

4 Lifestyle Problems

In most cases, crime victims not only suffer damage from crimes, but also sustain an economic loss, because they sometimes lose income due to the loss of their breadwinner, lengthy medical treatment, or expensive nursing care. If their home was a crime site, they might have to leave the house, or they may encounter a difficulty in an employment relationship with their employer who lacks understanding about their situation.

This section introduces major organizations that support crime victims with the lifestyle problems they may receive until they restore their peaceful life again.

(1) Social Welfare

○ General consultations

The Welfare Office and the municipal social welfare division respond to consultations from the poor, elderly, children, and persons with physical/mental disorders or intellectual disabilities.

- Welfare Office (<http://www.mhlw.go.jp/bunya/seikatsuhogo/fukusijimusyo-ichiran.html>)
- Municipal Social Welfare Division (if there is no Welfare Office)

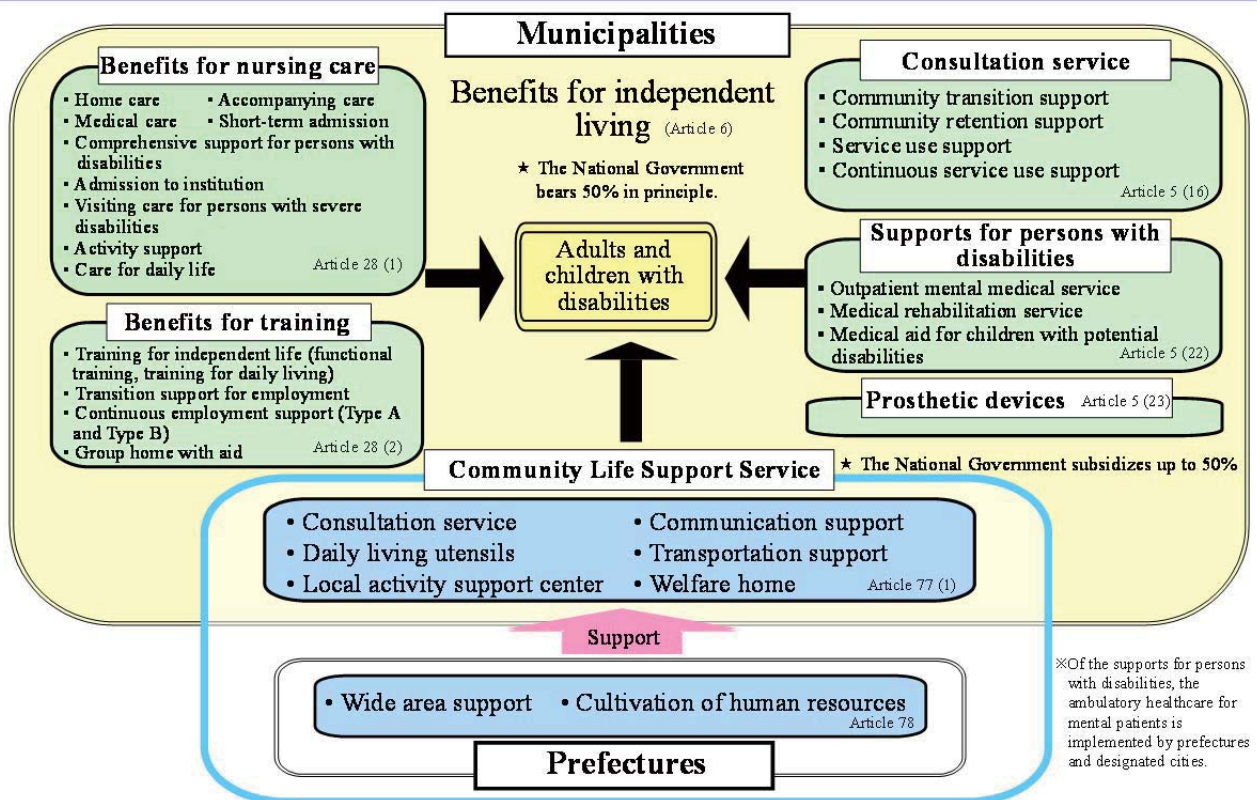
(2) Welfare for the Disabled

○ Consultation on welfare for the disabled

The municipal welfare division responds to consultations and provides information on various services (e.g., home care (home help), training to independently live daily life and social life, psychiatric care and necessary cares to recover from or improve the disabilities, prosthetic devices, and assistance for outgoing) under the Act on Comprehensive Support for Persons with Disabilities.

- Municipal Welfare Division for Persons with Disabilities

Benefits and Activity for Act on Comprehensive Support for Persons with Disabilities



Source: Ministry of Health, Labour and Welfare

(3) Employment Problems

○ Consultation on employment

The Public Employment Security Office responds to consultations and provides employment support for job seekers depending on their situation. If a mother of a fatherless family has a difficulty in finding a job as a result of being a crime victim, the PESO introduces trial employment to aid speedy employment.

- Public Employment Security Office (<http://www.mhlw.go.jp/kyujin/hwmap.html>)

○ Consultation on troubles in the workplace

The General Labor Consultation corner (installed in the Prefectural Labor Bureau and The Labor Standard Inspection Office) responds to consultations on all types of trouble caused between a crime victim and an employer, providing information and advice through a comprehensive one-stop service.

- General Labor Consultation Corner (<http://www.mhlw.go.jp/general/seido/chihou/kaiketu/soudan.html>)

(4) Housing Problems

○ Consultation on moving into public housing

The prefectural or municipal housing department responds to consultations on housing problems. Some local governments give priority to the victims of crime or spousal violence to move into public housing, while allowing uses of other purposes.

- Prefectural or Municipal Housing Department

○ Consultation on temporary housing for crime victims who need shelter after suffering damage

The police station in charge of the case responds to consultations. If a victim's house was a crime site or destroyed, the police provide the victim with temporary shelter at public expense, thus easing their economic and mental burdens.

- Police station in charge of the case

(5) Economic Problems

a. Support for crime victims to recover damages from offender

○ Consultation on attorney fees

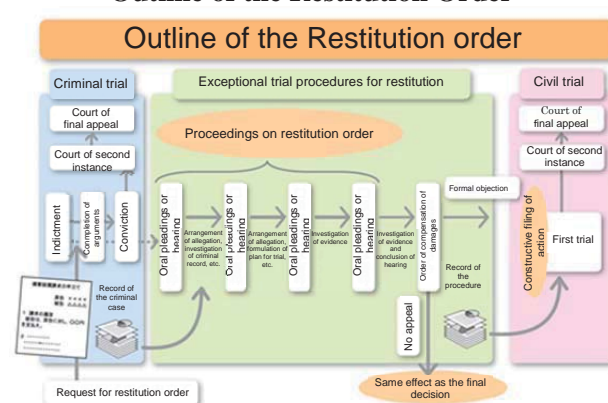
The Japan Legal Support Center responds to consultations and advises on the civil legal aid system, under which an attorney fee can be paid for a victim who cannot afford for a civil suit.

- Regional Office (50 offices nation-wide) (<http://www.houterasu.or.jp/chihoujimusho/>)
- Victims of Crime Support Line (0570-079714)

○ Consultation on processes for the Restitution Order and Settlement in criminal proceedings

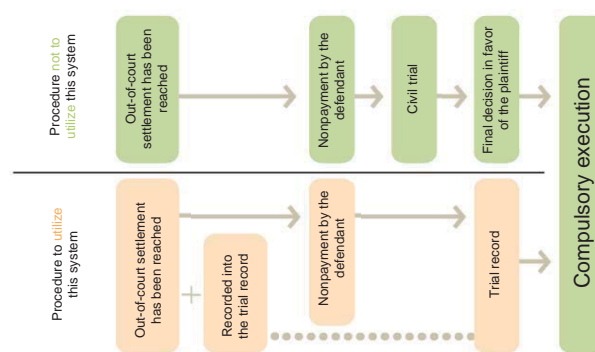
The court in charge of the criminal case accepts petitions for the Restitution Order and settlement records. The Public Prosecutors Office responds to consultations on such procedures via Victim Support Hotline.

Outline of the Restitution Order



Source: Ministry of Justice

Settlement in criminal proceedings



Source: Ministry of Justice

- Court in charge of the case (<http://www.courts.go.jp/map.html>)
- Victim Support Hotline

(<http://www.moj.go.jp/ENGLISH/CRAB/crab-02-9.html>)

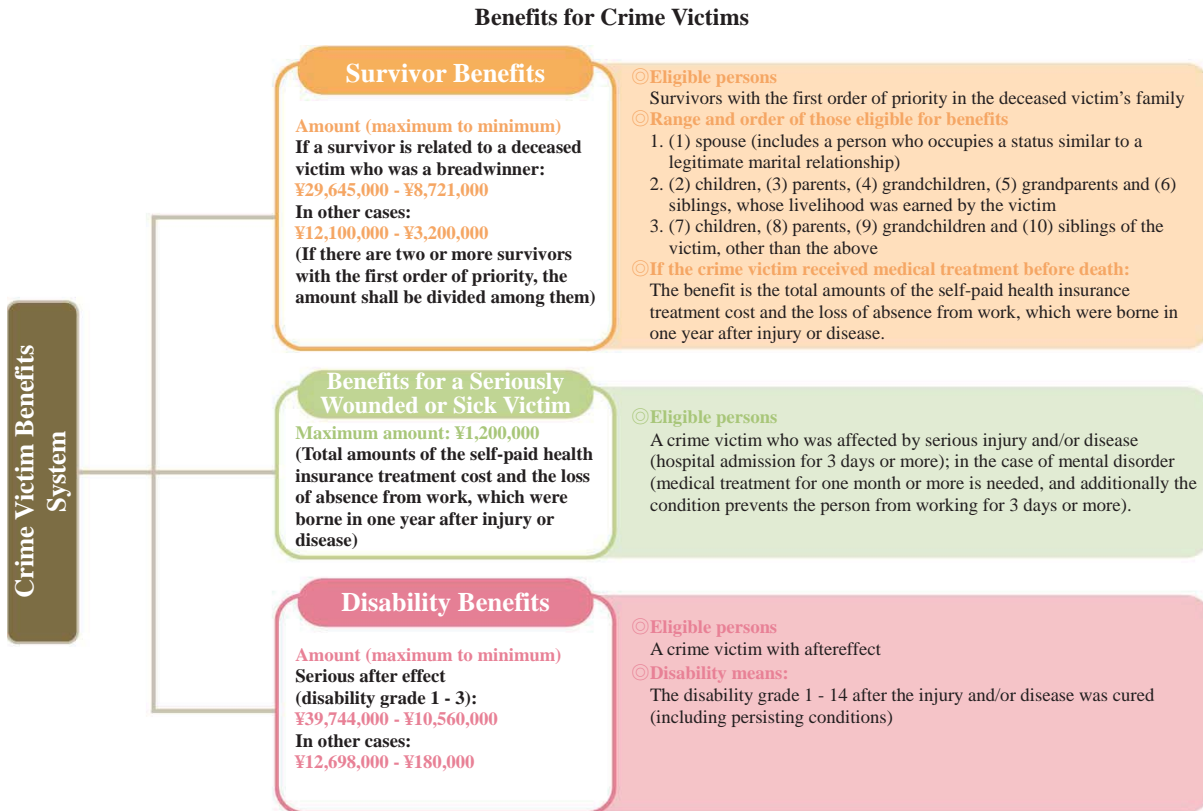
b. Benefits and loan system for crime victims

○ Consultation on Benefit System for Crime Victims

The prefectural police crime victim

consultation desk and the local police station respond to consultations.

- Prefectural police crime victim consultation desk (<http://www.npa.go.jp/higaisya/shien/prf/index.htm>)
- Local police station



Source: National Police Agency

○ Consultation on Consolation Payment and loans

Some local governments respond to consultations on consolation payment and loans in urgent need for crime victims. The consultation on such systems or application procedures are handled by the prefectural or municipal comprehensive response desk (if municipalities have no comprehensive response desk, the general consultation desk responds to consultation).

- Local government comprehensive consultation desk (<http://www8.cao.go.jp/hanzai/local/madoguchi/madoguchi.html>)
 (<http://www8.cao.go.jp/hanzai/local/bukyoku/bukyoku.html>)

The Public Assistance Loaning System is operated by the Prefectural Council of Social Welfare for low-income households to ensure that impoverished people can live securely, become independent, retain motivation in life, and participate in community activities. Consultation on the system and application procedures are handled by Municipal Council of Social Welfare.

- Municipal Council of Social Welfare (<http://www.shakyo.or.jp/links/sichouson.html>)

○ Consultation on Public Assistance Loaning System

○ Consultation on Child Rearing Allowance and Fatherless-family/widow Welfare Funding Loans

The municipal children and child-rearing support division responds to consultations and accepts applications from fatherless families and widows. These benefits include the Child Rearing Allowance (for single-parent families [fatherless or motherless families, and those whose protection order has been issued by the court due to spousal violence], and the Fatherless family/widow Welfare Funding Loans (lent to a mother of the fatherless family and her children needing education). Beginning October 2015, the welfare funds for motherless families are to be implemented.

- Municipal children and child-rearing support division

c. Medical expenses burden reduction

○ Consultation on health insurance treatments

The Regional Bureau of Health and Welfare responds to consultations, such as cases in which a crime victim is told that no health insurance is applicable to him/her even if the victim is covered by the health insurance. In such cases the Regional Bureau of Health and Welfare gives proper instructions to the medical institution stating that the rejection of health insurance treatment for the reason of being a

crime victim is not legally recognized.

- Regional Bureaus of Health and Welfare
(<http://www.mhlw.go.jp/kouseiroudoushou/shozaianai/chihoukouseikyoku.html>)

○ Consultation on high-cost medical care

The public health insurance consultation desk (in the case of employees: corporate health insurance society or Japan Health Insurance Association branch office; in the case of the self-employed: Municipal National Health Insurance Department) responds to consultations and handles applications. They also undertake the same tasks concerning the major medical expense financing system.

Some municipalities subsidize infants' and single-parent families' medical expenses. Consultations on such systems are handled at the municipal children & child-rearing support department.

- Municipal National Health Insurance Department; Children & child-rearing support department
- Corporate health insurance society
(http://www.kenporen.com/kumiai_list/kumiai_list.shtml)
- Japan Health Insurance Association branch office
(<http://www.kyoukaikenpo.or.jp/g7/cat710/sb7130/sbb7131/1762-620>)

5 Offender Punishment

Most crime victims hope for the truth of the case to be clarified and responsibility determined. They may also think that the criminal must be brought to justice and face punishment, and especially that their participation in the criminal procedures is helpful to recover from their emotional distress.

This section introduces major organizations that crime victims can consult regarding offender punishment.

(1) Participation in Criminal Procedures

a. Explanations about systems and procedures

○ General consultation

The prefectural police, Public Prosecutors Office, Japan Legal Support Center, and Probation Office respond to consultations.

The prefectural police crime victim consultation desk and the police station in charge of the case explain to the survivors the crime victim participation system and other

systems available for law suits by showing a "Brochure for Crime Victims" pamphlet which lists various support organizations, as well as on procedures for autopsies.

The Public Prosecutors Office arranges Victim Support Officers, who help victims perform procedures for inspection of case records or recover pieces of evidence, and also introduces related organizations and entities in response to the consultation. The Victim Support Hotline is also prepared to respond to consultations by telephone and fax.

Public prosecutors in charge of the case will explain various systems for protecting and supporting victims by using the pamphlet "For Victims of Crime."

The Japan Legal Support Center provides information, through the nearest district office and the Victims of Crime Support Line, on the judicial system for victims to participate in

criminal procedures.

In the probation office, crime victim affairs officials and crime victims affairs volunteer probation officers respond to consultations on victims' distress and anxiety mainly following the end of the criminal trial or the placement of an offender into probation.

The court in charge of the case will explain the judicial system to victims who wish to use it.

- Prefectural police crime victim consultation desk (<http://www.npa.go.jp/higaisya/shien/prf/index.htm>)
- Police station in charge of the case
- Victim Support Hotline to the nearest Public Prosecutors Office (<http://www.moj.go.jp/ENGLISH/CRAB/crab-02-9.html>)
- Public prosecutor in charge of the case
- Nearest office of The Japan Legal Support Center (50 offices in all prefectures) (<http://www.houterasu.or.jp/chihoujimusho/>)
- Victims of Crime Support Line (0570-079714)
- The nearest Probation Office (exclusive hotline for crime victims) (http://www.moj.go.jp/hogo1/soumu/hogo_victim03.html)
- Court in charge of the case (<http://www.courts.go.jp/map.html>)

b. Information on criminal investigation and trials

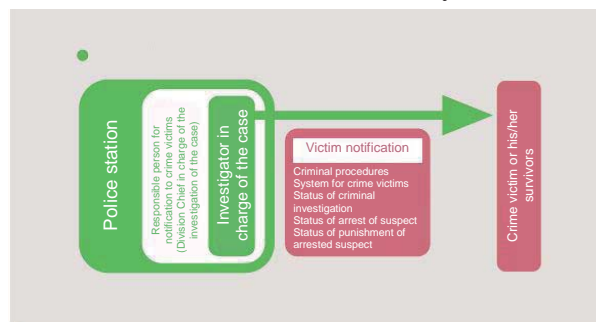
○ Consultation on the investigation process

The prefectural police and the Japan Coast Guard respond to consultations.

Through investigators in charge of the case, the prefectural police give some information to victims of physical violence or a serious traffic accident, such as the process of investigation of a suspect before arrested, and the arrest and punishment of the suspect (the Crime Victim Information System). If a victim does not want such information, the victim can notify the investigators as such. The investigators also respond to consultations from a victim whose case does not fall under the Crime Victim Information System.

In the Japan Coast Guard, investigators in charge of the case inform victims and their families on investigating situations, arrest and referral of the suspect to the Public Prosecutor's Office, as long as such information does not interfere with the investigation.

Outline of Victim Notification System



Source: National Police Agency

- Prefectural investigator in charge of the case
- Investigator of Japan Coast Guard

○ Consultation on the trial situation

The Public Prosecutors Office responds to consultations.

The public prosecutors in charge of the case will confirm victims' intentions regarding their wishes to be informed of case results and the date and result of the trial. Where they wish to know, they are informed (The Victim Notification System). Consultations on this system are handled by the public prosecutors in charge of the case or by the crime victim hotline to the local Public Prosecutors Office.

- Public prosecutor in charge of the case
- Crime Victim Hotline to the local Public Prosecutors Office (http://www.moj.go.jp/keiji1/keiji_keiji11-9.html)

c. Inspection and copy of trial record

○ Request for inspection and copy of trial records

The court in charge of the case accepts a victim's request for inspection or copying of trial records.

Crime victims who have suffered damage from similar crimes (other crimes) committed by the same defendant can also inspect or copy trial record, if such inspection or copying is necessary in order to exercise his/her right to claim damages. Such requests are accepted by the public prosecutors in charge of the other similar crimes.

- Court in charge of the case (<http://www.courts.go.jp/map.html>)
- Public prosecutor in charge of other similar crimes

d. Disclosure of non-prosecution record

○ Consultation on disclosure of non-prosecution record

The Public Prosecutors Office responds to consultations.

Non-prosecution records are, in principle, prohibited to be disclosed to the public. However, the public prosecutors, who retain non-prosecution records, will flexibly disclose such records as on-the-spot investigation records to the crime victims of cases subject to the crime victim participant system, even for the purpose of “understanding the details of case,” if it will not obstruct the investigations or trials and will not infringe the privacy of those involved. To crime victims other than the above, the public prosecutors can disclose such records as on-the-spot investigation records if it is deemed necessary to exercise their rights to claim compensation for damages or other rights under the condition that it will not obstruct investigations and trials and will not infringe the privacy of those involved.

If crime victims wish to know the outlines of

the reasons for non-prosecution, they can request it from the public prosecutors in charge of the case.

- Public prosecutor who retains case records
- Public prosecutor in charge of the case

e. Participation in criminal procedure

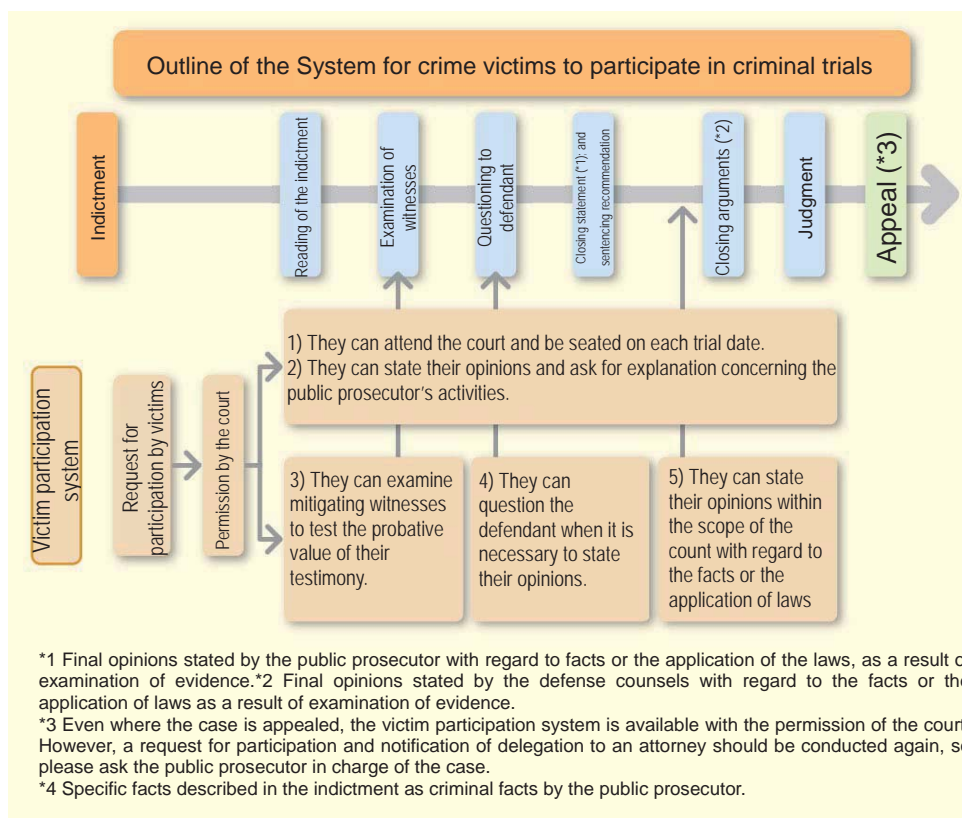
○ Consultation on participation in criminal procedure

The public prosecutors respond to consultations.

The public prosecutors in charge of the case accept requests for participating in a certain criminal trial, and notify such request with public prosecutors opinion to the court. The victims who are permitted to participate (hereafter, “victim participants”), can attend the trial dates, examine the witness, ask the defendant questions, and state opinions under certain conditions. (the victim participant system).

- Public Prosecutor in charge of the case

Victim participant system



Source: Ministry of Justice

f. Consideration system for crime victim in juvenile hearings and decision of the family court

○ Guidance for consideration system for crime victims concerning juvenile hearings and decision of the family court

Family court posts the guidance.

A family court in charge of the case responds to crime victims' requests, such as inspecting and copying records on the juvenile protection case, stating feelings and other opinions, observing hearings, explanation on the status of the proceedings on the date of the hearing and being notified of the result of hearings. The nearest family court will inform them about necessary documents and a range of persons who can make such requests.

- Family court in charge of the case or the nearest family court
(<http://www.courts.go.jp/map.html>)

(2) Information on Offenders Convicted or Placed on Probation

a. Information on the treatment of an offender who was convicted or a juvenile offender who was placed on probation

○ Consultation on treatment of an offender or a juvenile offender

The public prosecutors in charge of the case will accept a request from crime victims who wish to know the treatment of the offenders in prison.

The public prosecutor informs them about the treatment of the imprisoned offenders, the Regional Parole Board about the examination on the offender's parole, and the probation office about the beginning and end of the offender's probation and the treatment during the probation.

The juvenile classification office and the probation office will accept a request from victims who wish to know the treatment of a juvenile offender on probation. As for a juvenile whose case was sent to the juvenile training school, the juvenile classification office will accept such a request. The juvenile training school will inform them about the treatment in the school; the Regional Parole Board about examination while on parole from the school, and the probation office about the beginning and end of the probation and the treatment during the probation. As for a juvenile offender who was placed on probation, the probation office will inform them about the treatment

during the probation.

When it is not known whether a juvenile was sent to the juvenile training school or placed on probation, the public prosecutors in charge of the case will also respond to consultations from victims.

- Public prosecutor in charge of the case
- Juvenile classification office
(http://www.moj.go.jp/kyousei1/kyousei_kyousei16-05.html)
- Probation Office
(http://www.moj.go.jp/hogo1/soumu/hogo_victim03.html)

b. Communication system of victims' sentiments to probationers

○ Consultation on the communication system of victims' sentiments to probationers

When crime victims wish to convey their sentiments about the damage etc. to an offender on probation, the probation office in the victim's prefecture accepts the request. The probation office will hear victim's sentiments, situations, etc., and convey to the offender on probation. (Communication system of victims' sentiments to probationers)

- Prefectural Probation Office
(http://www.moj.go.jp/hogo1/soumu/hogo_victim03.html)

c. Opinion hearings system in parole examination

○ Consultation on the opinion hearings system in parole examination

When crime victims wish to state their opinions about an examination of offender's parole from the penal institution or the juvenile training school, the Regional Parole Board examining the parole or the probation office located in the victim's prefecture will accept the request. Such opinions are taken into consideration whether the parole is permitted or not, and if permitted, it is carried out under probation (Opinion hearings system in parole examination).

The consequences and the start date of such an examination can be relayed through the Victim Notification Scheme.

- Regional Parole Board that examines offender's parole from the penal institution or juvenile training school
(http://www.moj.go.jp/hogo1/soumu/hogo_victim03.html)

- Prefectural Probation Office
(http://www.moj.go.jp/hogo1/soumu/hogo_victim03.html)

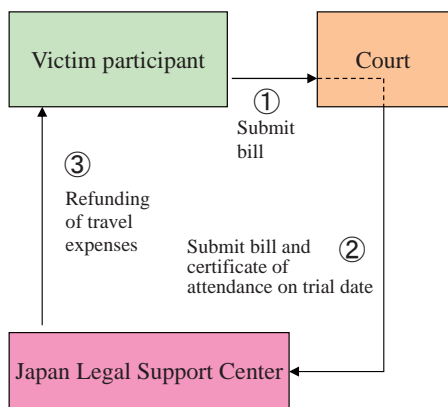
(3) Reduction of Economic Burdens Associated with Criminal Procedure

○ Travel expenses refund system for victim participants

The public prosecutors in charge of the case, the Japan Legal Support Center, and the court in charge of the case will respond to consultations on application for travel expenses refund.

The travel expenses refund system for victim participants is the system that the national government pays travel expenses and a daily allowance to crime victims who attend the trial dates under the victim participant system. The victim participant can request travel expenses by submitting a bill and supporting materials to the Japan Legal Support Center via the court in charge of the case. The court in charge of the case accepts the submission of the bill and supporting materials. Payment is made by the center.

Travel Expenses for Participating Crime Victim



Source: Ministry of Justice

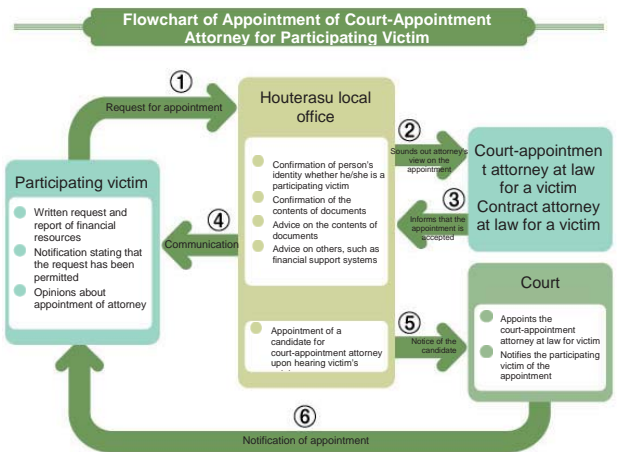
- Public prosecutor in charge of the case
- Japan Legal Support Center regional office (50

- offices nation-wide)
(<http://www.houterasu.or.jp/chihoujimusho/>)
- Victims of Crime Support Line
(0570-079714)
- Court in charge of the case
(<http://www.courts.go.jp/map.html>)

○ Consultation on selection of court-appointed attorneys at law for victims

The Japan Legal Support Center accepts requests for selecting a court-appointed attorney at law.

A crime victim with means below a certain amount can request a court to select a court-appointed attorney at law for victims.



Source: Ministry of Justice

- Japan Legal Support Center district office (50 offices nation-wide)
(<http://www.houterasu.or.jp/chihoujimusho/>)
- Victims of Crime Support Line
(0570-079714)