

Chapter 2 Concrete Measures for Crime Victims and Their Progress

Summary of Measures for Crime Victims

The summary of measures for crime victims that have been worked out so far up until now by each government ministry according to the Basic Plan is as shown below.

The summary of each measure, was made based on the appraisal of the promotion status

of the Basic Plan, which was conducted at the Basic Plan Promotion Experts Committee Conference (“Basic Plan Establishment/Promotion Committee” from 2010/2/15).

Part 1 Existing State

With regards to the Basic Plan decided by the Cabinet in December 2005, an overall consistent development was attempted and a constant result has been achieved.

Especially in terms of “Efforts towards damage recovery and economic support” and “Efforts towards expansion of participation in criminal procedures” of the 5 major issues, large development was designed for

establishing the compensation of damages order system, victim participant system, etc. However, in relation to the demands for improvement regarding various problems relating to crime victims are still being received from crime victim entities and crime victim support entities, and it is necessary to strengthen further efforts regarding each of the 5 major issues in the future.

Part 2 Previous Efforts and Future Tasks

1 Efforts Towards Damage Recovery and Economic Support

(1) Support Regarding Claims for the Compensation of Damages, etc..

○Main Efforts

- Introduction of the compensation of damages order system (Ministry of Justice)
- Referral service of experienced and understanding attorneys in the field of supporting crime victims at the Japan Legal Support Center (Ministry of Justice)

○Future Issues

Based on the introduction of the compensation of damages order system, responsibility for a crime victim’s claim for the compensation of damages is to be reduced, and the referral service of experienced attorneys of the victim support at the Japan Legal Support Center led to the improvement of convenience for crime victims. However, it has been pointed out that sometimes so-called secondary damage was caused by

the referred attorney, so it is necessary to improve service of attorneys taking part in crime victim support under further collaboration with the attorney association.

improvement. In the future, it will be necessary to carry out observation in regards to the effectiveness of the expansion based on the actual compensated amount.

(2) Improvement of Systems concerning Payment of Benefits, etc.

○Main Efforts

- Expansion of crime victim benefits system (National Police Agency)

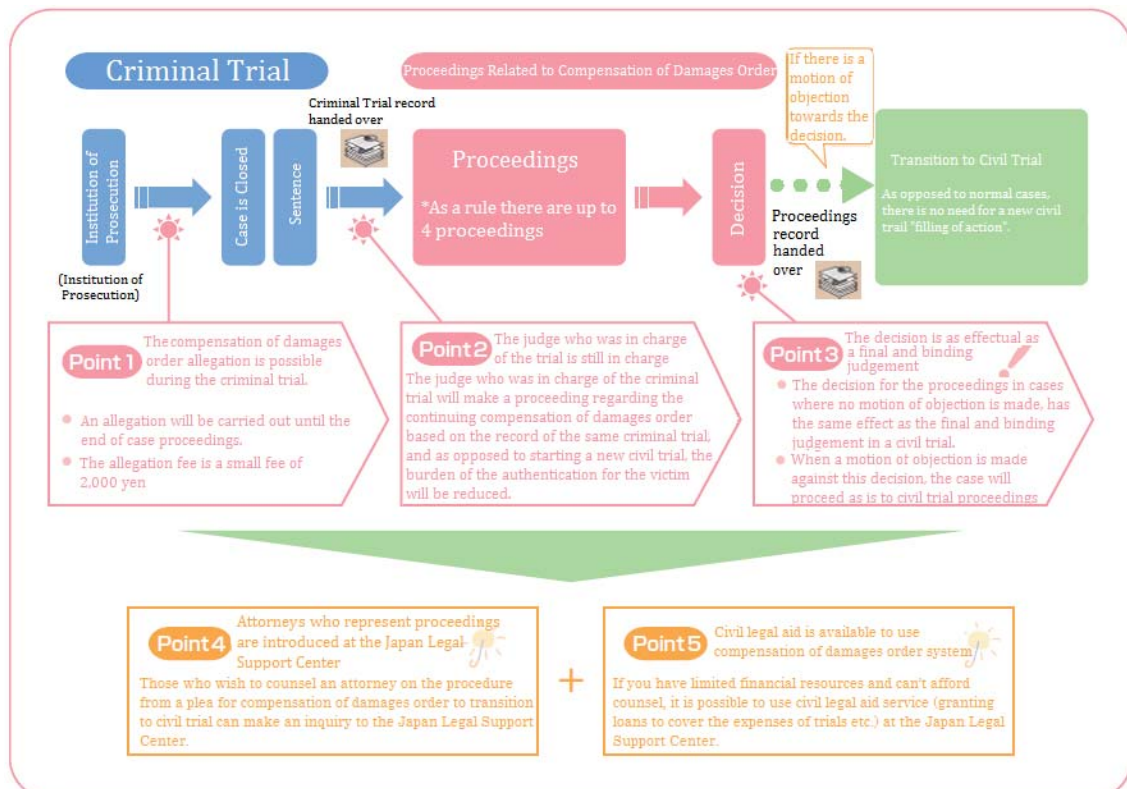
- Public funds for emergency contraception fees of sex crime victims (National Police Agency)

○Future Issues

The expansion of the crime victim benefits system that plays an important role in the economic support for crime victims is a great

Improvement is proceeding nationwide in regards to the economic support system other than the crime victim benefits system, such as the public funds system for emergency contraception fees for sex crime victims. However, there are aspects in need of improvement as the victim does not become applicable when a medical exam is received at one's own expense before the victim has made a report to the police, and efforts must be made to further enhance the system.

Process of the Compensation of Damages Order System



(3) Stabilization of Residence

○Main Efforts

- Guideline establishment relating to priority moving of crime victims into public housing (Ministry of Land, Infrastructure, Transport and Tourism)
- Public funds for rental expenses of temporary evacuation sites immediately after damage (National Police Agency)

○Future Issues

There are cases in which crime victims other than DV victims are not given priority in moving into public housing, and because it has been pointed out that the content for favorable treatment is inadequate, there is a need to revise the system and manner of operation.

(4) Stabilization of Employment

○Main Efforts

- Creation and distribution of pamphlets and posters relating to the necessity of a leave system for recovering victims. (Ministry of Health, Labour and Welfare)

○Future Issues

As the leave system for victims recovering is still not acknowledged, continual assessment of the situation through questionnaires, along with publicity and edification regarding the placed status of crime victims toward entrepreneurs and employed persons are necessary.



2 Efforts Towards the Recovery/Prevention of Mental and Physical Damage

(1) Provision of Healthcare Services and Welfare Services

○Main Efforts

Implementation of the “Study relating to the status and recovery of the mental health of crime victims” and implementation of a manual for mental health officials based on the results of the study (Ministry of Health, Labour and Welfare)

○Future Issues

Despite the ongoing dissemination of knowledge in the mental health field, in relation to the provision of health, medical, and welfare services for crime victims, it has been pointed out that the support for crime victims is nonetheless inadequate. In addition, while it has been voiced that there are persons among welfare participants who lack the understanding of assistance towards crime victims, there is also the need for even greater efforts regarding edification and training for persons connected to healthcare and welfare.

(2) Securing Safety

○Main Effort

• Implementation of a system for notifying crime victims, etc. of the scheduled time of

the release in order to prevent victims from receiving damages again (Ministry of Justice, National Police Agency)

○Future Issues

The system for notifying crime victims, etc. of the scheduled time of the release is overall operating well, the cooperation between correctional institutions and police is being propelled forward, and in the future proper operation needs to be further advanced.

(3) Consideration in the Process of Protection, Investigation and Trial, etc.

○Main Effort

• Introduction of a system that does not reveal the names of victims in the public courtroom (Ministry of Justice)

○Future Issues

The saiban-in (lay judge) system has been implemented since May 2009 and even in already conducted saiban-in trials there were cases judged by courts to have a high necessity for protecting the privacy of victims in sex crimes. In relation to this, steps are being taken to not reveal the identities of victims, and operation is anticipated for a system that considers the privacy of victims.

3 Efforts Towards Expansion of Participation in Criminal Procedures

(1) Development of the System to Expand Opportunities to Participate in Criminal Procedures, etc.

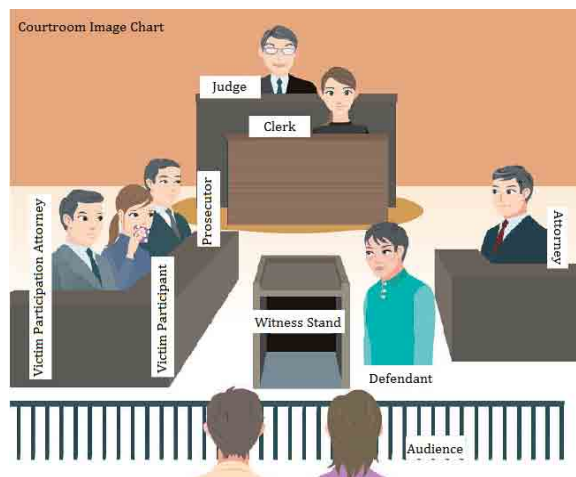
○Main Efforts

- Introduction of a victim participation system (Ministry of Justice)
- Expansion of the range of inspection and copy of trial records (Ministry of Justice)
- Introduction of a system that hears the opinions or feelings of crime victims, etc. in parole examinations (Ministry of Justice)

- Introduction of a system that makes observance possible for juvenile proceedings (Ministry of Justice)

○Future Issues

Based on the introduction of a new system of crime victim participation, wide-scale development has been made regarding the expansion of participation in criminal procedures. Appropriate operation of the system is expected.



4 Efforts Towards System Improvement for Support

(1) Consultation and Provision of Information, etc.

○Main Efforts

- Request for installation of comprehensive response desks for local governments (Cabinet Office)
- Operation of a support dial for crime victims at the Japan Legal Support Center (Ministry of Justice)
- Creation of a model proposition of handbook on support for crime victims (Cabinet Office)

○Future Issues

Since the comprehensive response desks have been set up in almost all prefectural governments, and the recognition level of the Japan Legal Support Center in the public is on the rise, the system where crime victims can receive various information regarding victim support has been improved. However, it has been pointed out that further enhancement of training for workers who counsel victims are necessary. From now on, improvement of not

only the system but also the ability of corresponding workers is needed.

(2) Promotion of Research Studies, etc.

○Main Efforts

- Implementation of “Continuous research by crime victim type” and “Research of citizen attitudes towards crime victims” (Cabinet Office)

○Future Issues

Different types of research study have been implemented in related ministry offices, on the information is provided to the citizens by posting the results on the homepage; in future it will be necessary to promote research studies relating to the situations of crime

victims.

(3) Aid for Private Entities

○Main Efforts

- Creation of a training curriculum/model plan towards private victim support entities (Cabinet Office)

○Future Issues

In regards to financial aid for private entities, while budgetary measures such as for consigning direct support services in the police are being implemented, it has been noted that aid from the police alone is insufficient, and reconsideration is needed in regards to the way financial aid is carried out.

5 Efforts Towards Fostering the Citizens' Understanding and Consideration and Ensuring Cooperation

(1) Fostering Understanding of Citizens

○Main Efforts

- Holding central and regional Crime Victims' Week “Public Meeting” (Cabinet Office)
- Promotion of education at school related to the importance of life (Ministry of Education, Culture, Sports, Science and Technology)

○Future Issues

In relation to “Public Meeting”, some efforts must be made in order to call for the wider participation of citizens. Furthermore, in order to further foster citizens' understanding in the future regarding crime victim measures, public enlightenment activities widely targeting general citizens need to be strengthened. Also, in school education, further promotion of education relating to crime victims is needed.

