparency in these institutions within the system. And from time to time the scandal is so bad, it somehow breaks through that wall. And there is a degree of accountability and transparency brought on by that. (Academic interview 11)

While the topic of this quote is abuse, I want to draw attention to the premise of this abuse. People I met within my research were embedded within a world of hierarchy, power and status. This quote provides a tentative indication about why POs dialogue was so limited in critical opinion; freedom of expression is not a lauded value. Consequently, the lower level staff at the probation office were very hesitant to talk about problems and issues in their work - interestingly, all providing the same response when asked that very question. This office wanted probation to be voluntary for the probationer and not something they were legally compelled to do. Initially, I thought that the five lower level staff might have been coached on the answer. However, it is not unsurprising that the office culture would produce an alignment on such topics.

7.11 Future work and consideration

This is the first English publication (to my knowledge) to include service user perspectives of Japan's voluntary probation service. In addition, it contains both PO and VPO interviews. Consequently, it holds data long desired by researchers in this area (Watson 2018). The findings here provide some tentative indications that the system is working as has long been speculated (Ellis et al. 2011). However, there is also evidence this effectiveness is limited to ideal circumstance. The service will be very appealing from a foreign government perspective; a *free* workforce of people, who look to address community dysfunction, resolve problems and provide committed support to prison leavers. However, it is important that Japan's voluntary probation service (*hogoshi*) system is thoroughly considered. The specific socio-cultural context of Japanese probation is important in relation to discussions of policy transfer. Particular attention needs to be placed on the service's premise and on what ongoing cultural practices motivate the volunteers to commit to their work.

7.12 Summary of probation and its relation to desistance

The chapter began with a high-level overview of the probation system. In order to effectively understand the findings stress needs to be placed on what people are doing in their roles. Professional probation officers turned out not to be authoritative figures on the desistance process in the way I was anticipating going into this research. Their methods are backed up via state level direction, training and experience with direct supervision. However, due to their

need to operate in a management role for VPOs they maintain a high level, almost idealist, view of what the service should be. VPOs on the other hand had a very small view of what probation is overall; filtered through a civil actor lens, their own personal experience and some training. The two VPOs leveraged their personal resources and experience to support desisters who they and their directing supervisor viewed as suitable for their attention. Consequently, the voluntary probation service is prepared to support a very specific type of desistance process in very specific ways. The service connects a diverse set of people (crime affected) to another diverse set of people (rich, powerful and socially successful altruists). It is not unsurprising to find that my desisting participants reported very varied experiences ranging from nearly negligent impacts all the way to VPO staff committing their own building's facilities and welcoming people into their own homes.

The first VPO was focused on creating an effective relationship with their service user. That this was the primary goal, given the practical needs of probation service users is interesting. They explained how a bond of trust allowed them to effectively engage with the probationer in a co-operative desistance process. They seemed to be prioritising desistance motivation before looking at desistance opportunities. Perhaps this was related to the type of service users directed to him. His service users were noted as being unreliable - missing meetings and not keeping promises. The goal to listen, care and demonstrate empathy seemed to be his way of creating a stable foundation for probation activities moving forwards. There are tentative indications of PO management and resource allocation here: matching the probationer to the VPO most suited to address their needs.

A different specialisation seemed to be the case for VPO 2. He viewed the practical issues of his probationers as the major goal to effective pro-social commitment and engagement with the probation service - a 'hook for change' (Giordano et al. 2022) provided to pull out desisting motivation and commitment. He viewed this first and foremost through the lens of employment. His personal resources allowed him to connect people to employment opportunities for former offenders due to his and his associates' businesses. The secondary concern was also practical. He pointed out how his service users often had some problem in their environment driving their offence. Thus, we can see two VPOs who looked to leverage their personal resources to address problems in their own way, one looking to create a bond and generate motivation to desist and another wanting to pull someone into desistance through a provided opportunity.

The chapter then transitioned to a more focused discussion of probation service objectives. This began with looking at the 'return point'. This aspect of probation in Japan is highly relevant to desistance. Current theory stresses the importance of a desister's relational situation and

support structures (Weaver 2015, Chouhy et al. 2020). Participants relayed that the probation service and their VPO undertook activities to look for and establish a return point (e.g. with parents). This means that desisters are not required to negotiate support for themselves. Instead, a significant community member with state authority is empowered to negotiate on their behalf - as noted by one of the youth desisters themselves. I would point out that this is a 'rich get richer' situation – or perhaps more accurately those most in need of support go without so 'the poor get poorer'. People who have some level of resource to leverage are enabled to gain probation support, whereas people without are generally left to fend for themselves after enduring/serving their full sentence length in prison.

'Probation ethos' was then considered via different perspectives on what probation is supposed to achieve and how. Firstly, the probation structure did not provide prescriptive practice. While VPOs gained some level of direction from their managing PO, the two interviewees and PO interviews indicated that VPO supervision was left to the VPO in terms of how goals were achieved, and the planning between VPO-PO-Probationer was open ended. This provided people with a level of adaptability to the specific issues in any case, local problems and local resources that could be leveraged. This flexible and non-standardised approach to probation allowed for a far more personal supervision system in which the PO and VPO were enabled to create a 'probation craft'. It was possible to see across interviews that each person engaged in something they believed in and went about this in a way they thought was effective. Taken at face value this would lead me to believe that probation in Japan has a great deal of variety. Secondly, probation ethos did not seem to be standardised in underlying assumptions around what was driving crime. Some POs subscribed to a social breakdown theory of criminality in which offending was a problem resulting from some environmental feature. Other POs viewed offending as a personal choice. Consequently, we could see corresponding supervision processes.

Rather than a standard 'probation experience' the Japanese probation system seems well suited to creating a varied set of probation experiences via the local makeup of the offending population, the VPO population and support infrastructures, further empowered to vary per PO in the plans and guidance they provide, and at the VPO level in what specific resources and experience they bring to a probation service provision. The probation staff that I interviewed all seemed very competent and well educated in relation to criminogenic needs. The overall result seems to be a probation system that is, *on-paper*, adaptable to the needs of any person that is allowed to pass through its organisation.

The Japanese voluntary probation service is a focused and specialised organisation. VPO and PO views of what desistance involves revolved around the return point. However, there are

desisters who lack any such support infrastructure (e.g. the adult desisters in this thesis). Thus, the objective of 'control' was not mentioned much outside of a need to report a breach (non-attendance, illegal activity). The need for such concerns around risk were instead cordoned away in different state organisations and specialist probation pathways (e.g. Emergency Probation Services). Consequently, one can observe an organisation of state and civil actors highly focused on supporting people back into society. The effect of this narrow focus seems to be of great benefit and warrants a significant degree of further study. I would draw attention to the way the system holistically orientates participating actors. PO, VPO, family and community are all provided with interactive opportunities to affect a type of 'community maintenance', dealing not with probationers but looks to address 'relational environments' (return points) in a holistic and co-operative way. The glue of this system is the VPO: a senior member of the community looking to ensure good behaviour in their community. Consequently, the PO also works to produce and maintain motivation. Thus, the organisation is locked into desister centred action and perspective.

There were still problems. POs lamented their administrative roles and how little time they got to spend conducting face to face supervision. Even for the VPOs, supervision was limited and could occur as infrequently as twice a month. Consequently, direct impact on skill development, character and personal change was not something some POs viewed as within their power to achieve. However, I would stress that isolated focus on the supervision period impacts might undermine the critical desistance function the service plays in establishing a return point. Both VPOs and POs did not seem to understand the significance of this part of their service. Desire for direct impact and observable results in probationers via 'change' limited their perception of how critical it was they provided a stable desistance environment.

The final point of this chapter stressed the importance of recognising the value of the Japanese voluntary probation service to its members. Why people are doing their work may be just as important as what their work is and how it affects their service users. This point is particularly important when discussion of policy transfer emerges. The Japanese probation service is a tantalising proposition for any government given the various functions it provides without remuneration. However, the Japanese cultural context seems to be a very significant reason for its success and continued existence. My ethnographic observation is that Japanese socialisation culture provides inherent value to participation in the organisation. Thus, people are motivated to participate with commitment to any organisation's objective. Overall, the service seems to be an ideal organisation not just for desistance in terms of on-paper potential. For communities the organisation plays a role to improve social functions and address problems in a more holistic fashion with a collection of driven and motivated community leaders. For the desister the VPO may act in various roles depending on skills and need; an

advocate to family, mentor in dark times, a facilitator of new relationships, a source of knowledge on opportunity for employment and support, the direct provision of support itself, a friend, or a peer (given enough time). Yet there is a distinct lack of probationer or VPO data and it is difficult to suggest this is truly the case in practice.

The thesis now moves on to bring together the various empirical findings and consider their implications for theory, policy and practice.

Chapter 8 Section 1: Desistance in Japan

8.1 Introduction

The research described in this thesis had the goal to develop a comprehensive view of the Japanese desistance context. Thus, allowing for a nuanced view of desistance processes and what surrounds them. This was done in order to find answers for the main research question:

To what extent do cultural practices in Japan function to enable, or disable, offenders in their engagement with criminal activity, and in their movement towards law abiding lifestyles?

Answering this question involved a complex and prolonged 15-month period of fieldwork collecting interview data, observation and lived experience in Japan; coming to grips with the language, people and ways of being that exist across the many different social spaces related to desistance. The current chapter draws together this data.

Before moving into this discussion, it is helpful to outline the chapter and its contents. The chapter begins by taking some time to address past criminological study that has speculated on the desistance process within Japan. Many years ago, Braithwaite (1989) summarised Japanese crime control theory via the supposition of a theory of re-integrative shaming (introduced in Chapter 2). This work explains a ‘monolithic culture’ with a set of unique social features that provide restorative influences for people who have offended in Japan (Brewster 2020). This discussion helps to frame the significance of the current thesis and establish its opposing stance alongside scholars arguing for nuanced empirical study (Goold 2004). It explains what research has come before and provides insight into the research context of desistance study in Japan. The current thesis is able to address a decades long gap in the literature related to the study of Japan by providing observations of the desistance process (though it can only do so for parts of Japan). Thus, the contribution of this thesis is not additive to existing theoretical developments. Instead, it provides a starting point for desistance study within a new paradigm of contextually nuanced criminological research in Japan (Brewster 2020).

Next, before moving to discuss specific mechanisms of desistance a high-level view of the Japanese context is presented. By looking across the data presented in Chapter 7 it is possible to argue that Japan is, at least currently, not as exceptional as was once postulated. There are clearly exceptional features within the Japanese context. However, the desistance process occurs in the patterns observed in past work on desistance in other countries. In strong contrast to the exceptional model of a supranational cultural influence, the non-traditional life

patterns (e.g. lacking any family) of the desisters I interviewed provided a varied set of non-standard life-course experiences.

The chapter next moves on to discuss the stigmatising context for desistance in Japan that emerged across Chapters 6 and 7. Rather than a restorative reaction to offenders, adult desisters (as opposed to youth desisters) experienced a society that had rejected them at every turn. This had drawn them to the adult centre which positioned itself as an anti-stigma advocate against the treatment it observed for (primarily) prison leavers across the different prefectures in which it operated. Firstly, the dimensions of stigma are considered. Notably, family relevance during onset, continuity and desistance appears to be augmented by state perceptions of relational responsibility (by police, the courts and probation). This seemed to create a compounding stigma that impacted both offenders and their relational environment. Secondly, the consequence of stigma is considered. Desistance motivations were inhibited in wider society that involved abuse and rejection. The extreme level of stigma and dearth of opportunity provided different types of fear, as well as rejection, bullying and barriers to successful long term desistance and good lives. However, people (mostly those at the adult centre) were empowered through a cultural dialogue of 'endurance'. Thus, we can see that while stigma is amplified, so too is the ability/need to endure that stigma.

After discussing desistance motivation, the chapter looks at the process itself. Both adult and youth participants in this research desisted in new environments, so it is helpful to consider past research that has looked at 'knifing off' (Maruna and Roy 2007) and moving away from the previous area of residence. The strongly stigmatising environment in Japan seems to have motivated desistance sub-cultures that involve thinking a new beginning/escape is important. Participants in the current study knifed-off into rather substantial periods of reform - periods that were guided by successful desisters on navigating a life without offending.

Next, the amplified importance of social bonds in Japan was a key concern of this thesis (explained in relation to desistance, general society and criminal justice in Chapters 2, 4 and 5 respectively), given that past scholars' work has centred on ideas on concepts of collectivity (e.g. Leonardsen 2010). Thus, the chapter takes time to go through how and why relational contexts and social bonds are made more significant (Laub et al. 2018, Weaver 2019). The first point made relates to how much time is demanded from social groups. The adult centre in particular placed considerable formal and informal time demands; a dense *quantity* of possible bonds. Yet at the same time it took away time from participants' abilities to move forwards into more stable life stages involving employment, family or friends outside of the charity sector. Senpai/kohai practices are then used to understand the dense hierarchy and

inter-network socialisation in the two fieldsites for adult and youth desisters. What this shows is that networks also benefit from improved relationship *quality*.

The final section of the chapter reflects on the research question. The Japanese context provides cultural practices that influence desistance. However, when looking at specific desistance spaces the way these do and do not overlap in specific places, regions and sub-cultures are also important to consider.

8.2 What questions can this thesis answer?

The main research question of the thesis directed me towards understanding Japan in order to understand the processes of desistance taking place within the country. I needed to not just observe desistance but understand its surrounding context. This led to the three additional sub-questions that looked to catalogue structural, social and ideological features of relevance overviewed in Chapter 3. Chapter 4 then set out literature which reflected my experiences within Japan and the features of society that might be relevant to desistance. Chapter 5 continued with a focused look at the criminal justice system; establishing how my data fits into the bigger picture of desistance pathways. Chapter 6 then overviewed findings on the desistance process itself in two fieldsites; an adult support centre and a youth support network. Chapter 7 considered the probation service in Japan, presenting different participants' understandings and opinions about the organisation. This current chapter combines these into a synoptic discussion of desistance within Japan; engaging with the desistance theory set out in Chapter 2. While a level of understanding has been developed and is communicated in this chapter, this thesis also contributes many questions and some promising directions for future research.

8.3 How this thesis fits into existing literature – Japan and desistance

While not undertaken within the field of desistance in name, criminological study of Japan has looked to investigate how the context affects crime, within this exploring desistance adjacent themes. There are supposed crime control effects from Japan's national culture on a person's experience post-conviction (Leonardsen 2010). The current thesis has developed an understanding of how cultural practices affect desistance.¹³⁹ Consequently, while this research started within an understanding of contemporary desistance theory it has important implications for these debates and their importance to policy/practice discourse in the country. These are the conversations and literature that bear the most direct relevance to my

¹³⁹ Culture in this thesis has been understood as 'practice' in a social context via the overlap of structures, social dynamics and ideologies (explained in Chapter 2 and based on the work of Segev (2018) and Young (2019).

participants. This thesis provides long desired evidence to what has been mostly a speculative debate.

Bui and Farrington (2019) set out the problem clearly. They continue a conversation that past work has failed to “scrutinise observations” (p. 24) on how cultural practice informs the crime problem. They caution that a limited view of national culture should not be made blindly central to the discussion. Instead, they propose that cultural explanations of behaviour need to be placed alongside other factors of relevance (the influence of economics, the labour market, environment, stakeholders, and so on). In this research, there was observation of Japan-specific mechanisms occurring within desistance. However, a singular focus on these factors would fail to represent the more general suite of desistance-affecting factors I captured. There is a danger of over representing a site’s difference by focusing only on its exceptional characteristics. This focus has been particularly consequential for Japan where much study has been done *on* the country in order to *benefit other countries*. For example, Aldous and Leishman argue that,

Western admiration for the kôban, often ahistorical, uncritical and counter-intuitive as it is, may to a significant extent have convinced Japanese police officials of the uniqueness and merits of their own system - so much so, that in a period of major social upheaval, the kôban of our reinvention period has paradoxically come to be associated with a mythical golden age of policing.
(Aldous and Leishman 2000, p. 11¹⁴⁰)

In the current study, interviews with academics identified that Japanese criminologists are unable to access and effectively study crime in their own jurisdiction. They explained to me that access was not a priority, and research was not seen as necessary by government officials. Comparative criminological research on Japan has determined and proclaimed Japan to be an effective and world leading society in terms of crime response. This externally created perception has manifested internally in Japan and within its government. Third party practice evaluation and criminological study are therefore not viewed as necessary or important. For example, this prevented many of the interviewed academics from gaining *unbiased* access to service users. Additionally, when looking into probation I discovered that probation offices do not, in any public facing way, conduct practice evaluation of their voluntary service. In contrast, one can find the central offices of probation focused on international outreach programs (e.g. international probation conferences or initiatives to advise other countries that wish to implement a VPO system). POs participate in these outreach programs despite having very

¹⁴⁰ Throughout my research process there were indications that the criminological dialogue on Japan is confused (see Chapter 5). I suggest that the methodological misalignment of different research objectives has built into this confusion.

limited-service user research, and simply cite Japan's low crime rate as evidence of their significance and success.

The association of criminal justice practice with Japan's low crime rate was a key factor that my academic participants raised. They explained that historic work has focused on understanding Japan's success; the link between criminal justice practice and the crime rate assumed in the creation of a 'utopian' image (Goold 2004). Chapter 5 analysed Japan's crime rate, and this showed that the value of this measurement raises some questions. Thus, state confidence in Japanese criminal justice practice may exist with a false sense of security – particularly given the large volume of informal crime resolution that occurs due to diversion from prosecution (see Chapter 5 notes on criminal justice pathways). Chapter 5 also outlined significant contention around literature that has presented and argued that a restorative reaction to offending exists in Japan.

The first round of interviews with academics and experts on Japanese culture and criminal justice indicated that I needed to be cautious about assuming the validity of past claims for my thesis (see Chapter 6). Thus, the approach taken in this thesis was to build an understanding of Japan through extensive primary data. Certain arguments and features of Japan that might be assumed in the previous literature's analysis of findings could be evaluated through the 'model' of Japan constructed. For example, in Chapter 4 I describe the work of Takano and Osaka (2018) who critique how *uchi* and *soto* have been used to create collectivist renderings of Japan. *Uchi* (inner circle) and *soto* (outer social group) dynamics are explained to generate unique patterns of behaviour based on the designation of people into, or out of, their perceived social groups of belonging (Meagher 2017). Part of this theorising asserts that the Japanese person makes use of group-based perspectives that cause them to sacrifice individual wants for their 'group'. Overall, this is a neat explanation of social behaviour that leaves little room for the messy realities of different sub-cultures and people acting with agency. This was a sociological phenomenon that I did not observe within my own research, where my participants had nuanced social networks in which their own views and approaches to friendship resulted in each having a different perspective on belonging. In particular, their status as a 'former criminal' made social relationships take on unique dynamics. This observation was possible because of insight into 'power' structures within the organisations examined; on the surface people looked to be self-sacrificing - but in many ways this was the most effective route to personal success (this point will be evidenced in the following discussion). Surrounded by people willing to sacrifice for you, you are more inclined to sacrifice for others; collectivism rooted in individualism. A simple 'us vs them' model of behaviour did not apply to the variety of different social settings (private, public, business, corporate), the two sub-cultures curated

by leaders of the adult centre and youth network, or the diverse types of relationships desisters had with supervisors, friends, family, supporters, VPOs, POs and so on.

It is helpful to provide a summary of my academic participants' concerns about the state of the previous research literature. [1] Japanese society has a low level of recorded crime relative to other jurisdictions. [2] International study has attempted to explain *why* Japan is exceptional relative to other countries. [3] By focusing on what is exceptional about the country foreign scholars have proclaimed observations of excellence. [4] Japanese government actors have leaned into this internationally constructed image of their own criminal justice approach. [5] Service users' (probationer and prisoner) experiences of criminal justice have not attracted research attention. Thus, in this research setting the Japanese scholar has been made a second-class citizen who is not able to collect the data they need to evidence the importance of their role. This thesis contains some of that data.

8.3.1 The starting point of the perception of Japan in criminology

Given the influence of Braithwaite's (1989) presentation of Japan, some reflection on his work is useful. This will make clear how the findings of this research relate to existing thinking. In discussing reintegrative shaming in Japan, Braithwaite puts forward a cultural explanation of the low crime rate:

The conclusions of the leading scholars who have studied the social context of Japan's low and declining crime rate (Clifford, 1976; Bayley, 1976; Adler, 1983; Fenwick, 1985) can be read as support for the notion of high interdependency in Japanese society (with employers and neighbours as well as families), highly developed communitarianism, and these two characteristics fostering a shaming of offenders which is reintegrative. (p. 62)

The explanation lacks empirical examination on the re-entry process. Hence, Braithwaite calls for research that tests the accuracy of his statements empirically:

In Japan ethnographic work is thus needed which explicitly sets out to assess whether reintegrative shaming is something that Japanese families, schools, corporations and criminal justice agencies actually do, or whether this is a flawed interpretation of existing studies that were really conducted with other purposes in mind. (pp. 108-109)

The 30 plus year gap from Braithwaite's work to now is worth highlighting. Japan is much changed (Hamai and Ellis 2006, Hamai 2011, Sugimura 2020). There has been even greater globalisation, drastic economic changes, population decline and numerous cultural evolutions and changes since his time of writing (see Chapters 4 and 5). Braithwaite explained via his

theory of reintegrative shaming that 'rebuke without stigma' would be a theoretically sound social mechanism for the inducement of good behaviour for former offenders. However, part of his work's basis was an existing literature which explained Japan in culturally monolithic terms. Brewster's (2020) seminal work overviews how similar work has continued this type of explanation to the present day. From these explanations Japan is seen to be a society where "expressions of community disapproval, which may range from mild rebuke to degradation ceremonies, are followed by gestures of reacceptance into the community of law-abiding citizens" (Braithwaite 1989, p. 55). This thesis represents the type of study that Braithwaite requested; one able to directly observe the mechanisms of social reintegration. Thus, it is uniquely positioned to address the accuracy of the restorative cultural practices within Japan - a half century later.

From the macro perspective it appears that the theory still holds some level of validity. Braithwaite's (1989) theoretical model and explanation of Japanese crime control had a basis in statistical and structural observation of community crime control practices:

Japan is covered by 540,000 local liaison units of Crime Prevention Associations and 10,725 Vocational Unions for Crime Prevention, 126,000 volunteer cooperators for Juvenile Guidance (doing street work with juveniles), 8,000 Big Brothers and Sisters for delinquents, 320,000 volunteers in the Women's Association for Rehabilitation, 80,000 members of the Voluntary Probation Officers Association, 1,640 voluntary prison visitors, 1,500 'Cooperative Employers' willing to provide jobs for probationers and parolees, 2,028 Police-School Liaison Councils, plus many others (see references cited in Adler, 1983: 104-5; and Clifford, 1976). (Braithwaite 1989, p. 63-64)

The conclusion that these social institutions would form the basis of general cultural ideology conducive to 'restorative' behavioural reform is understandable. Interestingly, the size and scale of volunteering in crime prevention-related activities within Japan has grown since his time of writing. Herber (2018) remarks that in 2003 a total of 177,831 people were registered as crime prevention volunteers; by 2016 that number had risen to 2,758,659 people. Note that this rise is in the context of population decline. Japanese policy also explains these principles. The Offenders Rehabilitation Act 2007 states that:

The purpose of this Act is to provide proper treatment to persons that have committed crimes and juvenile delinquents, to prevent them from re-offending or stop their delinquencies and assist them to become self-reliant as sound members of society and improve and rehabilitate themselves, and

to ensure the proper operation of pardons and promote crime prevention activities, etc., thereby protecting society and enhancing the welfare of individuals and the public. Article 1

The national government must promote activities which contribute to the realization of the purpose under the preceding Article [1] and which are voluntarily carried out by organizations or individuals in the private sector, coordinate and cooperate with those persons and endeavour to deepen the understanding of citizens and obtain their cooperation for the rehabilitation of offenders. Article 2

The effective meaning of this Act is a governmental directive to empower communities to re-integrate offending members of society, premised on the fostering and maintenance of understanding citizens.¹⁴¹ This was explained further in Chapter 5 which described the where and how of these community activities. Top-down observation would lend credibility to Braithwaite's (1989) restorative view in contemporary Japan.

However, observation in this research indicates that these 'collective' mechanisms do not always exist. In the sample of this research, all desisting participants indicated that the general response to criminal activity was disintegrative and stigmatised. Further, these views were maintained for observation of other desisters' experience in their peer-mentor roles. Adult pathway interviewees indicated to me that they had no place in society outside of the offender support world: they faced rejection from friends, from family, and from the community and the employment market. Staff viewed the general public's reaction to offending as the biggest barrier to both the charity and desisters. Youth pathway participants described needing to meticulously hide their offending to general citizens. What is worth highlighting is that preventative factors to crime might take on a punitive tone post-conviction. This highlights a limitation of the data in this thesis. In situations where a criminal sanction is not provided, for example in one of the many diversion cases at first point of contact by police, there may be a restorative reaction (see Chapter 5 for a breakdown and explanation of diversion as a common response to crime in Japan). However, there are indications that this observation might be valid beyond just the samples in this research. Herber (2018) explains that the volunteering 'boom' may signal further 'othering' of the offender: volunteering prompted by a fear of the criminal to be found and pushed away, a volunteering that in practice has little real interaction

¹⁴¹ This quote comes from <https://www.japaneselawtranslation.go.jp/en> and is the most up to date translation of the Act. The bibliography citation provides a link to the original published version and thus reads differently.

with crime.¹⁴² Further, Barry (2017) explains a government that is sensitive to the highly stigmatizing consequence of becoming a known offender; this line of reasoning being used by the state to block her access to former offenders. Thus, from these scholars' point of view my findings would not be surprising.

In theory-building, a danger is when a large collection of people are seen as homogeneous. Braithwaite's seminal work contributed much to criminological theory. But his passing gaze at Japan had lasting consequences. In this construction, Japan's people are seen to be mastered by their culture, such that rational individualistic action is not possible.

Criminals are therefore not acting according to their true selves; they are victims of a 'mushi' which can be 'sealed off, 'thus permitting people to be restored to the community without guilt' (Wagatsuma and Rosett, 1986: 476).

(Braithwaite 1989, p. 64)

The theory supposed in Braithwaite's work may have been at one point accurate in a specific place and a specific time within Japan. However, there is a need to take forwards into future work the anticipation that one might find many different things. And what one research project has observed may not be true for all. Wagatsuma and Rosett (1986) here are cited to create a particularly sharp visual 'otherness' to Japan as a culture. At the time of writing, Braithwaite needed to effectively and elegantly dismantle the ontological construction of justice in Western paradigms and show that other cultures and practices existed and were effective. Such an approach placed an emphasis on contrast, ideal for the intended objective of his writing. However, the cumulative effect of work that has consistently placed emphasis on contrast has damaged and fostered a false image of Japan. Goold (2004) describes this work on Japan as idealising; a type of positive stereotyping.¹⁴³ The value of research that can capture cultural context and its influence on desistance can help resolve these debates. I do not claim that my research provides a definitive answer. However, the following does provide a beginning towards resolving debates around Japanese crime control.

8.4 Japanese desistance is not exceptional

To begin at a broad level, the findings of this research point to a set of desistance influencing factors that emerge divergently in the individual-level context and are thematically consistent with desistance findings in the past from other countries. This strongly contrasts with the idea of ubiquitous desistance patterns stemming from a standardised experience of a national

¹⁴² Note that crime prevention volunteering in Japan is a condition of neighbourhood association membership (Herber 2018). Thus, membership growing may be correlation and not signifying of any change in practice or opinion.

¹⁴³ Leonardsen's (2002) "Impossible Case of Japan" is discussed in Chapter 4 of this thesis.

culture. However, the Japanese context does provide a set of unique factors that can emerge and be relevant at various points of the process. These factors were seen to interact throughout a person's desistance journey; informing certain decisions and consequences. For example, school success was important, thus, there was heightened reaction to school failure from parents which increased the value of delinquent participation. Further, delinquent socialisation was seen to be rooted in the formation of a 'place of belonging' (*ibasho*) outside mainstream settings, giving it more pull over the participant's life course. Something important to convey is that these factors also interacted with the individual desister in the creation of their effect. In the provided example (in Chapter 6), personal academic aptitude augmented the experience of educational culture in Japan and this specific family's priorities heightened the consequence of failure. Moving back to a high level view, it appears as though the emergence of a specific cultural factor can augment the process considerably; with any number of relevant effects across the desistance mechanisms established in Chapter 2.

The factors relevant to desistance from the research reported here were not all Japan-specific. As explained in Chapter 2 on the topic of desistance, this thesis approached consideration of culture across three domains: structures in the world, social relationships and ideologies, linked to factors relevant to desistance. Figure 8.1 provides a table of some of the main cultural factors observed during data collection. These variably provided motivation to start, continue and end offending behaviour:

Social relationships: ‘Beauty girl’ friendship, delinquent friends, substance use as a premise for friendship/partying, biker gang activities, organised thieving, organised crime membership (*bouryokudan*, colloquially *yakuza*), the karaoke bar as a place of socialisation, ‘girls’ bars’ as a vice, a peer-network.

Structures that inform desistance: criminal justice practice of courts/police/prison/probation, the voluntary probation officer, social support groups (e.g. Big Brothers and Sisters youth support).

Ideologies that inform desistance: responsibility to family, social success via belonging (collectivist values), success from money (individualistic values), social network reaction to offending (stigma), penology (how and why punishment is imposed), restorative approach towards youth offending, love of society, hate of society, senior-junior dynamics in social groups.

Note.¹⁴⁴

Figure 8.1 Non-exhaustive list of factors relevant during desistance from the research.

The exact way that any one of the above factors was important was unique to the individual desistance of a desister. In another example, one participant’s ‘beauty girl’ culture provided an ideological view in which traditional engagement in the workforce was seen with disdain. Her desistance required navigation of past trauma and anger at society. Practically, there were few material obstacles to her reform. In the background of this desistance was a mother and lone police officer, who did not react negatively but with considerable patience and support. These observations indicate that there is a need to “recognize the complicated interlocking influences in people’s lives” (Mulvey and Schubert 2016, p. 140). In this research, the ‘case study’ approach to the presentation of participant narratives was useful, as it situated how cultural factors emerged over time and related to one another. Different factors motivated early offending (e.g. family status from educational success) and later explanations of reform (e.g. desire for happiness via responsibility). Individual level desistance was not monolithically informed. A person’s journey from crime towards a better life was variably informed by numerous possible influences. Specific parts of society provided different subcultures, economic conditions, and structures that resulted in divergent life patterns. Furthermore, individual level events such as trauma, victimisation, and so on created for participants

¹⁴⁴ Please consult the methodology in Chapter 3 for a more detailed explanation of the basis of this figure. It reflects the main and sub research questions of the thesis, and a model of cultural understanding for desistance research developed first in Chapter 2 (Segev 2018, Young 2019). This thesis lacked the scope for a more substantive catalogue of themes via a quantitative methodology; this figure is purely an organised list.

problems they needed to face that did not exist in the 'standard' life course experience (e.g. family abuse, sexual assault, bullying, or medical conditions).

This context seems to allow for the messy desistance process that has been seen in other research. Farrall and Shapland (2022) examine a nationally representative sample of self-reported data from 199 probationers by considering longitudinal interviewing across 1997-1998, 2004-2005, and 2010-2012 collected and reported in earlier work (e.g. Farrall et al. 2014). They evaluate desistance explanations in relation to participant age and find that age has no (to limited¹⁴⁵) bearing on desistance. This is odd, given the inherently different social context expected of someone in their 20's compared to someone in their 40's. They raise the point that:

... what matters is which [factor] is encountered by the individual at what time in their life. We could say there is a 'family' of desistance circumstances, almost all of which remain relevant over age and length of criminal career. Encountering them is then about individual variation in lives and social contexts. (p. 535)

Here, a similar observation is possible. The jurisdiction of Japan provided a context that empowered or reduced the significance of common desistance processes via unique cultural factors. However, this process occurred on the individual level in very unique ways. The relevance of these factors is more apparent in the findings (Chapter 6), where one can see how they emerged and where they are relevant. The findings of the current thesis as to what factors are important in the onset and maintenance of desistance are not in opposition to desistance research in the past. Having established this, it is now possible to zoom in on specific aspects of the desistance process and how they were altered by the Japanese context.

8.5 Adult pathway desistance – stigma, narrative and pro-social opportunity

Discussion of the adult centre begins with consideration of stigma, the *othering* of a person (Goffman 1963), because this helps to explain the functional role of the centre. Stigma is understood to warp self-perception and inform feelings of shame and limited personal potential (Stone 2016). Of particular relevance is the way stigma limits a person's ability to recognise past trauma, as trauma, and prevents learning new social roles (Maruna 2001). Sharpe's (2024) work showed how a specific punitive environment (both in the practice of criminal justice and social work) in England gave rise to a generation of overly stigmatised women whose victim status was ignored by uncaring reactions to their offending/disadvantaged

¹⁴⁵ They note some exception to this when offending is one-off or short lived; people explaining that their offending was just a phase.

status.¹⁴⁶ Her work shows how a highly specific environment and gendered practice informed the way stigma manifested as a consequence (for a parallel, note Chapter 5's discussion of Human Rights Watch 2023 and prison experiences for women in Japan). Criminal stigma has the potential to overwhelm actors (probation officers, community members, family and so on) in desistance spaces and preclude sensitivity to other more significant labels (victim, mentally ill, abused, traumatised) and the personal offending context. The reflection of Sharpe has parallels with my experience in the adult support centre: stigma's "effects were enduring and cumulative, and ranged from feelings of indignation and anger to shame, self-blame and withdrawal from social life" (p. 174). While the stigma in Sharpe's (2024, p. 2) work was based on "class denigration and patriarchal oppression", the stigma here was informed by an ideological construction of responsibility that willingly and unquestioningly assumed 'deservingness' for a lower status in society after offending. The adult centre's role and stated objective was arguing against this stigma; that many offenders wished to reform but no one was giving them the opportunity.

The dimensions of stigma in Japan seem to have a level of depth due to how people around an offender are treated. It is helpful to look at the family. Chapter 2's discussion of the work of Kita (2018) indicates that considerable stigma is levied onto the family of offenders in Japan. Her research involved interviews with families of offenders who were attending support centre discussion circles. Her participants relayed how they had experienced strong stigma from community actors in which they were reprimanded for 'parental failure' in light of a child or partner's offending. Kita's (2018) work describes internal family harassment towards mothers of offenders, police demands to co-operate during investigation and public humiliation of parents in the courts of Japan. The key point of Kita's (2018) work relevant here, is that the strain of the family was often beyond the sight of desisters themselves as they went about delinquent, drug and other criminal activity. In her work, she wonders about how the offender's relations experienced this family stigmatisation. In my work, I am left wondering about what kind of experience the families of my participants have had. Adult support centre participants consistently relayed stories in which their family circumstance had collapsed, or relations had been stressed considerably. However, participants tended only to relay family as causing stress to them. This mismatch in perspective when comparing my work with Kita's is grounds

¹⁴⁶ Sharpe's work took place in England during a punitive era when women were overly punished for delinquent and minor criminal activity and there was systemic failure to identify relevant trauma and abuse. This work provides great insight into the intensity of injustice that can result from 'othering'. 15 years later from initial interviewing it is concluded that these experiences would be unlikely in contemporary Britain. This highlights the transient property of youth justice practice and wider society to change quickly and forcefully - in both directions.

for substantial evaluation in the family-offender desistance dynamic. What is important here is the overwhelming environment of stigma created for desisters and the people around them.

Stigma dynamics also seemed to be different depending on the different offending types. Sex-offending produced a narrative that was particularly harsh, whereas financial fraud resulted in personal embarrassment, rather than familial collapse. Stigma, however, was perhaps more important in the realities it created for participants outside the family where criminal behaviour was seen with a level of nuance. Adult desisters indicated to me that in all domains of life their offending status made connecting to the pro-social world difficult. The outside world was a place filled with uncertainty and possible trauma; rejection, failure, hostility, failed reform efforts and lost friends.

However, through observation, conversation, and interviews in and around the adult support centre I was able to see the new dynamic it created for desisters. The adult support centre was a private charity organisation, composed of civil volunteers and led by former offenders (long term desisters), that provided a placement opportunity to former offenders who had been struggling to navigate pro-social life across many different offending-types and life-backgrounds. The centre represented a *relative* safe haven for former offenders struggling in the world. It was seen by interviewees as a place for them to attempt a new life away from past experiences. A relatively important feature found by relational desistance research is the 'negotiation context' (set out in Chapter 2). The high levels of stigma adult desisters were situated within seemed to curtail their abilities to form new bonds and find a pro-social place in society - some having been attempting to escape crime for decades (3 of 7). In contrast, time at the centre seemed to provide some level of antidote to the long-term effects of stigma. People gained an ability to see how there was little opportunity for reform. Dialogues at the centre directly addressed these talking points.

Collett (2023) engaged in narrative interviews with a sample of 11 people aiming to generate deep data via a multi-stage interview process. Her work attempted to understand how criminal records and stigma are navigated within England and Wales. The experience of my participants in the adult support centre exemplifies her "socially mediated nature of narrative construction" (Collett 2023, p. ii). She explains this as participants constructing their narratives in the dialogues and understandings of their jurisdictional context. In the current thesis, it was possible to see that participants' life histories had strongly affected their perception of the social world and their place in it. In Chapter 6 the reader can see a collapse of confidence in society to provide realistic opportunity to re-enter society. In this way, it was possible to see the "narrative search for respect that is fundamental for everybody, but especially critical for

stigmatized people in marginalized positions” (Sandburg 2009 p. 506). The civil volunteer staff of the centre lamented the general perception of former offenders in wider society.

Briefly, it is worth noting that stigma related mechanisms were not solely responsible for family collapse, as my participants reported to me a limited ability to communicate with family while incarcerated.¹⁴⁷ Communication during imprisonment is understood to be important. When it is encouraged, it provides a way to maintain a home to come back to and limits stress to family during prison terms (Cid and Marti 2016). In contrast to adult pathway desisters, youth pathway desisters indicated that continued communication was important and allowed. They stated that it provided encouragement from family which was key in maintaining a positive mindset during periods of incarceration, and provided an opportunity to co-ordinate post incarceration plans.

8.5.1 High stigma, low agency and extreme pro-social opportunity

The work of Shapland (2022a) provides insights into the consequence of structurally limited desistance. This is relevant to this thesis because it illustrates that desistance motivation may not result in reform even over long periods because of local conditions. The adult support centre provided a ‘safe’ space away from the outside world to attempt a focused period of personal transformation, gather social capital and avoid structural limitations in the desisters’ places of origin. Shapland (2022a) examined the long-term offending careers of participants from the Sheffield desistance study cited in earlier chapters (Bottoms and Shapland 2011). Using the criminal records of participants 10 years later, she was able to track the results of an early desire to stop offending and evaluate whether this tangibly manifested results. She found that the sample of 113 men was highly persistent, as only six had no convictions over the 10-year follow up period. Shapland’s (2022a) sample members, despite continually citing a desire for a fully pro-social life, did not manage to attain this.¹⁴⁸ Some significant success of the sample is found in reduction of their offending, and the long-term success of those six showing it was indeed possible to stop offending in the provided context (or, *while unlikely*, at least stop getting caught). But what is relevant here is the explanation of why this was the case:

In the case of the Sheffield Desistance Study participants, difficulties in desistance may have been exacerbated by the fact that the majority of the

¹⁴⁷ The policy of communication in prison requires further investigation. It seemed there was a mechanism to communicate with the outside world for prisoners, but that mechanism is abstract and hard to use in practice.

¹⁴⁸ The original sample of interviews showed 56% of participants had made a “definite decision to try to stop”, 37% “would like to stop but not sure if I can”, and only 7% saw themselves as “unlikely to stop/other” (Bottoms and Shapland 2011, p. 57).

respondents continued to live in, and be convicted in, South Yorkshire. They did not wish to, or were not able to, move away to find a fresh start. (Shapland 2022a, p. 284)

Being a 'conviction evaluation' this point is only indicated on paper (as follow up interviews were not possible). Shapland (2022a) concludes her article by reflecting on the English and Welsh context. Without a mechanism to move away, the Sheffield Desistance Study participants are subject to the issues of remaining within a specific location; for example, being known to the police, an inability to break negative habits, avoid temptation, or problematic friends. Shapland's (2022a) study indicates that high levels of structural disadvantage are a possibility, and that desisters can maintain motivation to desist over long periods of time despite this. Through the adult support centre, participants were provided with an opportunity to almost completely remove themselves from their past circumstances. It was possible for me to observe this as well in the history of interviewed participants. Thus, I gained insight into a substantive prosocial opportunity that had been previously denied to people in their offending careers: a chance to get away. Furthermore, the opportunity was overwhelming in what was provided: housing, employment, friendship, therapy, access to third sector support (this will become clearer as this chapter progresses).

What I suggest, tentatively, is that in these highly disadvantaged and stigmatised conditions it is possible that a pro-social event holds more significance.¹⁴⁹ This is because in such conditions the probability that the prosocial event meets a long-held desire to reform is much higher, rarer and more significant. In Chapter 6 I described extreme desistance commitments. People moved across the country, willingly endured (via *gaman*) abuse and maintained a deferential status. Furthermore, the potential significance of a single potential prosocial bond in Japan seems to be enhanced through the depth of social expectations provided. Adult centre participants gained more in their placement than in any other period of their life. There is debate needed: it is possible to argue that the environment had resolved to provide prosocial opportunity (Laub et al. 2018). However, it is also arguable that the opportunity was the product of a prolonged search for a 'hook for change' (Giordano et al. 2002). Confusion lies in participants' inability to progress dimensions of their desistance away from crime during their prolonged histories of offending. Despite years of desired reform, people who came to the adult centre felt they were at the start of their desistance journey. The civil volunteers stressed this to me: the people coming to the centre had no trust or faith in society; they didn't see

¹⁴⁹ Laub et al. (2018) is discussed in Chapter 2; there it was argued that effective desistance study will accept elements of different theoretical schools as and when they are relevant.

secondary (recognition as desisted personally) or tertiary/relational desistance (recognition and acceptance from a third party) as a possibility (McNeill and Schinkel 2024).

8.5.2 *Stigma consequences - 'looking towards the future, what can I see?'*

The context of my participants' desistance did not just shape their experiences directly. Participants often talked about the future. Motivation and commitment to the desistance process was rooted in what participants were moving towards. When I spoke to someone who had indicated to me that their life had clear steps to be taken in the future, I was able to see this optimism in how they engaged with others in day-to-day activities. Adult desister 6 could see for themselves a *relatively* happy life going forwards. Three others at the adult centre had their next steps planned out (the two leaders staying in peer support and one person going back to the family). However, there was a pessimism about life for everyone moving forwards.

Giordano et al. (2002), when explaining their concept of 'hooks for change', raise a few important points. These hooks are an alternative version of Laub and Sampson's (2003) turning points, explained through four types of *potentially* sequential and interactive cognitive transformation. Giordano et al. describe how [1] a person first needs to gain a susceptibility or openness to the change process (not necessarily a conscious desire to change). [2] Awareness of environmental hooks fosters a change process where desire for something and what is required to gain it (employment, family, security, and so on) informs action. [3] In the process of attaining this new life structure, it is argued that people will be enabled to re-invent themselves (see also Maruna 2001). [4] It is then explained how a change in the perception of the delinquent acts may occur once removed from needing it.¹⁵⁰ Point one was something that was informed by participation at the centre. Metaphorically, participants had dived into the deep end and were in a situation in which they would approach most days looking for hooks actively. Point two is the focus of the current section. The desisting landscape of hooks looked sparse and bare.

At the centre, adult desisters had a chance to look up and what they saw was not promising; their futures would be harsh. For adult desisters their focus was mostly short term and based on surviving day to day, for some it related to acquiring new skills, and for the more senior members, maintenance of current success. One issue was limited ability to gain employment

¹⁵⁰ Participants in the study did indicate some level of perspective change, but understanding of past action was often contextually reasoned, e.g. 'I was trapped in an offending hierarchy, so I didn't have power to change my behaviour'. In my small pool of observation, this limited need for a 'change process'. Participants did not feel responsibility for the agentic actions of their offending selves: they situated understanding in the social roles they held (see 8.7 below). In contrast, individuals in western desistance research may see themselves as more responsible because of cultural dialogues around personal choice, personal development and so on. Point [4] made by Giordano et al. (2002) evidences this most aptly; the 'past self' (a cultural concept) is seen from a new perspective. There are incongruencies that provide grounds for more focused narrative investigations in Japan.

(relevant to all participants, as senior members of the centre reflected on their difficulty in the past and in trying to assist new members). Employment is a central consideration of effective long-term reform (Laub and Sampson 2003, Bersani and Doherty 2018). Combined with more general issues imposed by their desisting circumstances, engagement in society into the future was envisioned to be a trial. One senior member of staff highlighted how it could “ruin” a person who was not mentally prepared for the impacts of a ‘criminal’ label; low status, high stigma, limited opportunity, and social rejection. Furthermore, if one zooms out to examine the larger social context of Japan, their desistance was situated within a society of stress. Large numbers of people have simply decided to stop participating in society (Kato et al. 2019, Young 2022; who writes of the 1.5 million *hikikomori* as explained in Chapter 5), and economic conditions are declining alongside the population (Ono 2022). Cumulative conversations over the entire research painted a picture of a country in a welfare crisis. Participants, by nature of their underclass position in society viewed society through these social dialogues of decline, destitution and failure. They looked out into society and saw students failing to gain employment; a *failure of educated people positioned for success*. One conversation on the topic of suicide at the centre was particularly eye opening in this regard. Optimism for desisters in this context was limited. A hook for change was found in participation at the support centre, but the next steps were difficult.

8.5.3 *Stigma interactions - Adult and youth pathway fear*

A further consequence of the stigmatising environment was how it interacted with fear of continued offending. Paternoster and Bushway (2009) raise the concept of a ‘feared self’ - the envisioned person that might come to exist if a life of offending is maintained. They explain that over time awareness builds of negative consequences: pro-social opportunity is blocked or lost; punishment received or observed; bad experiences had in or around other offenders; and this list goes on. If in explanation of ‘hooks’ we can see positive motivations - a pull towards reform, fear, then, is the push away from crime.

Youth in this research explained offending periods in delinquent gangs without a future perspective. Relatedly, Helfgott et al. (2020) demonstrate in their evaluation of prisoner narratives, as in much existing literature, that “life trajectories toward incarceration are characterized by intergenerational patterns of offending and criminal justice system involvement; sexual, physical, and emotional abuse; and drug and alcohol use and addiction” (p. 628). Fear of offending was not immediately developed by my participants. A chain of social relationships led youth desisters to crime. When fear came it was not something expected. Youth desister 2 explained that growing up in offending circles normalised her perception of the activities she participated in (drug taking, theft and delinquency). In developing her fear,

she explained how seeing the punishment of her adult offending peers created a moment to evaluate what might happen if she stayed in the network – as quoted in Chapter 6 “they got to the airport and were arrested on the plane ride with a gun pointed at their back”. Her experience indicates a moment where her perception zoomed out - allowing her to see that the actions she had been acculturated into socially over time might have negative consequences. Fear emerged sharply like a cold splash of water to the face.

The adult desisters had already come to understand their ‘feared-self’, yet had continued to offend. In their narratives, it was possible to see that the offending ‘feared-self’ was considered against a life without offending. For some, the feared-self grew manifold during their most recent period in prison; adult desister 2, for example, saw himself in the life sentence prisoners he spent his incarceration with (not wanting to gain a 40+ year term for another sex offence). Others had finally managed to gain a life that was worth protecting and their feared-self provided something that could be lost; adult desister 6, for example, after years of failure, feared losing his new job and housing.¹⁵¹ What was most obvious at the centre was that overwhelming motivations, including but not limited to fear, had prompted a radical new effort to desist. Yet participants held similar fear about their continued non-offending life. One participant was so pained about their lack of formal support and stigmatised existence in society they desired prison over non-offending life. It should be emphasised that Japanese prison is considered a very unpleasant experience, so this desire was surprising (Amnesty International 1998). Adult desisters had long ago developed a fear of offending yet it had not stopped them.

In contrast to youth desisters, fear of what life would be like *with* offending had to contend with fear of what life might be like *without* offending. As explained, the level of stigma experienced blocked off pro-social participation, led to bullying and forced a low status experience of life. The people at the centre did not feel as though it was possible for them to desist. In contrast, people felt failure was inevitable; they could see it. The centre as a whole regularly experienced the failure of former members (or failure in the wider ex-prisoner community), such as watching a former colleague get caught and go back to prison. It might be better to characterise this ‘fear’ as ‘terror’ given it motivated action that was not possible. Narrative criminology has informed us that desistance can be aided by a narrative construction that provides desister resilience “in the face of the hurdles, frustrations, disappointments, and temptations they will inevitably face in their efforts to reintegrate” (Maruna and Liem 2020 p.

¹⁵¹ The purpose of this research being exploratory and wide means that certain topics are not addressed in as much substance as is needed to advance specific sub disciplines of desistance. This is particularly obvious in conversations about fear and its significance across different types of offending.

132, see also Bullock et al. 2019). The following section provides some explanation of how participants were able to persist in their desistance attempt despite their worry and failures.

8.5.4 *Meeting terror with the cultural mantra of gaman*

The findings section entitled “*Knowing why you offend and avoiding it*” centred around adult desister observations on the process, both for themselves and in their attempts to help others in moving away from crime. In this section participants explained the variety of obstacles that they needed to deal with, and how that was approached. A topic that arose from this was conversation on the need to endure through harsh conditions, via a mantra of *gaman*. These findings were in line with past desistance research that has identified that a motivation to end offending may be blocked by “obstacles”. Bottoms and Shapland (2011) explain a range of blocks that might exist - lack of money, need for excitement, lack of work, a criminal record, drug taking, anger/stress/depression, police harassment, living circumstances, pressure to offend from friends, pressure to offend from a partner, and family problems. In the current study, reaction to these obstacles and the mindset to challenge them was based, in some limited way on *gaman*. While this might be an artefact of sampling (a culture of the adult centre, not of Japan), this cultural talking point was something that also came up consistently across my ethnography. People endured workplace harassment, long hours in the office, an extra request from their boss, and this list goes on. *Gaman* provided to desisters the ability to frame their experience ‘positively’.

In their article ‘The Pains of Desistance’ Nugent and Schinkel (2016) explain how obstacles build up during desistance to create a painful experience. They point out past work that has identified barriers such as substance misuse (McSweeney 2010), housing (Edgar et al. 2012), employment (Hlavka et al. 2015), or failure to attain status-based goals such as effective occupational success (Hart et al. 2020). In their work, Nugent and Schinkel combine 9 interviews from Schinkel’s narrative cross-sectional study of 27 long-term prisoners on parole (2009-2010) with Nugent’s 2012-2014 interviews with 5 young people in a transition period.¹⁵² They sum up the experience of desisting in the context of overlapping barriers:

The pains of isolation and goal failure combined to lead to the further pain of hopelessness. Those interviewed were indeed ‘going straight’, but taking this path led many to a limited and often diminished life. (Nugent and Schinkel 2016, p. 568)

Over the findings and discussion chapters an image should have developed of a desistance process for the adult support centre. To add to the above, economic strain, time limitations,

¹⁵² A sample with a surprisingly strong parallel to this study’s sample of desisters.

and lack of a personal space (placement 'housing') placed barriers between them and a personal life. No participants mentioned romance in explanation of their desistance commitment or when asked about key social connections - a factor known to be important in generating stronger desistance quality and commitment (Blokland and De Schipper 2016).¹⁵³ Long missing sections on CVs blocked employment. Sweeten et al. (2013, p. 936) raise awareness in their study that the decline in offending with age is "the result of the combined small effects of many, many factors, and not the result of any one or two specific influences operating alone." Overlap of the various circumstances provided these participants with a difficult road. Participants experienced considerable pain. Yet these people were enabled to engage with and endure stigma and challenge through a cultural script (Segev 2018).

The normality and positivity towards 'enduring' in participant dialogue needs further consideration. While the stigma affected towards my participants was rather significant, they held a corresponding acceptance of that stigma's existence. A comparative element in future research would most likely be helpful in determining the importance of endurance cultures in the desistance process. There was a more natural acceptance that an 'enduring' life phase was acceptable and normal which helped participants in maintaining their commitment to desistance during a period of low life quality. Not limited to desistance, during my time in Japan I would regularly see people subject themselves to extreme workloads, tasks and responsibilities. However, ideology was not the only factor in this endurance as people had very little choice but to endure once at the centre.

8.6 'Knifing-off' and moving on from crime

8.6.1 *Knifing off at the adult support centre*

The desistance of participants at the adult support centre is an examination of knifing-off, as the centre required members to relocate to the area for participation. This is an artefact of Japan's exceptionally limited desistance support infrastructure. Due to a low population of former prisoners, there is a correspondingly limited volume of third sector agencies. Thus, support at the centre required movement across prefectural boundaries (hundreds of miles). Ironically, limited local support led to more substantive desistance efforts. Knifing-off has a number of possible implications in desistance writing. Internally, knifing off can be presented as the intentional amputation of a former offending identity (Giordano et al. 2002), or it can also refer to a specific social network or activity ending (Laub and Sampson 2003). More

¹⁵³ Blokland and De Schipper (2016) modelled the influence of factors surrounding desistance and their work is illustrative of the potential impact of marriage/relationships (not pre-existing) to alter the life course. They highlight that accounting for the between variable effects makes observation of this factor difficult as the factors that lead to marriage may also be the factors that lead away from crime.

significantly, it can also refer to movement in physical space where a new life is attempted. Maruna and Roy (2007), in an evaluation of this concept, determined that more work is needed to understand what knifing off is; specifically, they highlight a need for contextual examination of the mechanics of this process. It was possible to observe these mechanics within this research sample.

Participation at the adult centre provided members with the opportunity to begin life again from zero. Placements lasted one year or more; within this time all basic needs were addressed. Living in a new environment, my participants sometimes indicated to me that they had been given a chance to escape from 'dangerous' social connections or a negative social environment. My observation of the placement was that all participants benefited from the opportunity. The participants were happy to have escaped destitution, but it was not the pro-social life they envisioned. The knifing-off of the adult support centre members resulted in a crime free gap (Farrall 2024). However, this was not a long-term solution to their problem of engaging in society sustainably without offending. In the following sub-sections I overview sub themes on this focused period of reform. Participants endeavoured to pursue a better life while existing as an '*other*' in a society of '*us*' - something not unique to Japan. This environment provided perspectives and conversation that had the potential to deconstruct self-blame and internalised offender labels (Sells et al. 2020) and the potential to address some of the built-up effects of stigma. However, this period was underscored by deep ontological worry about what might take place in the future.

8.6.2 *Peer support*

The peer-led (former offender) structure of the adult support centre provided a variety of effects. Most permanent staff were former offenders who now wanted to leverage their experience to not only maintain employment but give back to society. Nixon (2020) points to the capacity of peer-mentoring to influence the desistance process via 38 interviews with prisoners, probationers and former probationers, making use of 6 years of experience as a prison officer. Her work indicates that both mentor and mentee benefit from the dynamic. She terms peer workers "experts by experience" (p. 47) as they have lived through what their mentee experienced, providing them with a role model. I was able to observe the points she makes in her work. Ironically, for example, adult desister 7's complaints about needing to teach and inform his peers on proper etiquette exemplified the potential for the peer dynamics to provide normative social experience important to future attempts to participate in pro-social environments. Japanese people in my observation were highly sensitive to non-verbal communication; the ability to 'read the room' is a common sentiment in assessing someone's social capacity and awareness. The unique life circumstances that led to attendance at the

centre at times limited participant ability to comprehend the relatively tiny problem of 'sitting properly'. Thus, desisters were exposed to the importance of this meticulous social etiquette that had the potential to lead to employment, generate social connections, and be seen by support agencies as being suitably 'supportable'. A 'learn by doing' approach to organisational design was an observation of Matanle (2003) within high level Japanese business organisations (discussed in Chapter 4). He explains how people learn through doing the job, rather than having explicit periods of training. The benefit of this approach is that change in behaviour is grown over time and made subconscious through repeated exposure to the environmental expectations of peers in the workplace. In the adult centre, I could see that an informal approach predominated within the centre. Rather than attempting to teach participants at the support centre, the environment was designed to provide lived experience. This approach is particularly useful in Japan as that style of learning and social participation will be, *I assume*, something they might encounter upon attempting to enter the workforce.

The possible impact of this approach was reflected in the narrative of adult desister 6 (see Chapter 6). It was harsh; he relayed to me a long life of failure to desist involving his movement back into his delinquent circle of friends. At the centre he gained a role-model who became central to his current desistance effort. Lessons learned during his time around the support centre enabled him to, not recognise opportunity, but live in a way such that opportunity was provided to him. He explained how he helped an older inmate in prison, and this acted as a catalyst to inspire confidence in his deservingness for more substantive state assistance. He gained a placement at a probation support centre that provided housing, and this eventually led to employment and some sense of stability. In relational desistance terms, he had gained an ability to negotiate desistance support. However, this was not something he did with words and intention. He absorbed a 'way of being' that people would recognise as desisting. Arguably, the lessons desister 6 absorbed cemented rather than undid stigma. He cited a need to endure and accept irrational abuse and prejudice. This points to a very dysfunctional desistance environment.

8.6.3 Peer support problems

The peer led environment, however, was not always good. Being positioned outside of official government oversight, the facility lacked stable sources of funding or practice guidance. Bottoms and Shapland (2011) explain desistance as a long path that does not have a clear stopping point; a back-and-forth journey where progress is navigated through failure. A similarly problematic road was described by desisters, peer-staff and civil volunteers. This troubled journey thus lacked institutional toolkits that might be found in the more robust supportive infrastructure of government integrated criminal justice.

Buck (2020) explains that peer-mentoring is a common and growing practice in criminal justice but has seen little investigation through research. She uses ethnographic data to consider the wider theoretical dimensions of peer-based criminal justice work. The use of peers in the criminal justice process is explained to have tentative indications of being helpful in the desistance process; helping people to realise personal strengths, imagining new identity and giving voice to the perspective of people often excluded. However, this success has so far been designed with wider criminal justice involvement in mind (for a program in the U.S. see Matthews et al. (2020), or for a small study in the UK, Hodgson et al. (2019). Nixon (2020, p. 47) specifically cites “support from criminal justice personnel, in recognising potential and providing a sense of hope and optimism”. Institutional stigma in the adult criminal justice pathway (overlapping in police, prison, family, and wider community actors) appears to have created a context where the main people left to support desistance are former adult offenders, at least in this study. The adult pathway desisters walked with little external validation outside of their safe space.¹⁵⁴ Hinde and White (2019) explain the benefits of being outside government remit, as (particularly in the context of the overly stigmatised institutional context) peers “have an influence on other inmates as they ‘come from where they come from’” (p. 334). Yet the free-form organic practice I observed was not ideal - a ‘do your best’ approach. Housing conditions were limited, and the financial aid that came from the government ‘living protection fund’ only covered necessities. When contrasted with the evidence-based practice of the Juvenile Training School I observed in the youth pathway, the adult centre was unable to provide more nuanced psychological and mental health-based approaches.

The knifing off of participants was clearly a good move in what participants left behind. The centre had people moving away from troubled pasts, areas without support infrastructure, problematic friends and hostile family environments. Participants left an environment which did not see them as ever being able to desist.¹⁵⁵ This matches the experience of Weaver’s (2015) participants who escaped a community that would not offer a path from crime (see Chapter 2). A gang of Scottish youths branded criminal by a community that had no time or trust for their redemptive goals. However, participants at the adult centre did not escape into a new future. Poor experiences in the past desistance informed education on those negative experiences going forwards.

8.6.4 Youth desister knifing off experiences

Youth desisters similarly had knifed off their past lives. While this was sometimes geographical, it mostly related to ending past delinquent associations. The youth network centred a lot of its

¹⁵⁴ The religious basis of volunteering at the centre is worth noting here. The ideological views at the centre could be, in part, attributed to Japan-catholic/protestant values.

¹⁵⁵ In some cases this was less of a choice.

outreach and educational goals on the idea of ending negative social connections. Drawve and McNeeley (2021), in the U.S. context, explain that the availability of support is important for effective desistance. Via statewide area-based evaluation of recidivism in relation to pro-social facility availability, they explain that when an area has an abundance of support structures it reduces recidivism. A motivation for youths in Japan that did not exist for adults was that they could move into areas that contained an abundance of resources; designed for former delinquents. For example, youth desister 3's move was because of the existence of an employment scheme and living support services (e.g. a food hall). The other three participants had family move with them. Furthermore the youth support network itself aided people during transitions. Maruna and Roy (2007) highlight that knifing-off needs to reflect the problem to be effective. In the current study, having support people with past experience of knifing off appears to be helpful in this regard. The peer-support network was able to identify and direct youth desister 3's attention to these areas of greater support. Peers could explain area specific barriers to reform; pointing out the real and illusory problems that might block their desistance.¹⁵⁶ Consequently, youth desisters benefited from a culture of knifing-off that both motivated and facilitated an effective cut.

The discussion will soon turn to consideration of relational desistance theory (Weaver 2019). This field of study cites the importance of making relationships the/a unit of analysis. A dimension of knifing-off that is very relevant is how it changed desisters' relational environment. People in the adult centre did not question the commitment to non-offending life: the desisters themselves, the civil volunteers and centre leaders all approached others and interacted based on the shared knowledge that people were committed to a reform effort. In the youth narratives, this was also the case. Oppositional family dynamics pivoted towards supporting the practical and emotional issues involved in moving away from crime. Knifing off past lives sent a clear message. However, before directly addressing relational desistance theory it is helpful to go over some features of the Japanese environment that augment the significance of social relationships.

8.7 The importance of a social bond in Japan

A theme in this thesis is the 'amplified' importance of any social bond in Japan. Past work has considered this in simple terms without much nuance, a concern in recent publications (Brewster 2020). However, the current thesis is unique in the abundant data that was collected around desisters. Through this data it was possible to observe how common social mechanisms collapse or maintain relevance in the unique contexts experienced during any

¹⁵⁶ For example, the incorrect assumption that employment was the first step to reform over employability.

person's desistance. In this chapter so far, this can be seen in the way family may be made more responsible for a relation's offending (Kita 2018). The chapter now turns to address this topic more directly.

8.7.1 *Structured time and pro-social bond quantity*

Laub and Sampson's (2003) theory of turning points was examined in more depth in Chapter 2. Here what is relevant is the third dynamic in their model. Once a new pro-social connection in society is obtained, they found it has the ability to structure the time of desisters. In the adult support centre this was obviously occurring through the work placement providing activities for the full working week. Significantly, this structuring was further enhanced by the social and extraneous work expectations common in Japan (Ono 2022). These activities included mid-work meals, after-work socialisation, extra events (these were particularly varied and surprising as discussed earlier in the findings: court hearings or ad-hoc personal requests), and overtime work objectives (volunteer recruitment or sale of charity goods). The positive effects of this structuring that Laub et al. (2018) returned to years later, is that engagement in such activities leaves no time for crime. Thus, the amplified importance of a social bond amplifies the impact of a bond on desistance.

However, on the flip side, it is possible to see an opportunity cost to progression out of the tentative desistance phase. The all-consuming activities of the centre did not particularly provide participants with the individual freedom needed to go out into the world and construct an effective life for themselves in a community. Aizawa (2019) highlights the importance of the good life model in rehabilitative practice.¹⁵⁷ In this argument he details how effective rehabilitative support is not simply the end of offending, but movement towards a higher quality of life.¹⁵⁸ Not having time to improve their own circumstances outside the centre presented a Catch-22 situation. Desistance was enabled by the centre, but life improvement was blocked. However, this observation may be an artefact of the cross-sectional nature of the research. It is possible that participation in centre activities does create future opportunities because through centre participation skills are gained, a social network constructed, and employment opportunities found. It is worth considering that people at the centre had failed when given agency over how they wished to approach desistance (in their past), whilst a 'hands off' period of 'directed desistance' provided to them a guarantee period free from offending. In any case,

¹⁵⁷ Aizawa et al. (2024, p. 2) describe the factors descriptive of a good life: "They include (i) life (including healthy living and bodily functions), (ii) knowledge, (iii) excellence in play and work (including skilled experience), (iv) agency (autonomy and self-determination), (v) inner peace (freedom from emotional turmoil and stress), (vi) friendship (including intimacy, romantic and family relationships), (vii) community, (viii) spirituality (finding meaning and purpose in life), (ix) happiness, and (x) creativity." There is a great depth in the requirements for a meaningful and fulfilling life.

¹⁵⁸ Note here that in Chapter 6 participants explained their reliance on a *seikatsuhogo* (a welfare 'life protection fund'). The amount of money was not stated clearly but was explained as 'shockingly low'.

more research is needed in evaluating high structure reform periods. I believe quantitative analysis with sufficient data would provide compelling insight if conducted within Japan.

8.7.2 *Bond quality: a senpai-kouhai effect*

A further ‘amplification’ of the significance of social bonds for my participants was the *senpai/kouhai* system (Rear 2022). The previous section explained an abundance of social opportunities and consequent volume of social connections. *Senpai/kouhai* cultural practices improved the quality of those connections. This was discussed in Chapter 4; to summarise, the senior/junior system in Japan is the social expectation that in co-operative environments senior people will take on a mentorship role. Some examples would be a higher and lower grade student in a club, new and old academic colleagues, or when two friends play a sport. This concept is flexible and nuanced beyond what can be conveyed in this thesis. I personally observed this dynamic in: academic settings, probation settings, sports settings, media, probation officer settings, at the adult centre and in the youth peer-support network. The point relevant to the adult support centre is that this is a granular concept and applies to all members of a group. So, when one enters a social space there is the expectation of being welcomed and supported within this social framework, creating a framework that will have a well-reasoned hierarchy in its different domains of activity. Within the adult centre I directly observed how a chain of command improved workflow and provided informal mentoring opportunity. Furthermore, in interviews with the voluntary staff they indicated that they had formed close relationships with specific members on placement; taking them ‘under their wing’. This process is what led to some civil volunteers looking for support on behalf of desisters. Socially, the most apt description I can provide is that it glued everyone together.

With an increase in quantity and quality social connections in the adult centre it was possible to observe a multiplication of social significance (this section is also relevant to the youth pathway discussion). Rather than being a support centre, the adult centre became a social world for participants as they engaged with many people in many different ways. Participants had the possibility of finding support within the network offered by the centre.

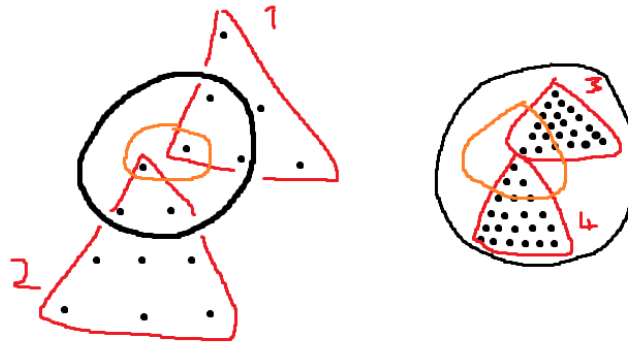


Figure 8.2 visual representation of low (left) to high (right) social density.

Figure 8.2 is a visual representation of the impact of bond density I observed in Japan. The black circle represents people who know each other across two groups, the black dots being people. The orange circle represents the overlap of actors in a social event with the red triangle being a single social organisation. Mandated social activities, over time, brought groups into contact with each other through shared connections - for example, a probation office and an academic research group. In Japan, it was possible to see a well networked set of actors across criminal justice who all interacted constantly. The effects of a denser social network infrastructure appear to be wide and far reaching, at least historically (Ishiguro 2018). This finding may not be indicative of wider Japanese social network infrastructure, but may be a product of the uniquely small world of desistance related space. Ishiguro (2018) points to a lot of contemporary factors (cultural, demographic, economic and technological) weakening networks in Japan generally. For the adult support centre, it meant that support opportunities emerged through interconnected social networking during placement periods. To tease this out further, longitudinal data would be ideal, future research needs to track the impact of more involved desistance support opportunities in Japan. In my study I saw voluntary probation officers (VPO), academics, probation staff, peer-support workers and other people all meaningfully socialising in various venues (research events, community planning events, government co-operation projects, and social meals).¹⁵⁹ Not only this, but people forged meaningful connections during their socialisation with strong levels of commitment.

Another artefact of the dense network was the limited importance of individual level role and status inside this network. In terms of stigma, in some ways the label of offender was overwritten in these organisational interactions - participants taking on 'social' and 'friend' roles. When the objective was fun and relaxation people were allowed to stop playing their 'probation

¹⁵⁹ When entry into an organisation means there is a lot of interpersonal interaction, character evaluation becomes more important. For example, my access process reflected this; acceptance into the academic world opened doors to many interconnected opportunities. But gaining this access had a high initial threshold. Research on this topic might need innovative design, such as longitudinal or social network mapping.

officer' and 'desister' roles.¹⁶⁰ Stigma was a large part of adult desisters' experience in the wider world. In contrast, inside the network of the adult centre people were treated with respect; even if desister status positioned them lower in the hierarchy.

8.7.3 *A sense of belonging in social life: desistance goals*

The amplified importance of a social network in Japan provided to my participants a desistance goal. It is hard to put into words the sense of community that I observed across all stages of my research when these factors overlapped. Granular senior-junior dynamics combined with after work social practice, and long work schedules. The chained consequences saw people commit to an organisation more deeply, aligned into a specific direction and purpose collectively. I saw this as a customer watching staff in a shop, during meals with academics, and when participating in peer-support desister events. A job was not just a job in this context, it was friendship, security and a meaningful life.

Consequently, a lack of place provided a sharp pain. A common phrase that was often spoken weakly and with little emphasis was: "*ibasho ga nai*". The translation of this directly is "I have no place", but conceptually it relates to the holistic belonging and place that a social community provides. Pursuit of 'place' in the desistance narrative emerged during discussion of future goals or current satisfaction. Participants wanted to gain access to a social space that provided them "*ibasho*". The understated and small admission of this point was subtle. Yet this desire held a lot of weight in the way it was informing current desistance efforts by participants. The constructed nature of placement at the adult support centre did not appear to carry the meaning of true pro-social acceptance. The placement was temporary and provided only because a person needed support. Participants wanted the security that came from knowing they provided as much as they took from their place of belonging.

Gálnander (2020) explains the stress affected by barriers around 'normal' life, from his research based on repeated in-depth interviews with 10 women over a period of two years. He describes how a tentative and vague hope in youth transformed into realistic goals in adulthood. His work has parallels to my own in the way cultural context provided long term desistance motivations. As Gálnander explains,

¹⁶⁰ Something not substantively addressed in this thesis is the relevance of the religious component of the organisations worked with during this research project. During interviews voluntary participation from the civil volunteers was specifically centred on Japan augmented Catholic and Christian values of forgiveness. However, the methodological focus was offender narratives and these rarely mentioned religion as relevant; with one exception. Armstrong (2014) discusses how faith-based organisations can facilitate the provision of 'unearned trust', a mechanism that was highly relevant to the bonds I saw in the centre.

Growing up, the women were repeatedly told, by schoolmates, friends, parents, foster parents, the social services, the police, and the prison and probation services, about their otherness and deviation from the norm. As such, the women had never felt normal or included in society to begin with, and even less so as they grew up to become continuously criminalized. (Gålnander 2020, p. 263).

Gålnander (2020, p. 263) notes how “women in this study shared a dream of *normality*” for his participants “that is, of inclusion in conventional society, of belonging, and (re)productivity”. He discusses how his participants had to claim and fight for the status of caring mothers. Desistance was enabled when a path towards long held dreams manifested. As discussed, participants at the adult centre experienced a considerable amount of stigma, to the point that they had agreed between themselves that belonging was not something they could realistically achieve. My participants wanted a place that they could commit to and would be committed to them. Consequently, their desistance was a fight against society collectively. In that fight the two senior staff ironically found that belonging they were seeking. The significance of belonging provided a powerful motivation to attempt large- and small-scale social reform.

This desire for belonging also occurred within the youth desisters. Notably, youth pathway desisters in the current research had the luxury of not needing to reveal their offending histories in new places of employment. Thus, they were enabled to pursue pro-social belonging. However, there was a notable tension in their way of answering questions about this, the implicit question being: *do I deserve, or am I even capable of ‘finding a place’?* In Chapter 6, youth desister 2, for example, explained the sense of imposter syndrome she had during her periods of employment after moving away from offending and drug taking. She felt a need to keep her desistance secret (Harding et al. 2017). She saw true social belonging as commitment of herself fully into a new environment, not being able to do this left her uneasy. Therefore the youth network had the direct goal of providing belonging to its members; as friendship was its founding principle. All the delinquent youths I spoke to came from social offending backgrounds, and my interviews with senior members of the youth network indicated this was very common. This peer-support group was designed as a way to provide a sense of place and comfort to replace the belonging that existed in anti-social groups of the past. Of note, it was interesting to hear how leaders of this group were focused on meeting people (new members) close to their release and helping them navigate a separation from previous crime-prone friends. For instance, youth desister 2 explained the danger of social media, as it could lead to negative social contact in the formative period just after release from incarceration. This is a point when people experienced ontological insecurity and fear. Thus, the group understanding the value of belonging, looked to target this specific mechanism in

their activities; by raising awareness within juvenile training schools in seminars and on a personal action level directly with individuals.

Social success in the Japanese context seems to be important for desistance. Thus, it should not be surprising to find that the juvenile justice system prioritises skill development in this area. Tsushima (2021) similarly reports observations from within a juvenile training school, providing a rare description of what those institutions are doing. In her work it is possible to see how the juvenile justice system in Japan is orientated towards facilitating understanding of a person's 'transitory potential'. She describes an environment focused on cultivating a co-operative social engagement in the learning process; a class structure where progression results in release from the institution - for example, making use of a senior-junior dynamic in the assessment of group presentations. Thus, social skills develop as people learn from each other, reflect on each others' skills and where progress is based on co-operative ability. In light of the adult desisters' struggles to maintain social etiquette, this focus on normal social development seems important.

8.7.4 Relational desistance study, a new paradigm

The significance of social relations in Japan highlights the importance of relational desistance study for this country (overviewed in Chapter 2). This field began as the need to understand "not just to shifts in behaviour or identity but to shifts in one's sense of belonging to a (moral and political) community" (McNeill 2015, p. 201). Suzuki et al. (2024, p. 2) conducted a scoping review of relational (tertiary) desistance research. Cumulative learning in the literature indicates that "it falls upon society to afford them [people with criminal histories] a second chance at rehabilitation and reintegration." A key factor of desistance is not just coming to see oneself as a desister but having that recognition from society. Chapter 2 proposes a question about how well the theory will apply in Japanese contexts. After a review of findings it is clear that this field of research is highly relevant. Over the next few sections, it will become clear this thesis has found more questions than answers.

A key feature of relational theory is the idea of self-perception related to cumulative learning across social environments. Relational theory in western research often looks to understand how a new place interacts with a person's *established* sense of self. For example, gaining employment cements a person's importance to a community; friendships in this environment create a sense of belonging that challenges an established 'criminal' self. People are seen to move through environments that provide space for the development of personal character, choice, action and agency. Identity is a construct stemming from the influence of the social environment. However, the Japanese context has a lot of emphasis on how a person's social place of belonging orientates them, in some ways overwhelming anyone's capacity for

individual identity. As explained in previous sections, relationships are amplified in value and have a corresponding set of expectations. A person understands that they need to adapt to a group's expectations. In reflection of this, a group expects members to adapt and subscribe to ongoing culture, thus providing a more controlling influence. Consequently, my participants all explained how overwhelming anti-social spaces were to their character and behaviour, to the extent they did not stress to me their personal change, but how their new environments had 'locked' them into more pro-social roles. This was not seen as a factor in opposition to personal development. Personal development was instead considered in relation to this social and ideological environment. When a person lost a social network, there was an understanding that with that came a loss of self. In a way, the simple act of leaving a negative social environment contained the expectation that people would leave behind who they were in that environment. The idea of change within a place/relationship affecting anti-social influence was incompatible. For example, 20 years on from his last time offending, the adult centre leader explained that he still considered himself to be a "dangerous person" (*"abunai ningen"*) – as he explained in Chapter 6. If he entered a negative social space, he would be changed back and structured into old habits. Even as a religious preacher he did not see himself within old environments as a changed man.

What is interesting about the Japanese context is that people seem to have an ideologically similar focus to relational theory; participants in this research also saw the relational environment as the unit of analysis for offending (the later discussion on probation will make this point clear). The narrative context of desistance in Japan helps to clarify the negotiation context for a person's belonging within a new network.

8.7.5 Relational desistance study, cultural scripts and narrative

Maruna's (2001) work, while coming from a sample of primarily drug addicted criminals, has guided the field of narrative criminology in relation to desistance (Stone 2016). His work indicates that desisters can generate a self-perception that reframes their past offending experiences into meanings they use in the present. In his work this took the form of a 'redemption script', with past offending activities being reframed as 'learned experience' in their current activities (see Chapter 2 for further discussion). Maruna and Liem (2020, p. 126) reflect on narrative criminology as an emerging and isolated field.¹⁶¹ Within this consideration they explain that 'who by' and 'in what way' a desister is perceived is significant:

¹⁶¹ Within the literature on this topic is a definitional debate on 'narrative'. Thus, some clarification on how the term is used here may be helpful; conceptually a very vague term, narrative is used in this thesis to refer to how participants describe an event themselves, or present some type of story.

The person who leaves the correctional process with the label of former prisoner is then asked to account for what he or she did dozens or indeed hundreds of times to parole authorities, prospective employers, partners, family members, friends, and acquaintances.

This point seems particularly relevant across cultures, as the dialogues of reform will be built inside very specific points of reference in a given jurisdiction. Existing narrative work seems to be centred on 'who you are' - whereas participants in this research tended to stress, instead, 'who they are with and not with'. In the current study focus was placed on a change to social dynamics and influence. For example, one participant laughed at the thought of how his past hobby (biking) contrasted with current interests. Yet on reflection, the critical points raised were not in relation to his own character or any need to change, but the influence of a negative social group on his own actions. There was a cultural dialogue visible here; change could be evidenced through social movements.

There appears to be considerable value in understanding which cultural scripts enable successful desistance negotiation in any given jurisdiction (Segev 2018). Stone (2016, p. 971) stresses the significance of different narrative contexts as "redemptive narratives can restore moral agency, in turn empowering the narrators to imagine and pursue generative futures." Her work builds on ideas of "redemptive suffering" (Stone 2016, p. 968, Maruna 2001). She explains how a drug using set of mothers reframed failure, pain and abuse in the past as learning that allowed them to more effectively care, love and be mothers in the present. Sandberg (2009) points out that desistance narratives exist within the sub-cultural context of the actor.

Some holistic reflection is helpful at this point. As this research gained desistance knowledge from two very distinct desistance spaces, it is able to assess and consider variation of desistance within the Japanese context. Stigma had a major role for both samples: motivating knifing-off decisions. However, adult desisters were not able to escape their label. They had to engage every day with people who knew they were 'former criminals'. Consequently, desistance was made far more challenging in various ways. Youth desisters were able to hide their offending, gain employment and start lives in mainstream society. Stigma was similarly debilitating when it was experienced. However, the stigmatised context of Japan was more relevant to feelings of fear. Relational desistance has some significant relevance to these two experiences (McNeill and Schinkel 2024). Adults did not think a place of true belonging could be negotiated. Consequently, Shapland's (2022a) findings of contexts that do not allow desistance seems particularly relevant. Youth desisters never truly felt as though they had belonging in their place of employment; a large secret between them and their friends.

However, in the three cases their family continued support. McNeill and Schinkel (2024) caution that belonging is a multi-scalar phenomenon. This seems very relevant to the current research that found very different desister relationships. An adult centre with peers that provided a ‘false/temporary’ belonging, civil volunteers at the centre who wanted to provide belonging to those desisters, and a society hostile to the idea of criminal redemption. Youth desisters experienced a criminal justice system that advocated their capability to reform and return to society; they were helped in this process by family and community resources and guided by peer supporters.

8.8 Towards a context-based understanding of desistance

To summarise, past comparative work has illustrated how a dynamic within a jurisdiction can alter the way desistance occurs. For example, wide family support networks in Israel have been seen to facilitate a path from crime via employment opportunities provided by family (Segev 2018). French probation was found to be incentivising agentic progression via empowered probation officers who can reduce sentences or criminal records (Fernando 2024). In Hong Kong, filial piety has ignited desistance as a process through the restoration of family bonds (Au 2020, Au and Wong 2022).¹⁶² Ideological, structural and social differences are found in desistance processes. However, available data indicate the desistance process is not fundamentally different across jurisdictions. At the onset of this project there was speculation that Japan might house overwhelming ideological and cultural forces that create very different desistance experiences, as has been featured in the literature up to now. Thus, this research asked the following question:

To what extent do cultural practices in Japan function to enable, or disable, offenders in their engagement with criminal activity, and in their movement towards law abiding lifestyles?

Reviewing my findings, there are indications that features of the Japanese context augment the processes, but in similar ways to those seen in other countries in past research. Thus, it is possible to make the statement that ‘Japan is not exceptional’ with some caveats.

This chapter has looked at stigma, a defining feature of desistance in many jurisdictions (Sharpe 2024). Rather than finding what past scholars have speculated in relation to Japan, I observed profound levels of compounded stigma; dangerous to both desister and their relations. Family, community, courts, prison, police, probation and the general public all make use of varying simple ideas about what a criminal is and has experienced. Consequently,

¹⁶² Note here that these are, respectively a structural mechanism, an applied ideological factor, and a socialisation dynamic.

both the adult desisters and youth desisters created ideologically oppositional social spaces in order to find some level of belonging in society. People who listened and took the time to see someone as a victim, abused and forgotten were the exception and not the rule. It made a great deal of sense that participants attempted to knife-off past relationships.

Overall, the three major themes of this chapter so far fit together. High stigma experiences in society inform a motivation for 'knifing-off' and attempted desistance in a new way, with new people in new environments. The amplified significance of social bonds facilitated this process on both sides. In terms of motivation, relational environments (e.g. family) hold and are seen to hold a responsibility for failing to orientate a person towards non offending. Thus, family environments became painful and strained (even for youths). Adult desisters explained leaving their families due to stigma, victimisation and the possible damage knowledge of 'offender association' with them might cause their families. Furthermore, anti-social environments actively worked to prevent/control members; at times demanding continued offending. In terms of facilitation, social environments provided more holistic motivation to move out of the area. The adult centre was willing to fully incorporate people with desisting motivation in their workplace, social events and hierarchy. People gained mentoring, care and time away from any offending motivations that existed in past social environments. The youth support network centred its educational outreach goals on the effect of negative social environments. Furthermore, membership of the network was designed to provide an alternative pro-social orientation.

One of the most significant findings of this research can be summed up in one sentence: *the amplified importance of a social bond increases its possible effects on desistance*. The truth of this sentence needs to be tested in future research. Findings in this thesis indicate a number of diverse sub-effects. Rather than simple restorative reaction to offending, amplification has both positive and negative effects. This point is not necessarily tied to the Japanese context, in my view. I want to highlight how participants in this research can be seen to exist within 'desistance subcultures': a place in society that specifically formed around an attempt to do desistance. From all sides these environments were pressurised for their participants; desisters drawn together out of need. Such environments are most likely able to produce desistance processes that vary considerably from desistance experienced without such an environment and are quite different to the standard experiences in a society. The chapter now moves to reflect on these findings by considering the role of the voluntary probation service in Japan and how this organisation interacts with the desistance process. This allows for a reflection on how desistance is *supposed* in official circles to occur in Japanese society.

8.9 Section 2: Probation discussion

8.10 Introduction to the discussion of a voluntary probation service

The previous section addressed the understanding of desistance that I observed during my research. This next section addresses the relation between the probation service in Japan, particularly the volunteer part of the service, and how it may affect desistance. First, it is necessary to consider what the probation service would see as desistance. From the fieldwork in Chapter 7, it can be seen that the type of desistance the Japanese probation service is attempting is not just the end of offending. It appears that it includes a type of 'relational maintenance' that has its attention on the community rather than the desister themselves. This is the first English language study, to my knowledge, to capture service user experiences of the Japanese probation system, especially the volunteer probation service. As quoted earlier in the thesis:

To the best of the author's knowledge, published research on VPOs' opinions on their role does not yet exist, but would be valuable, as would studies on offenders' experience and perceptions of VPOs. (Watson 2018, p.165).

It is helpful to remind ourselves of the three aspects of culture as define in this thesis:

1. Culture as a structure in the world of the offender:

How do societies' structures shape the experience of a desisting offender? (e.g. rules, laws, prison, probation, support centres, family, support initiatives, sentencing practice and so on).

Specifically, what role (if any) does probation practice have in the desistance process?

2. Culture as the nature of relationships formed:

What relationships draw people out of, or into more, crime? (the social problems and talking points of societies or family support).

3. Culture as ideology:

How does culture change the way an offender experiences society? (e.g. how does the family react to offending, think about being criminal, or view themselves and their future).

Chapter 3 established that practice can be understood through the overlap of social, structural and ideological features of a society. In Japanese probation, each of these three questions

are important to consider due to the convergence of a significant structural mechanism, desistance orientated social relationship and ideological position of advocacy sensitive to desister positionality.

This discussion first recaps what probation is and what it is doing. 'Good practice' and its definitions are considered in order to stress the possible effectiveness of the Japanese probation service. In ideal circumstance probation in Japan should not just lead to an end of offending but significantly improve probationers' and their relations' lives (family, partners, friends, employers and so on). Not only this, but the service directs state and community resources towards addressing problems in society. Thus, Japanese probation, *on paper*, expands what good probation might be. The discussion then moves on to consider the probationer 'return point', a major responsibility of VPOs. VPO probation is designed around motivating a person's 'relational environment' (e.g. family) to not just provide a home, but be supportive during a desistance process (see, forging a 'place' in section 7.8). The discussion then turns to reflect on the need for more data from service users and service providers. The role of the VPO system in society is not just focused on probationers but also provides benefit to VPO members and local communities. This raises some important questions about the quality and focus of practice; are VPOs committed, why are they motivated to volunteer, and is desistance really encouraged by this service?

8.11 What is the voluntary probation system – Its role and purpose in society

The wider probation related services in Japan are composed of more than just the officially labelled probation arm of the criminal justice system. Being a primarily voluntary system, the probation service fulfils a specialist role in the Japanese criminal justice system that is not related to the control of offending (supervision of those with a high risk of re-offending), or specialist care (roles that require extensive training such as a therapist). The White Paper (JP Ministry of Justice 2022) indicates that specialised treatment activities are conducted for sex offences, substance misuse, violence, and drunk driving. These treatment programs, on paper, happen under the direction of psychologists and experts in the relevant field. These occurred for 4,418 of the 10,830 parolees and 3,301 probationers under supervision in 2021 (JP Ministry of Justice 2022).¹⁶³ The focus of this chapter is on the supervision of offenders by probation officers (*hogokansatsukan*) and voluntary probation officers (*hogoshi*: VPO). Thus, it does not cover the specialist features of Japan's criminal justice system, which require their own dedicated investigation and assessment. In the probation service, roughly 800-2000 probation

¹⁶³ JP Ministry of Justice (2022, p. 39) provides the participant numbers for each of these programs: "Sexual offender treatment program" 731, "Drug abuse relapse prevention program" 3,239, "Violence prevention program" 217, and "Drunk driving prevention program" 231.

officers function in a management role for the 50,000 VPOs (Watson 2018). The service covers both youth and adults, adults being aged 20 and above in this jurisdiction (Ellis et al. 2011).

8.11.1 Probation officers in the voluntary probation system

The role of the VPO system can be clarified by recapping the relationship between state employed probation officer and VPO (outlined in Chapter 5). Probation officers function in a supervisory role for the VPOs. During interviews it was indicated that contact with probationers by probation officers was variable, and only definitely occurred in the first supervision where a 3-way meeting between all parties would determine the overall plan. After this, probation officers would monitor the VPO and probationer through the supervision period without much one-to-one contact. Performing a managerial role, the influence of a probation officer is indirect, as their directives are filtered into practice through the supervising VPO who provides the bulk of practical work. However, their importance remains due to the volume of cases they organise. Additionally, probation officers are enabled to communicate 'evidence based' information on the reform process, answer questions on what to do in certain situations, and generally orientate the VPO. Probation officers are enabled to infuse civil society with knowledge on the nuanced offending circumstances that might lead to offending, and help spread knowledge of how supporting probationers in the community leads to a healthy society.

In Chapter 7, I detailed the different ideological and methodological approaches to probation of my interview participants. Despite the small number of interviews (five of which took place in the same prefecture) there was one clear point of overlap; a probationer focus. For example, one probation officer explained that their work focused on creating happiness, and that upon meeting this goal probationers would no longer need to offend; another participant focused on generating an understanding of consequence; one was focused on simply listening as a mechanism towards freeform self-improvement; and there was also a problem orientated approach focused on probationers' barriers. It is possible that if a longer interview had been allowed overlapping themes and approaches would have emerged due to the obvious complexity of their work - a weakness of this research. Still, through these discussions a probationer-centred practice was apparent in the service. However, there is an important difference between operational objectives and if those goals are being achieved in practice.

8.12 Good practice in probation – VPO potential

It is at this point that a reflection on 'Western' evaluation of probation practice is worth considering, as this provides some context for the reasons why the Japanese system has been considered effective (Watson 2018), despite the lack of service user perspectives in

previous research. Watson (2018) explains this effectiveness as a theoretical ability to impact desistance mechanisms based on past probation evaluation: a geographical closeness enabling rapid intervention; the value of enhancing a desister's social capital; more genuine concern based on human connection of supervisor to supervisee. As explained at the end of Chapter 7, a summative look at the probation service on paper shows an almost ideal service that meets in many ways the desires of contemporary desistance theory; particularly relational desistance theory.

Shapland et al. (2012a) provide a review of 'good practice' in probation supervision and relate findings from engaging in the literature to determine when supervision improves and supports desistance efforts, and when it hinders such efforts (Shapland et al. 2012b). They summarise these in a core set of principles (p. 1):

[1] building genuine relationships that demonstrate 'care' about the person being supervised, their desistance and their future - not just monitoring/surveillance.¹⁶⁴

[2] engaging offenders in identifying needs and setting goals for supervision, including a supervisory relationship which shows active listening by supervisors.

[3] supervisors who keep on trying to steer supervisees in a desisting direction, through motivating them, encouraging them to solve problems and talking about problems.

[4] an understanding of how desistance may occur, with thoughtful consideration of how relapses or breaches should be dealt with.

[5] attention to relevant practical obstacles to desistance, not just psychological issues.

[6] knowledge of and access to the resources of local services/provision, in order to help the supervisee deal with these practical obstacles.

[7] advocacy, tailored to individual needs and capabilities, which may involve work by the supervisor, referral to others, or signposting to others, depending on the supervisee's self-confidence and social capital.

Their work is focused on assessing probation within the English and Welsh system, though it does include international considerations. Shapland et al. (2012b) explain that there is a need

¹⁶⁴ Numbering added for ease of reference.

to consider probation 'quality' in definitional terms, and to be particularly careful around which perspective is adopted in this definition: probationer definitions of quality will vary, in contrast to state perspectives, and again in relation to staff perspectives. Further, official goals of probation are not static. For example the Japanese White Paper (JP Ministry of Justice 2022) indicates a recent focus on identifying high-risk offenders through Case Formulation in Probation/Parole, termed "CFP", implemented in 2021 (p. 37). This indicates a shift towards a control and risk-based perspective at the state level, creating practice mandates at supervision level. Going back to the seven points, all of these principles could be observed at different times and in different places during the research process (with the exception of point 4 being a Japanese definition of desistance). Chapter 7 showed a system founded on caring and genuine connection to *unpaid* civil volunteers. To recap briefly, in relation to the above quote, the findings from this research showed:

[1] Volunteers motivated to connect to probationers and have meaningful relationships.

[2] Organisational objectives that based flexible solutions on active listening with an open mind and that did not impose state ordained 'rehabilitation' plans.

[3] An organisational awareness of how emotionally and practically trying the desistance process can be, learned through years of volunteering.

[4] Some level of organisational knowledge that desistance is an iterative process. However, not being able to support people who breach probation was a major criticism of probation officers.

[5] Official probation officer staff and volunteers with an understanding of the major barriers to reform (employment and support needs) with an awareness rooted in contextual awareness of how important social connection and 'place of being' is within Japan.

[6] Volunteers with an embedded local perspective on what resources exist to support desistance in their area.

[7] Volunteers who should be significant community members with significant power to advocate and negotiate support for a probationer.

Arguably, the Japanese probation service provides potential to redefine 'good practice' in the scope of the effects probation *might have*. In Chapter 7 probation officers and VPO staff explained a system in which they address not just the probationer, but the problems that exist

in their relational environment. The goal is not just to 'end offending' but to qualitatively observe and address human needs in a community, to co-operatively express grief and sorrow, provide personal resources, and aid as best as possible. Desistance affecting goals were also clear in state rhetoric around probation, in the documents that explained probation practice, and from the VPOs and probation officers themselves. In an ideal circumstance, probation in Japan represents not just desistance affecting potential, but a mechanism of community improvement and healing.

8.12.1 Organically networked criminal justice infrastructure

As section 8.7 outlines, social relationships were considered significant for desisters, and these features of Japanese society were also found to be important for the voluntary probation service. Social networked structures and relationship practices are highly relevant to understanding the VPO system, as these are arguably how the system came to be and is sustained. Dense social bonding provides long lasting well-networked individuals with a myriad of solutions to problems. In my interviews with voluntary probation officers, I gained some understanding of what this could mean for a desister. A high-level businessman with a locally based network of contacts was able to provide a place of work, not just in his own business but in those of his friends in the co-operating employers scheme (explained in Chapter 5). As far as tools go for a probation officer this man was effectively a silver bullet. Appropriate selection of a former offender to be put under the supervision of this VPO would probably guarantee a reform effort. In the above section it was clear that desisters can hold long lasting desires to reform yet structurally never meet the opportunity for this to happen (Shapland 2022a). The VPO acts as a networking hub of a community. Thus, the VPO may situate and guide a probationer through opportunity structures that they know can provide a path out of crime.

8.12.2 The return point – not just probation work

So, while the VPO has a role as a mentor during supervision, a critical consideration for desistance research going forwards should be an examination of their 'secondary role', one which VPOs and POs during interviews did not see as exceptional or overly important, but a role which, when viewed from an English perspective, seems incredibly helpful. VPOs function to negotiate for would-be probationers a return point. Not only this, but they also have the ability to maintain and orientate a relational environment towards productive and lasting desistance. They act as a state sanctioned observer who can identify and provide a level of accountability for family, friends, partners, employers and so on during the desistance process.

On the basis of the work of Laub et al. (2018), there is the expectation that 'turning points' during the life-course come to pass and people find themselves drawn away from offending

as a result of what these provide. For example, a new partner or family might enhance motivation to reform, provide some support in the process, and introduce structured time away from delinquent contacts. These 'turning points' are explained as generating observably similar effects across a range of desisters and influencing the desistance process in similar ways. A review of this theory was provided in Chapter 2, where it was noted that pro-social bond formation provides one of the possible positive 'pulls' from crime. However, findings in this thesis suggest that there is potential for interactive effects across 'pro-social bonds'. Giordano et al. (2002) explained agency on the part of the desister: that a person will look for pro-social bonds to society in the form of 'hooks', pointing out that these need to be understood and assessed in some form of agentic process. In contrast, here it is supposed that this process of looking for and then negotiating access to a pro-social connection can occur on *behalf* of the desister, by a person who is acting as a navigator in their reform process.

Consider again the return point negotiation and the desister's role in this process. The VPO (a significantly accredited community member) will go to an incarcerated person's intended place of return (dwelling) to understand and determine its suitability and safety. With this determined, the VPO will attempt to form a working relationship with the person(s) close to a desister, to aid in the desistance process. Furthermore, at the beginning of a probation term the VPO will attempt to link the desister to relevant support infrastructure in the probation area. Negotiation of a pro-social bond in the desistance process occurs with no/limited desister involvement. Instead, the people around the desister co-operate to determine a way to motivate and support a desistance process. Thus, a designated authority in a society convinces people to provide a space for desistance (Suzuki et al. 2024). This highlights a possible discussion for future scholars about whether desistance can occur without agency (or at least acquiescence from a desister), or if people who have yet to undergo a motivational shift will be resistant to forced change. A limited 'ability to resist' aligns with the contents of Chapter 5, which illustrated a criminal justice system which barely registered the possibility of class/socio-economic oppression. In Chapter 6 discussions, desisters often noted that their offending had reasonable motivations. I think to the many instances during my interviews and ethnography when desisters explained their offending not as morally wrong *per se*, but as transgression against power. The current thesis lacks the scope/focus to resolve this debate but during this research it was possible to observe the expectation that power structures would direct a person and others. In addition, there was a greater possibility that a person would abdicate moral authority to a controlling and powerful social network/organisation.

Of course, there was indication that success with a VPO did involve some element of social capability on the part of the desister – they needed to negotiate the co-operation of the VPO and then maintain the relationship (or possibly address failures of the VPO at a later date).

Chapter 7 provides some examples, for instance, it is unlikely that a VPO would use their capital for a person who fails to attend meetings.

The return point mechanism was not as relevant at the adult support centre where people had no relations to return to. This introduces a theme of this chapter: ideal probation potential. The return point mechanism stresses that the VPO system is designed around accelerating success. Consider that in the findings in Chapter 7, a former parole board worker explained that inmates in prison would not be able to get parole unless a suitable place of return was identified by the probation service:

That's actually that's legally stipulated. And the first thing is whether they have a supporter in the society, like family, you know, partner, maybe child.
Probation officer 6

VPO probation is provided to people with a foundation. The potential long-term significance of a community mechanism that focuses on restoration of key support bonds is significant; mitigating the negative offending spirals that stem from disintegrative reactions (and which may lead, for example, to homelessness). The function of the VPO to change a stigmatising reaction to offending into a potential supporter and have, for instance, a person's family welcome and actively begin to support a desistance process is significant (and a mechanism of reform very like that expected by Braithwaite (1989). Ironically, a key point of difference from the mechanism alluded to by Braithwaite is that this mechanism functions to mitigate an ideology of stigma. However, if those relationships have already collapsed or do not exist then a population of desisters cannot benefit from the main system that is supposed to help them transition into being a pro-social member of society. The adult support centre, in a limited way, in this research represents this type of group. However, the homeless population of former offenders the civil volunteers talked about is perhaps the most obvious example of a forgotten demographic.

When evaluating the desistance effects of Japan's probation service it is important to consider the confirmation effect that will be produced through this selectivity. On paper, probation will look like it is highly effective in facilitating reform. However, probation will primarily be provided to people who have some practical support. This confirmation effect will be further enhanced by the way the service reacts to breaches during probation. One probation officer raised the concern that people who failed on probation the first time were unlikely to receive probation after their new prison term. The probation officer explained that these people would be the most in need of probation's resources and support.

8.12.3 Problems of the return point

Before moving on, it is important to highlight a potential problem of the VPO system. The substantive desistance support does not come from state connected actors or VPOs. Instead, this mechanism places responsibility for offending onto the shoulders of (most commonly) a person's family. The 'responsibilising of family' for the offending of children, spouses or parents is a major topic in the work of Kita (2018). Chapter 2 explained her study, which looked into the experiences of people in support groups for 'people with an offending family member'. The direct trauma of offending family members was not the focus of this work (e.g. sadness a son is in prison). Instead, Kita (2018) pointed to the social reactions that exaggerated and heightened an already traumatising experience; actors around such a person would stigmatise rather than support (police, courts, family members and the wider community). An example was a father being publicly condemned in the courts for failure to end his son's offending; after the courts previously imposed housing and care responsibility onto him. A major concern for Kita (2018) is how the mother is often the biggest victim of these situations. The data of Kita (2018) is biased due to coming from a set of negative experiences with the criminal justice system; as one would be less likely to find positive experiences in a support group. However, her concerns are still seconded here. The voluntary probation service, if evaluated in practice substantively, may reveal further responsibilising of families and mothers.

8.12.4 Desister awareness of return point negotiation

Moving back to discussion of the affective role of the VPO in desistance, in this process it is possible to see that a cultural practice in Japan is activating the support potential of the family. However, desisters who I interviewed did not seem to be aware that the VPO's role was to negotiate on their behalf. Conversation about the probation service always centred on how the probation officer or VPO interacted with them directly; supervision effects. Indirect and secondary effects of probation were not prominent considerations. This points to a limitation in interview-based research with only desisters: they may not be aware of key mechanisms in the process that involve actors that surround them. I again think of Weaver's (2019) recommendation to make relationships the unit of analysis. Looking at relational environments will better enable the identification of desister-related interactions between two third parties. The methodology of this research focused on developing a depth of data through examination of desister narratives as well as desisters seen through the eyes of their peers and supporting staff. Thus, this research was able to gain some insight into when these interactions occurred. Civil volunteers at the adult centre talked to successful peer-supporting desisters to gain an understanding of what kind of life would lead to someone being destructive to others and to commit crime. They gained considerable empathetic ability due to these interactions when dealing with new desisters. Better understanding who is motivating acceptance and

understanding of desistance seems important. Two points need to be taken forwards into future desistance study in Japan. Firstly, perspectives from the families of offenders will be important in determining why they do or do not decide to support the process. Identifying these mechanisms may lead to more effective desistance support. Secondly, direct questions to desisters about actors who co-operated during their journey might be helpful to include.

8.12.5 The importance of negotiating support for desistance

The activation of the family to support desistance is only one half of the discussion. After this event, the change to the dynamic needs to be considered: how does desistance as a premise for the bond change its meaning or function? The value of a pro-social relationship to the desister lies not only in what is provided in the typical version of a bond for a lay person, but also the version of the bond that is based in support for a desistance process. For example, a bond might be entirely premised on 'desister status', such as the work schemes mentioned by the VPO interviewees. The probation service appears to curate relationships so that new bonds are supportive towards desisters. This point can be considered through research that looked across different desistance sub-fields. Chouhy et al. (2020) point out that social support theory is relevant to many different desistance theories. Within their work they identify the limitations of personal power in a desistance journey. As outlined in Chapter 2, they explain support in four dimensions of desistance observed by others: pro-social bond theory, redemption scripts, criminal justice infrastructure, and coping with negative life events. Within these mechanisms of desistance, Chouhy et al. identify how other actors around the desister facilitate desistance through their supportive desire to aid in gaining employment, in coming to see oneself as a good person, in undergoing penal punishment, and in dealing with trauma, respectively. Chouhy et al. (2020, p. 204) define support broadly along instrumental and expressive dimensions. They argue that:

putting social support at the center of the discussion of the desistance process would help consolidate a policy agenda that not only reaffirms rehabilitation but also promotes a broader set of policies aimed at constructing a more fair and supportive society.

The Japanese probation service appears to be laser focused on supporting and generating support for a person's desistance.

The value of organisations that look to advocate for desistance is discussed by McNeill (2015). He examines his own role in desistance developments, critically considering how theorising has been used to direct policy and practice over the past few decades. McNeill (2015) in his discussion of relational desistance refers to several organisations in Scotland, Positive Prison? Positive Future (composed of former offenders), Faith in Throughcare (religious and

secular volunteer support of re-entry) and Vox Luminis (a prison program based on creating music and sharing offender experiences with the public). His comment is that these organisations represent in some ways a voice of the desister such that their perspective and positionality in society might be better understood, and that these institutions function to re-orientate mainstream views towards seeing (former) offenders as human beings. In terms of relational desistance. These mechanisms also go a long way to validate and confirm to the desister themselves and to others that they are welcome and accepted in society; despite elements of stigma that exist in other dimensions of wider society or in the criminal justice system. The VPO system has many parallels in the way it is designed to foster an understanding of why desistance should be permitted and supported. Japan having 50,000 people with this mission should not be understated. Even if the service is not successful in a single case of probation, and the support provided is entirely misaligned to the specific issues that led them to offend, the existence of the VPO system is a statement to people offending in the community that society is not totally ignorant of their voice, problems and desire to reform. It is also important to note that where the support of the VPO system is denied to a person leaving prison, there is a contrasting experience that needs to be understood.

8.13 The voluntary purpose of the VPO system

The practice of voluntary probation seems to consider the relational components of desistance in the supportive design it offers. A social reaction to offending may be stigma and rejection, but it is interesting to consider that there might be ways to switch off this reaction, for example, through a declaration like, ‘this girl has suffered and is in need of our aid’.¹⁶⁵ However, it needs to be stressed that desistance is not the sole function of this service, and it is not a practice that is structured based on the desistance literature. A notable parallel exists between the VPO system and restorative justice as they relate to desistance. This parallel has two levels. Firstly, restorative justice is also a social mechanism which might aid the desistance process through relational restoration and in other ways. For example, Shapland (2022b) suggests that restorative justice has the potential to facilitate desistance through “opportunities for offenders to work through their ideas for desistance” (p. 175). Restorative justice brings together the family, friends, offender and victim (in various configurations and settings) to navigate the consequences of offending; providing opportunities for apology, bridge building, victim empowerment, and much more. However, the second parallel is perhaps more important to consider. Shapland (2022b) explains that there is a danger in considering restorative justice within the language of desistance, as from the perspective of desistance theory, the purpose

¹⁶⁵ This hypothetical statement is in reference to the reflections of youth pathway desisters and how surrounding criminal justice workers reacted positively to them.

of restorative justice is in some ways obfuscated and instead focuses on the offender-specific long-term benefits. Restorative justice is as much for the victim, community and society as it is for the post-conference desistance process. Similarly, the VPO system is not constructed to form and operate in a desistance supporting role. There is potential that it can do this, but evaluating the service totally through this lens would misrepresent the total value it has to the volunteers and desisters on a qualitative and emotional level. Recidivism based analysis is, as discussed in many parts of criminological literature, not congruent with assessment of quality in sum (Shapland et al. 2012b).

A theory of *what* people are doing is not complete without examining *why* they are doing it (Mills 2000). To the would be desister, the VPO system represents a potential source of aid. To the VPO, the VPO system represents a potential community and purpose. A unique feature of being a community organisation and not just a criminal justice arm of government is the need for the VPO system to be of value to its members and not just to its service users. While the objective of the VPO system is to facilitate the return of a sanctioned offender to the community, the people doing this choose to participate of their own free will. Onboarding of the voluntary probation service has been explained by Watson (2018). The current volunteer will go to another member in the community and nominate them for participation. This process requires that the VPO is motivated both to stay in the service and to invite others to join them.

Volunteer positionality was raised by participants as both positive and negative. Firstly, probationers benefit from the authority that is afforded by an altruistic individual acting for community interests. Service users and service user families see VPOs as “unthreatening and helpful uncles and aunts, rather than government officials” (Watson 2018, p. 165). VPO status in a community provides power. VPOs maintain this power on a few levels. Their social network provides them with status by nature of their associations (who you know), they gain a level of status from whatever position they might have held/currently hold (who you are), their activities are validated by their voluntary nature, and they wield the authority of government due to their activities being sanctioned and approved (why you are here). Reflecting upon my conversations with service users, Watson’s (2018) quoted point holds up well. Desisters tended to view the volunteers in their civil role rather than their governmental role. This was most obvious in their frustration with the positionality difference. For example, one participant explained to me how they were “seen by a rich lady who just wanted to help” (Chapter 7). Another questioned who the service was truly for, and whether it was high society altruism that makes the people feel good rather than doing good. The factors that make a voluntary probation officer authoritative as a community negotiator make them less accepted by the probationer.

Chapter 7 raised a theme of commitment which is important to consider. The VPO system maintains a lot of potential. However, in terms of training, it is hard to make demands on the volunteers to commit to learn new and best practices. VPOs are inclined to approach the work as a hobby done for fun. Akashi (2018) explains that training regimes are provided to VPOs on three levels; basic (for those with less than 2 years' experience), reinforcing (2-4 years' experience), and specialist, depending on local conditions. However, the 'learn by doing' mantra was clear in both probation office and voluntary probation office interview descriptions of the learning process (Matanle 2003). VPO interviews indicated that much of their ability developed over time on the job, and probation officer interviews indicated that participation in training programs was hard to demand of the VPOs who often had schedule conflicts. As a result of this, quality of the supervision was given more room to vary based on the VPO's commitment, existing skillset, and resources. During interviews I gained insight into the 'ideal' probation case. As explained in Chapter 7, one participant was given a place of leisure even after his release from the probation term. The VPO gave advice and listened with a careful ear. Overall, it was explained that the VPO provided a source of motivation to do and be better; a blurring of friend and state actor roles. Additionally, the two VPO interviews were with committed, motivated and high ranking members of the organisation - the ideal supervisors. Thus, it is important to reflect on how far what I was shown generalises to the entire VPO population.

The downside of this voluntary service, is that VPOs' feelings matter *a lot*: they are doing an important and needed job for free. They are provided freedom to go far beyond what anyone would expect, but are also capable of doing a minimal or poor job. For example, a complaint that my participants had related to the concept of an 'honorary position' in Japan, which is a position provided to someone in retirement without much meaning. It was in this dialogue that the desister questioned who benefited most from this system; the desister or the volunteer. Taking this a step further, an employee who is gained through probation supervision is in a unique power dynamic: demands made to them beyond what is normal might be received well (due to gratitude) or hard to resist. However, a simpler problem existed for my participants. Of the 11 interviewed desisters only one noted their VPO going above and beyond, for the others effects were limited to emotional and reflective conversation during supervision. They did recognise the *potential* value of the service for other people. This concern may reflect the vulnerable nature of the sample groups in the current thesis; analysis was made harder by my collected data being the only data available. Who benefits from the VPO system and how will be a pressing question in future research. Still, after collecting service user data, both myself and Kita (2018) are highly suspicious of the ideal image fostered and propagated by the Japanese criminal justice system. A metric of past work is helpful to consider this point.

Through interviews with service users, Dominey (2019) evaluates practice changes to English probation in light of its restructure from state to private operation. She explains a significant decline in quality when probation practice shifted from 'thick' to 'thin' supervision. In the model of 'thick' supervision, services relevant to the probationer are provided by both the supervisor and the keyworker in a joint effort that facilitates referral, listening, and caring supervision. In contrast, 'thin' supervision is described as box ticking activities, short phone calls and an overall focus on monitoring and control-based activities. In thin supervision, support services are not provided by probation but instead require desisters to find these themselves. Thin supervision is explained as fragmented and ineffective. Such a neat theoretical view of services is hard to suggest for the VPO system. Probation in Japan appears to have scaling quality along both 'thin' and 'thick' approaches. Future work on the voluntary probation service needs to carefully consider practice on a scale from thick to thin, rather than think of the service as having standardised effects.

8.14 Reflecting on how the Japanese probation service might affect desistance

Looking back over this discussion, the potential of the Japanese voluntary probation service is profound. The service does not just represent possible excellence by western standards but surpasses them in ways important to the most contemporary desistance research (McNeill and Schinkel 2024). It is not surprising to find that Ellis et al. (2011) have discussed what can be learned from the Japanese probation system. They talk about Japan's probation service from an English and Welsh policy transfer perspective. Their objective is not totally in alignment with the aims of this thesis, and their research is focused on immediate and transferable aspects of the system. Still, it seems relevant to address their concerns:

... there are more immediate hurdles to overcome in trying to transfer any lessons from Japanese probation into the E&W context. ...

... whilst the Green Paper Breaking the Cycle ([England and Welsh Ministry of Justice], 2010) calls for greater involvement of volunteers, it also calls for decentralization. Although the Japanese system appears very localized, even involving VPOs' own homes, as Miyazawa notes, there is no real local or regional policy making structure. All decisions on policy and practice are top down and are directly controlled through the [Japanese Ministry of Justice]. There is thus no local innovation possible, or lessons to learn from it for probation practice in England and Wales. (Ellis et al. 2011, p. 342)

Ellis et al. (2011) caution against attempting to learn from Japanese probation. I feel their caution is warranted. Japanese probation has developed over decades, through and with the

community. It is built upon Japanese cultural traditions and in alignment with the social organisation and practices of its communities. However, I feel there is still much to learn from this system, and that dismissing probation in Japan as *too different* or *too abstract* may be going too far. I do concede that probation practice is uniformly organised into the same structures nationally. I would also suggest, however, that practice has significant potential to vary and local innovation is the premise of the service. Ellis et al. (2011, p. 337) converse with the same hesitation I have, themselves noting contradiction within their arguments, for example, that the majority of supervision occurs in the home of the VPO (“78%”) or includes visits to the probationers’ family (“17%”), or consists mainly of family visits (“4%”). Thus, in some ways practice is explained as quite far away from state policy. Their hesitation stems from the lack of investigation into probation impacts and they state that much work is needed to understand the VPO system and whether it is effective. Having done some of their requested investigation I agree. The VPO system as presented by government and in official policy documentation is quite different from what I observed in practice. For instance, I still have quite vivid memories of a probation officer miming putting the government practice guidance on a shelf next to a bin at the back of the room. Before considering Japan as a “third sector template” (Ellis et al. 2011, title quotation) research that is focused on learning about probation in Japan is needed.

8.14.1 Is ‘ideal’ probation a fiction?

My call for more research stems from a tension within my data. VPO probation is designed around community co-operation. As explained in Chapter 5, there are large and numerous volunteer organisations related to criminal justice. State practice is premised on the restoration of people to society. Yet during interviews all desisters, all associates known by those desisters, and other desisters who participated in the meso level interviews offered no indication that being open with an offending history would lead to success. On the contrary, hiding past offending was explained as critically important. During my data collection I did see supportive actors who worked with desisters, but they supported them in navigating a hostile wider society. Chapter 5 featured a discussion of the *hikikomori* (socially withdrawn), declining birth rate, poor employee rights, and a generally pessimistic view of Japan by its citizens. I would question the value of the ‘harmony facilitator’ in the parts of society which lack harmony (have crime). Within Chapter 5, criticisms of historic work in Japan were discussed; that Japan is not as uniform as presented (Brewster 2020) and that its justice system is not utopian (Goold 2004). These two points are highly relevant to the discussion of Japanese probation. The social reality experienced by my desister participants was not uniform co-operation across members in a society. Therefore, making firm conclusions about voluntary probation in Japan is difficult.

Highly critical output on the VPO system's ability to affect desistance, if it affects policy, could disrupt its social function as a hub of communities, an ideological ground to form views sensitive to criminal positionality and would ignore other criminal justice organisations with a tighter desistance focus. At the same time, I find myself very concerned with the lack of research into its practice; behind closed doors much could be happening that leaves one feeling uneasy, especially given recent insight into prison (Human Rights Watch 2023) and the discussion of wider criminal justice practice in Chapter 5.

8.15 Cultural practices in Japan and desistance

This chapter set out to discuss findings that came from investigations initiated by the following research question:

To what extent do cultural practices in Japan function to enable, or disable, offenders in their engagement with criminal activity, and in their movement towards law abiding lifestyles?

Thus, I set out to understand how cultural practices might affect the desistance process. Fifteen months in Japan, a language learned, and numerous conversations later I have many promising questions, answers and directions for future research.

This chapter first considered the existing literature which has speculated monolithic desistance and crime affecting cultural practices of collectivism and restoration (Braithwaite 1989, Leonardsen 2010). These models view Japan through the lens of exceptional 'ways of being' and values that exist ubiquitously across the country. Evaluation of this literature showed a distinct lack of empirical data, some of which this thesis has been able to provide. Throughout this thesis monolithic exceptionalism has been contested through a review of contemporary critique (Brewster 2020), and in this chapter through an illustration of the desistance mechanisms found. The simplistic idea that offenders are effectively reintegrated into society by welcoming communities makes use of far too many assumptions: assumptions that are particularly problematic when attempting to understand the deviated criminogenic circumstances during desistance.

The chapter then looked at stigma in the Japanese context. This evaluation showed varied ideological perspectives from the different stakeholders relevant to desistance; the desister, the support sector (fieldsites of this research), police, prison officers, juvenile training school staff, probation officers, voluntary probation officers, family, friends, employers and community. Stigma was around every corner for my participants; with significant effects such as blocking new relationships, at times it was subtle and stigma was directed at desisters from a variety of actors. In contrast to what was expected, strongly stigmatising reactions to criminal histories

provided the shape of my participants' desistance. Rather than re-integration, most of my participants knifed-off their past lives and relational situations due to hostile views against people with criminal histories.

Overall, when looking at isolated cultural practices and their effect on mechanisms of desistance it is possible to see augmentation. However, it is important to consider the overlap of these features in space and across time. In space, this was done through an examination of 'bond amplification'. The adult centre demanded personal, private and social time in such strong measures that entering the environment restructured participants' lives. During this time hierarchy and *senpai/kohai* cultures naturally organised people into mentor/mentee co-operative dynamics. Furthermore, the overlap of personal and private lives led to a type of social integration between related networks that saw probation, academic and support sectors overlap into a sprawling social network of potential bond opportunity. Thus, a specific space facilitated the coming together of many cultural practices relevant to desistance; a multiplication of bond quantity, quality and density amplifying the significance of a relational place of being. Pro-social bonds' structuring effects were amplified (Laub et al 2018), and positive and negative peer-support effects became far more important (Nixon 2020). Particularly significant, 'true' pro-social belonging was gated from participants; limiting the possibility desisters could reach a relational desistance stage. Across time, participants' life histories showed that the cumulative influences of the wider Japanese contexts could be seen in the overall desistance pathway created. Some of my participants were driven into dense communities of offending due to breakdowns in their pro-social environment (both self-inflicted and externally inflicted). For young desisters their transition from crime was defined by an escape from those influences. Desistance was eventually enabled by a social network of people looking to create meaningful places of belonging. Dense social cultures affected what people feared (Paternoster and Bushway 2009), who they might turn to during desistance, and what people dreamed of in the future (Gålnander 2020).

The final part of this chapter examined the role of Japanese voluntary probation during desistance. This discussion reflected on the ideal version of VPO effects which I was told exist. This discussion showed how my participants' pathways of desistance strongly diverged from 'typical' probation experiences. On paper, the VPO service is almost too good to be true. Relational desistance theory is a stage of desistance beyond stopping offending and no longer seeing oneself as an offender; belonging, respect and acknowledgment within a community (McNeill 2015, McNeill et al. 2024). This service looks to facilitate long term effective reintegration with a relational environment (most often family) and support the desistance process both directly and indirectly. Yet, desister interviews very rarely mentioned the

significance of probation, and the 'relational management' role was only mentioned in a single instance.

In summary, this thesis has shed light on long speculated crime related features of the Japanese context by providing interviews and observations related to the desistance process. It is clear the Japanese context holds a variety of cultural practices which can affect the desistance process - a desistance process which did not substantially challenge existing desistance models. Desisting in Japan seems to be a process very similar to the stigmatised back and forth journey which has been found across desistance writing (Shapland 2022a). However probation officers and voluntary probation officers explained to me a uniquely supportive desistance mechanism. They painted a picture of state, community and families working together to address not just offending behaviour, but the problems that drive offending behaviour. Yet they did not wish to provide to me much evidence, so I am left wondering about how often the probation service operates in its ideal conditions.

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Appendices

Appendix A - Example of an interview schedule used with an academic.

Interviewee background

1. Briefly, can you describe your area of specialisation?

1. 簡単に、専門分野について教えてください。

2. Given your specialist knowledge, what things do you feel I should be aware of?

2. 専門的な知識のある方として、研究に当たって、私がどのようなことを意識するべきかについてと教えてください。

- Please take a few moments to prepare if needed, as this answer may be very long.

- 回答が長くなる可能性のある質問なので、必要な場合は回答の準備に必要な時間を設けます。

Japanese values and life goals

3. What are the key life goals in Japanese society?

3. 日本社会において、人生の目標としては重視されているのは何でしょうか？

4. Japan is thought to be hierarchal; is this true?

4. 海外では、日本は上下関係が重要な要素として説明されていますが、どう思いますか？

- Have you seen evidence of hierarchy in your work?

- 自分自身の仕事においては、上下関係が重視されていることを反映することはありますか？

- Do you think this affects probationers/offenders?

-このような要素は保護観察の対象者や犯罪をしている人に影響を与えていると思いますか？

5. Do you have knowledge on collectivism, is it thought about in your work?

5. 集団主義についての知識はありますか？ある場合は、自分の仕事において配慮されていますか？

Social concepts

6. How do different social groups in Japan react to a person's offending?

6.日本では、ある人が犯罪をしたとき、以下の者はどのような反応を示しますか。

- family - friends - employers (家族 - 友人 - 雇用者)

7. Briefly, could you explain the concepts of *Uchi* and *Soto* to me?

7. 簡単で大丈夫ですが、「内」と「外」という概念について説明してください。

- Is this concept important for offenders?

- 「内」と「外」という概念は犯罪をした人にとって重要だと思いますか？

8. Do you think that the concepts of *uchi* and *soto* are changing in modern times?

8.現代において「内」と「外」の概念は変化していると思いますか？

9. Why don't strong collectivist principals thought to exist in Japan affect offenders; how are offenders able to become exceptions?

9. 日本には強い集団主義が存在していると説明されていますが、なぜその考え方は犯罪をした人に影響を与えないと思いますか？

Contemporary change

10. Has Japan changed in recent years?

10. 近年、日本は変わってきたと思いますか？

11. Are there any changes important to offenders?

11. その中、犯罪をした人に大きな影響を与える変化はあると思いますか？

12. What is employment like for people in Japan now?

12. 今の日本において、仕事はどういう意味を持つと思いますか？

13. In Japan, what is more important to people: the money from work or the work itself?

13. 日本では、仕事から得られる収入か、仕事そのものか、どちらが人々にとってより重要ですか？

F - if so, how and why is this answer different for different people?

- もしそうなら、その答えは人によってどのように、そしてなぜ違うのでしょうか。

Why people offend and why people stop

14. In your opinion, what is important for people to move out of crime?

14. 犯罪から離脱するために大切なことは何だと思いますか？

F - What type of criminals are you thinking about?

F - 今の回答にあたって、どんな犯罪をした人について考えていますか？

15. Why do long term offenders start committing crime in Japan? Feel free to give a long answer.

15. 日本では、長期間を渡って犯罪行為を繰り返す人は何で違反をし始めると思いますか？
回答が長くなるのは問題ではありませんので、自由に回答してください。

16. Why do long term offenders keep committing crime in Japan feel free to give a long answer.

16. 日本では長期間を渡って犯罪行為を繰り返す人が離脱しない理由は何だと思いますか？
回答が長くなるのは問題ではありませんので、自由に回答してください。

17. Who in society do you think needs to support criminals? (for people to stop offending)

17. 社会において、犯罪離脱をより可能にするためには、当事者のサポートは誰が行うべきだと思いますか？

Treatment of offenders - post offending

18. What types of crime treatments and responses do you have knowledge about?

18. 犯罪をした者に対する対応について、知識がありますか？

19. What do you feel Japanese society does well in relation to offenders?

19. 日本では、犯罪をした人に対してよく機能している社会的要素は何だと思いますか？

20. Is there anything you feel could be improved?

20. 改善すべき点はあると思いますか？

21. How are these supposed to work?

21. これはどのように機能すると思いますか？

Internal self-perception

22. How do people deal with being an offender in Japan? (Please note what kind of offender you are speaking about: theft, assault, sex related crime and so on.)

22. 日本では、犯罪をした人は「犯罪者」であることとは、どのように向き合っているのですか？(窃盗罪、暴行在、性犯罪など、どのような犯罪行為について考えているのかについてを示してください)。

23. Why would people in Japan want to stop being an offender?

23. 日本では犯罪行為をやめたい理由として何があると思いますか？

24. Is the concept of shame important to consider when talking about offenders?

24. 犯罪をした人について検討をする際、恥の概念は重要だと思いますか？

Ending Questions

25. From people that have not grown up in Japan, what do you think the biggest misconception is about Japan; are there many?

25. 日本で育っていない人たちが、日本又は日本社会に対する最も誤ったイメージは何だと思いますか？ほかに誤ったイメージがたくさんあると思いますか？

26. How about foreign researchers ?

26. 外国から来た研究者の場合だと、日本又は日本社会に対して誤ったイメージがあると思いますか？

27. Is there anything I've left out that you wanted to talk about today?

27. 今日の質問以外の点についての意見、感想やアドバイスがありますか？

Literature questions

28. I'm not good at looking for literature written in Japanese; can you please recommend any texts related to the questions I have asked?

28. 日本語で書かれた文献を調べるのがまだ不慣れであって、質問した内容に関連する文献があれば、紹介をしていただけませんか？

Conclusion

Thank you for taking the time to speak with me today.

本日はお時間をいただき、ありがとうございました。

Appendix B - Desister interview schedule.

1. What do you do to occupy your time?

1. 普段(ふだん)何(なに)をして過ごしていますか？

2. What is your current work?

2. 現在の職業は何ですか？

3. (a) Do you have any hobbies?

3. (a) 趣味(しゅみ)はありますか？

(b) Do you have any interests, can you tell me a bit about yourself?

何か興味(きょうみ)のあることはありますか？ご自身について少し教えていただけますか？

4. How do your current activities compare to before your time in probation?

4. 現在と保護観察期間を比べて、生活に変化はありますか？

Experience of ending -終了(しゅうりょう)時(じ)の経験

5. Who or what is important in your life right now? (Job, people, hobby - what brings meaning to your life?)

5. 今、あなたの人生で大切なのは誰ですか、もしくは何ですか？(仕事、人、趣味(しゅみ)など、あなたの人生に意味を与えてくれるものは何ですか？)

6. Has your life changed in recent years?

6. ここ数年で、あなたの人生は変化しましたか？

7. Have you personally changed in recent years?

7. あなた自身は、ここ数年で変化しましたか？

8. Has your social network changed now that you are living a crime free life? Do you have partners/children?

8. 犯罪と関係のない生活を送るようになって、あなたの対人(たいじん)関係は変化しましたか？パートナーか子供がいますか？

9. Why do you think you no longer need to offend?

9. なぜ、犯罪を犯す必要がなくなったと思うのですか？

Culture as the nature of relationships formed - 形成される人間関係のあり方としての文化。

10. What do you think was pushing you to offend? What did you need from offending?

10. 何があなたを犯罪に走らせたと思いますか？どんな目的であなたは犯罪を犯していましたか？

11. Was there a moment you think back on that helped you to stop offending, or was your change gradual?

11. 思い返してみて、あなたが犯罪を犯さずに済んだ出来事(できごと)がありますか？もしくは徐々(じょじょ)に気持ちが変わりましたか？

12. Are there any problems you're experiencing in relation to you no longer committing offenses? (ask follow up questions)

12. 犯罪をしなくなったことで、何か問題(もんだい)が起きましたか？(フォローアップの質問をするね)

13. (a) Who has been helpful in recent years? Has anyone or anything helped you stay out of trouble?

13. (a) 近年(きんねん)、あなたがトラブルに巻き込(まきこ)まれないようにするために、誰か、あるいは何かに助けられましたか？****

(b) What kind of support - did they get you work, or anything else?

(b) どのように助け(たすけ)られましたか？ 仕事を紹介(しょうかい)してもらったりしましたか、それとも他に何かありましたか？

14. Do you tell people close to you about your past? [How do they react?]

14. あなたは自分の過去について親しい人に話しますか？[彼らはどのように反応(はんのう)しますか]

Ideology イデオロギー

15. Thinking more generally, why do you think people start committing crime?

15. 一般的に考えて、人はなぜ犯罪を犯し始めると思いますか？

16. What sort of solutions do you think are needed to stop people doing crime?

16. 人々が犯罪を犯すのを止めるためには、どのような解決(かいけつ)策(さく)が必要だと思いますか？

Structure of the world - 世界の構造

17. Can we now talk a bit about probation? What did you need to do?

17. 保護観察について少し話しましょう。保護観察中あなたにとって何をする必要がありましたか？

18. How many times have you been on probation?

18. 何回保護観察をしたことがありますか

19. (a) How often did you see your probation officer (b) and how often did you see your *hogoshi*?

19. (a) 保護観察官とどのくらいの頻度(ひんど)で会いましたか？ 保護司とはどのくらいの頻度で会いましたか？

20. What kind of support have you received from probation?

20. 保護観察所からどのような支援を受けましたか？

21. What kind of support have you received from other sources of support, i.e. other people and organisations - voluntary sector, churches, community groups, etc.?

21. 他の保護観察所のような所(ところ)、例えば他の人々や組織(そしき)、ボランティア、教会、コミュニティーグループなどから、どのような支援を受けましたか？

22. How has your experience of probation been? (Introduce a scale here: very good, quite good, neutral, quite bad, very bad.)

22. 保護観察についてどのような経験をお持ち(も)ちですか？(たとえば：とてもいい、かなりいい、どちらでもない、かなり悪い、とても悪い、と思いますか)

23. What kind of things did it help you with?

23. 保護観察はどのようなことに役立(やくだ)ちましたか？

Open topics 自由記述

24. Is there anything else that you would like to talk about that you think is relevant to your stopping committing crimes?

24. その他、犯罪を止めることに関係することで話したいことはありますか？

25. So that I've got it down correctly, can you please tell me the following: first name, age, (their offence history, the sanctions experienced, time in probation.)

25. 正しく記録するために、名前、年齢、犯罪歴、経験した制裁措置、保護観察中の期間について教えてください。

26. Did you have any questions for me?

26. 私に質問がありますか？

Thank you for taking time to come and speak with me, your help and time are greatly.

お時間をいただき、ありがとうございました。

Appendix C - Probation officer interview guidance and key questions

私はイギリスのシェフィールド大学の博士課程に在籍^{はかせかてい ざいせき}しているアダムと申します。

今日は、どのように犯罪者達が犯罪から離脱^{りだつ}していったかについて話し合います。

私は皆様の協力で日本文化と日本社会への理解を深めたいと思います。

皆様の回答はすべて機密^{きみつあつか}扱いとなり、データは匿名化^{とくめいか}されます。

インタビューの途中で休憩^{きゅうけい}や中止を希望^{きぼう}される場合は、いつでもお申し出ください。

今日のインタビューの質問のシートをお渡しいたします。インタビューの準備のために、これを読んでください。

また、私のプロジェクトの情報シートと同意書をお渡しいたします。同意書を確認して、サインをお願いいたします。

今日はお時間をいただきありがとうございます。

これから、私の質問を説明します。

「デジスタンス」は、長期^{ちやうき}にわたって犯罪を繰り返す人々に焦点^{しやうてん}を当てます。今日の質問はそのトピックに焦点を当てています。私のプロジェクトの目的は、その過程の状況を理解することです。

三視点を理解したいとおもいます。

一つ目は、保護観察官の仕事が対象者にどのような影響を与えるか理解したいと思います。

二つ目は、対象者が罪を犯す^{おかす}必要がなくなる理由を理解したいです。例えば、収入があれば罪を犯す必要がない。社会の何がその対象者を支^{ささ}えているのか。

三つ目は、社会で犯罪から離脱するためにどんな問題があるか理解したいです。

面接の質問：

一つ目の質問：あなたの仕事の目標はどのような目標ですか？ あなたの仕事が社会にどのように影響してほしいですか？

二つ目の質問：犯罪から離脱するためには、何が重要だと思いますか？

三つ目の質問：犯罪から離脱するためには、どの問題があると思いますか？

他の質問があっても、この三つは大事です

0. お名前：

1. 保護観察官の仕事を始めたのいつです？

2. 役職名？
やくしよくめい

3. どのような対象者を監督しますか？ 例：一般的に、強盗犯は 18-23 歳の男性が多い

Appendix D - Long form question sheet

Life in the probation service — 保護観察所での生活

1. When did you join the probation service - how long?

1. 保護観察所で仕事をしたのはいつですか、どのくらいですか？

2. Could you describe your role in the probation service?

2. 保護観察所でのあなたの役割について教えてください。

a. Title

a. 役職名？
やくしよくめい

b. Tasks, responsibilities, leadership.

b. 何をしましたか、内容、責任、リーダーシップ？（今の仕事/前職）
ないよう

3. What agencies did you work with?

3. どのような組織と協力しましたか？（例えば、ボランティア組織）
そしき

4. How often did you see people you were supervising?

4. 保護観察対象者にどのくらいの頻度で管理しましたか（例えば、週に八人と3回それぞれ—
時間ぐらい）
ひんど かんり

5. What kinds of probationers were you working with?

5. どのような対象を担当されたのですか？（種類：）
しゅるい

6. What is your goal?

6. 管理の目標は何ですか？（例えば、再犯を防ぐこと、対象者の心理状態をサポートすること、
ほかのこと）
もくひよう

Understanding how things are done 保護観察の仕方を理解する

7. During your meetings with probationers what sort of things did you talk about?

7. 面談^{めんだん}では、どのようなことを話しましたか？

b. What was the main thing you spent time on?

b. どんなことに一番時間をかけましたか？

8. Did you or your probationer participate in community activities much?

8. あなた又は対象者はどのくらい地域活動^{ちいきかつどう}には参加しましたか？

保護司 — Volunteer

9. Why did you volunteer?

9. なぜ保護司になりましたか？

10. What benefits do you have because of your role? (do you feel important? Helpful? what are you paid with?)

10. あなたの役割にはどのような利点^{りてん}がありますか？（例えば、役に立っている、または重要だと感じますか？どんなことにやりがいを感じますか？）

11. How did the people in your life react to you becoming a VPO?

11. 保護司になったことで、周囲の反応はどうでしたか？

12. Do you discuss technology, such as smartphones and the internet, with the offender? What are the effects of this technology?

12. 対象者と管理で、スマートフォンやインターネットなどのテクノロジーの相談をしますか
生活にどんな影響がありますか？

オープン — Open (Desistance)

13. What do you think is important for us to talk about, based on the information sheet and what you know about this research? (It is okay if they don't have an answer)

13. これはオープンクエスチョンです、この研究に^{かんれん}関連することについて、あなたが知っていることを教えてください？

14. Looking back over everyone, what goals did probationers note during your time with them?

14. 対象者たちはどのような生活の目標がありますか？（例えば、未来の企画です）

15. What were the major barriers to giving up crime for the probationers that you dealt with?

15. 担当された対象者の主な^{しょうへき}障壁は何だったのでしょうか？

16. How did your probationers' relationships factor into your work? (family, friends)

16. 対象者の人間関係はどのような影響があったのでしょうか？（家族、友人、同僚、誰か）

a. What relationships enabled successfully moving away from crime?

a. 犯罪からの^{だっきゃく}脱却を可能にしたのは、どのような人間関係のおかげでしょうか？

b. and what about the opposite, relationships that were problematic?

b. その逆に、問題のある関係は何でしょうか？

文化的な質問

18. Why do you think people in society offend?

18. 人はなぜ犯罪を犯すのだと思いますか？

19. What, in your opinion, is important for people to move out of crime?

19. 犯罪から^{だっきゃく}脱却するためには、何が重要だと思いますか？

台詞

20. How did probationers speak to you, what was the dynamic like, was it polite?

20. 対象者はどのようにあなたに話しかけ、どのようにやり取りがあったのでしょうか？（例えば、敬語は使いましたか）

21. How old were the probationers you helped, (if there) did this gap affect the relationship?

21. 対象者は何歳^{なんさい}くらいだったでしょうか？ 年齢差は影響したでしょうか？

(Fast questions)

22. How did education affect the offenders you dealt with?

22. 教育が対象者に与えた影響は？（例えば、ライフスキル、就職スキルなどの、教育が必要ですか？）

23. Is ethnicity an important talking point?

23. 民族性^{みんぞくせい}は重要な論点^{ろんてん}ですか？

24. Do people talk about religion in relation to giving up crime?

24. 宗教^{しゅうきょう}について話しますか？

25. Did you know many women on probation?

25. 保護観察対象者の中に女性はいますか？ 女性の保護観察方法は同じですか

26. Who supervises the women? Can you explain a bit about that?

26. 誰が女性を管理しているのでしょうか？それについて少し説明してもらえますか？

結論

27. Is there anything else you wanted to tell me?

27. 他にお話したいことはありますか？

Thank you for providing your time today.

本日^{ほんじつ}はお時間をいただき、ありがとうございました。

Appendix E - Planned future work

This project was impacted significantly by Covid. Examination guidance recommended the inclusion of a dedicated section on how these limitations affected the project and particularly, what future work will be undertaken to address these limitations.

The total delay of Covid to the start of data collection was 2 years. This limited the amount of data that could be collected. While the project was a resounding success collecting far more data than was expected (given this delay), plans are in place to resume data collection again in Japan to strengthen confidence in the findings from future work; targeting desister interviews.

The second major impact of Covid was to the later part of the PhD workload. This thesis was effectively completed in a period of two years and six months, with only 11 months in England after the fieldwork ended to translate, analyse all data and then write the thesis. A consequence of this is that engagement with the existing desistance literature *post-data collection* was limited, e.g. the depth with which narrative criminology could be considered against the findings. I plan to publish papers that consider what my findings might contribute to specific theoretical work that has taken place in the past.

Grant funding to turn this thesis into a book will be applied for after the project's conclusion. This funding will be premised on the impacts of Covid, and will request time to extend some sections of the book; [1] a dedicated section on academic findings, [2] more detailed discussion of probation and [3] more extensive proofing of arguments, references, grammar and analysis. I am hoping to secure the co-operation of Japanese researchers to co-author certain chapters of the work in a dedicated publication based on this thesis. This will add weight to the conclusions and address a major theme of the project; benefit to the Japanese people.

I have been funded to write an article addressing Braithwaite's (1989) theory about Japan and Japanese exceptionalism after the PhD. This project is an ethnographic study and therefore able to answer his request that people provide observation of desistance in the Japanese context. This will provide an opportunity to refine and develop the key findings of this research.

Appendix F - Participant information sheet

Participant Information Sheet - Probationer - How people move into a normal life after offending.

Invitation to the research

You are invited to participate in a research project across Japan and England - run under the supervision of the University of Sheffield. Please take some time to read through the following information and discuss it with others if you wish. Please ask if anything is unclear, or if you have a question. Take some time to decide if you would like to participate, thank-you for reading this.

What is this project doing?

A large body of research already shows that most known offenders stop offending eventually. However, little is known about how this changes from place to place. This project is attempting to understand how people move away from crime by collecting the stories of people currently attempting to change their lives by interview. These stories will then be compared across Japan and England.

This research is being completed as part of a PhD qualification.

How is the project planning to help people?

By improving the quality of probation in Japan and England by helping to create guidance for probation workers and policy makers. By developing links and spreading knowledge across Japan and England. By providing a better understanding about the social problems that lead to crime.

Why have I been chosen?

You have been chosen by your probation officer after showing a notable commitment to life without crime.

Do I have to take part?

It is up to you to decide if you wish to take part in the research. There will be no negative consequence for declining to participate in the research. If you do decide to participate in the research, you may withdraw at any time and you do not need to give a reason.

Please note that once the data have been collected and anonymised (all identifying information removed) and then entered into the research database it will not be possible to remove it. However, you can still withdraw from any future participation and contact.

What are the possible benefits of taking part for you?

- Your contribution to this project is charitable, there will be little to no immediate benefit. However, you may find meaning in making use of your life experience, you may enjoy participation in research, or you may find the experience helpful.
- By providing your story you will help improve global understanding of offending, its causes and solutions.
- You will, if desired, be kept up to date about the progress of the project. Including any follow up projects or government changes brought about due to your contribution.

How will the interview work?

If you agree, the interview will be audio recorded. This will ensure that your views are captured in full. If you do not agree to audio-recording, the researcher will instead take notes during the interview.

The interview will have two phases. The first stage will involve a recollection of how you began offending and what types of crime you may have been involved in. During this account your interviewer will ask questions in an attempt to identify what motivated your offending. Following this stage, we will discuss what has happened subsequently and what has affected your commitment to a life without crime.

It is important that you provide no specific information about previous offending (names, dates or locations). Also, if you indicate intent to commit serious harm to another person I will be morally obligated to notify the relevant people and legally required to do so if that person is vulnerable.

If you choose to, you may bring with you a person for support during the interview (e.g. a partner or friend). The chosen person can remain with you for the entire interview or until you are comfortable with the researcher. This person cannot be anyone from the criminal justice system.

What are the possible risks of taking part?

The topics we discuss will be sensitive. You will decide what in your life we talk about. However, this may be emotionally demanding.

All steps will be taken to ensure you are not identifiable in relation to what you say.

Will my taking part in this project be kept confidential?

Yes. Your participation in this project will be confidential. The interviews will take place in a safe public location where I will strive to ensure that the conversation will not be overheard by others.

Your Data

What will happen to the data collected, and the results of the research project?

Any audio/note data from the interview will be recorded onto a device and transferred into encrypted (locked) storage. The primary researcher will have sole access to this data while it is changed into written format (transcribed) and anonymised. After this the audio data will be deleted. Any notes will be kept securely.

Who is funding the research?

The Economic and Social Research Council of the UK

Who is the Data Controller?

The University of Sheffield, UK will act as the Data Controller for this study. This means that the University is responsible for looking after your information and using it properly.

Who has ethically reviewed the project?

This project has been ethically approved via the University of Sheffield's Ethics Review Procedure.

What if something goes wrong and I wish to complain about the research?

Complaint against the primary researcher: if you have an issue with the primary researcher you may file complaints anonymously with either your supervisor, or the research supervisor at the University of Sheffield listed below. They will then attempt to resolve the problem.

Complaint about something that has happened because of the research: if you wish to report a negative consequence from the research, you may contact the person you feel is best suited to address the problem, for example, your supervisor, the lead researcher or their supervisor.

Complaints about your personal data: if you have a complaint that relates to how your personal data has been handled, you can contact The University of Sheffield Data Protection Officer listed below.

An unsatisfactory response: in any case, if you feel your complaint has not been handled effectively you will be put in contact with the Head of the School of Law at the University of Sheffield.

Contact for further information

Lead researcher: Adam Hunt

Contact Telephone: [removed]

Primary Supervisor: [removed]

The University of Sheffield Data Protection Officer: [removed]

Thank-you for participating in this project, if you have any further question please contact the lead researcher.

Appendix note: the wording varied here depending on the type of interviewee; provided in Japanese.

Appendix G - Consent form example

How people move into a normal life after a history of offending - Interview Consent Form

Please tick the appropriate boxes	Yes	No
Taking Part in the Project:		
I have read and understood the project information sheet dated DD/MM/YYYY or the project has been fully explained to me.	<input type="checkbox"/>	<input type="checkbox"/>
I have been given the opportunity to ask questions about the project.	<input type="checkbox"/>	<input type="checkbox"/>
I agree to take part in the project. I understand that taking part in the project will include participation in an interview, at a safe public location.	<input type="checkbox"/>	<input type="checkbox"/>
I agree that the interview will be audio-recorded. In the case that no is check here the interview will be recorded by notes taken over its duration instead.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that my taking part is voluntary and that I can withdraw from the study at any time. I do not have to give any reasons for why I no longer want to take part and there will be no negative consequences if I choose to withdraw.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that the interview may contain information I or others consider sensitive. I also understand that I can request a change of topic without having to give a reason.	<input type="checkbox"/>	<input type="checkbox"/>
How my information will be used during and after the project		
I understand my personal details such as name, phone number, address and email address etc. will not be revealed to anyone. And will only be used by the primary researcher.	<input type="checkbox"/>	<input type="checkbox"/>
I understand and agree that my words may be quoted in publications, reports, web pages, and other research outputs. I understand that I will not be named in these outputs unless I specifically request this.	<input type="checkbox"/>	<input type="checkbox"/>
I am comfortable with an interpreter being present during the entire interview.	<input type="checkbox"/>	<input type="checkbox"/>
I understand and agree that other authorised researchers will have access to my (anonymised) data only if they agree to preserve the confidentiality of the information as requested in this form. (Projects involving my data will always involve the primary researcher)	<input type="checkbox"/>	<input type="checkbox"/>
I understand and agree that other authorised researchers may use my (anonymised) data in publications, reports, web pages, and other research outputs, but only if they agree to preserve the confidentiality of the information as requested in this form. (Projects involving my data will always involve the primary researcher)	<input type="checkbox"/>	<input type="checkbox"/>
So that the information you provide can be used legally by the researchers		
I agree to provide the copyright of the data I provide to the University of Sheffield.	<input type="checkbox"/>	<input type="checkbox"/>

Name of participant [printed]

Signature

Date

Name of Researcher [printed]

Signature

Date

Project contact details for further information:

Contact Telephone: [removed]

Primary Supervisor: [removed]

The University of Sheffield Data Protection Officer: [removed]

Appendix H - Observation information sheet

Research Information Sheet - How people move into a normal life after offending.

Introduction

I am completing a PhD research project across Japan and England - run under the supervision of the University of Sheffield, in order to attain a PhD qualification.

What am I doing?

I am currently making observations about how people interact in the criminal justice system. These observations will be important to the research, allowing me to explain the cultural difference between Japan and England. These observations will be used to aid the completion of wider research goals.

What are the wider research goals?

A large body of research already shows that most known offenders stop offending eventually . However, little is known about how this changes from place to place. This project is attempting to understand how people move away from crime by collecting the stories of people currently attempting to change their lives by interview. These stories will then be compared across Japan and England.

How is the project planning to help people?

- by improving the quality of probation in Japan and England by helping to create guidance for probation workers and policy makers.
- by developing links and spreading knowledge across Japan and England.
- by providing a better understanding about the social problems that lead to crime.

What will happen to the data collected, and the results of the research project?

During my observations today I will only be making note of general practice. No details of the case or any one person will be noted. This data will be placed into secure storage and used to help complete the thesis later.

Who is funding the research?

The Economic and Social Research Council of the UK

Who is the Data Controller?

The University of Sheffield, UK will act as the Data Controller for this study. This means that the University is responsible for looking after your information and using it properly.

Who has ethically reviewed the project?

This project has been ethically approved via the University of Sheffield's Ethics Review Procedure.

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What if I wish to complain about the research?

if you have an issue you may contact the researcher, Adam Hunt, or the research supervisor at the University of Sheffield listed below. They will then attempt to resolve the problem. In any case, if you feel your complaint has not been handled effectively you will be put in contact with the Head of the School of Law at the University of Sheffield.

Lead researcher: Adam Hunt

Email: [removed]

Primary Supervisor: [removed]

The University of Sheffield Data Protection Officer: [removed]