# Chapter 2 Overview of the Fourth Basic Plan for Crime Victims, etc.

## 1. Priorities in the Fourth Basic Plan for Crime Victims, etc.

The Fourth Basic Plan describes "four fundamental principles" in light of the basic principles of Article 3 of the Basic Act, in the same manner as in the First Basic Plan to the Third Basic Plan: (1) Guarantee the right of crime victims, etc. to be treated accordingly to their dignity, (2) Take each measure properly, mindful of individual victim's circumstance, (3) Provide a seamless and continuous support, and (4) Progress while building the national consensus. The Fourth Basic Plan also describes "Five Priorities," which point out comprehensive issues, as well as the "System for Promotion" to implement the policies for crime victims, etc. effectively and efficiently. In the planning period of the First Basic Plan to the Third Basic Plan, various efforts have been made, such as 1) expansion of the benefit system for crime victims, etc. (hereinafter referred to as the "benefit system"), 2) establishment of the restitution order system, 3) establishment and expansion of the victim participation system, 4) establishment of the expenditure system to cover the counseling cost, 5) establishment of a One-stop Support Center for Victims of Sexual Crimes and Sexual Violence (hereinafter referred to as the "One-stop Support Center") in each prefecture, and 6) establishment of a comprehensive support service to provide appropriate information for crime victims, etc. in each local government. Thus, policies for crime victims, etc. have been significantly progressed. However, crime victims, etc. still have many issues. Therefore, a wide range of opinions and requests are constantly received from crime victims, etc. and victim-support organizations. Based on such opinions and requests, the Fourth Basic Plan identified several matters such as support for crime victims, etc. in local governments, support for crime victims, etc. whose damages tend to be hidden, such as those who were victimized by sexual crimes, sexual violence, child abuse, etc., enhancement of consideration for victims, etc. in the treatment of offenders, various supports in consideration with a variety of crime victims, etc., and promotion of policies that incorporate digital technology and other new methods in response to social changes. As for the priority 1, "Efforts to recover the victims' damages and provide them with economic support," it was decided that in order to enable crime victims, etc. to overcome economic hardships they are facing, it is necessary to promote efforts to restore damages

of crime victims, etc. and financially support them including promoting the use of systems other than those aimed at providing assistance to crime victims, etc. and private initiatives, as well as conducting a necessary review toward the realization of the perpetrators' liability for damages. As for the priority 2, "Efforts for the victims to recover from or to prevent mental and/or physical damage," it was decided that it is necessary to make efforts to restore and mitigate, or preempt mental and physical damage suffered by crime victims, etc., especially, (1) further enhancement and reinforcement of support for victims of sexual crimes and sexual violence that diminish seriously the dignity of the persons and adversely affect their mind and body for a long period of time, and (2)strengthening of measures to prevent the damage of child abuse, stalking and spousal violence that may cause serious harm to life and physical well-being, and further enhancement of efforts to facilitate consultations, ensure safety, and provide appropriate support.

As for the priority 3, "Efforts to broaden the opportunity for victims to participate in criminal procedures," it was decided that efforts should be made to increase opportunities to allow crime victims, etc. to appropriately participate in criminal procedures and the procedures for juvenile protection cases. In addition, based on the fact that there are voices from crime victims, etc. and their supporters calling for more information provision and reflection of their feelings on the treatment of offenders, it is necessary to further enhance considerations about the position and the feelings of crime victims, etc. in the treatment of offenders.

As for the priority 4, "Efforts to improve the systems to support crime victims, etc.," it was decided that it is necessary to develop a seamless support system for both local governments and private organizations that provide assistance to crime victims, etc. In addition, it was decided that it is necessary to make efforts aimed to develop a medium- to long-term support system, and that it is necessary for the state, local governments, and other relevant organizations as well as private organizations and groups that provide assistance to crime victims, etc. to cooperate and collaborate with one another so as to provide multilayered support immediately after the damage in a concerted effort.

As for the priority 5, "Efforts to foster the understanding among citizens and to earn their

consideration and cooperation," it was decided that we need to promote our efforts to deepen the citizens' understanding and sympathy about the situation of the crime victims, etc. and the importance of considerations for their honor or peaceful lives, and to ensure the citizens' cooperation in the consideration and respect of crime victims, etc. and the policies for them, by continuously conducting educational activities and public relations and enlightenment activities through various opportunities and media in consideration of the widespread of the Internet and social media.



#### 2 Specific Policies to address the Priorities

The Fourth Basic Plan establishes a total of 279 specific policies (including reiterations) to address the priorities mentioned in 1 above. These specific policies include new ones to be addressed under the Fourth Basic Plan, as well as those that need to be continued from the Third Basic Plan.

The following cited and introduced are the main policies included in the Fourth Basic Plan. Responsible ministries are stated in [ ] and the policy numbers of the Fourth Basic Plan are stated in ( ).

### • Efforts to Recover the Victims' Damages and to Provide them with Economic Support

Investigation on fulfillment of offender's liability of compensation for damages

O The National Police Agency, in cooperation with relevant ministries, is to carry out an investigation to gain an understanding of the actual situation where crime victims, etc. cannot receive compensation for damages, and to conduct necessary reviews in accordance with the results. [National Police Agency] (11)

- Based on the supplementary resolution to the Act Partially Amending the Civil Execution Act and the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction (Act No. 2 of 2019) enacted in May 2019, the Ministry of Justice, in cooperation with relevant ministries, is to conduct investigative research on advanced legal system and operation in other countries about the ensuring of the fulfillment by public institutions to enable crime victims, etc. to exercise their right to claim for damages, and to conduct necessary reviews in accordance with the results. [Ministry of Justice] (12)
- Efforts for the Victims to Recover from or to Prevent Mental and/or Physical Damage
- a) Implementation of policies that contribute to the training of specialists on the treatment of

juvenile victims, system development, and facility enhancement

In response to the increasing number of admissions of abused children to foster homes, the Ministry of Health, Labour and Welfare made it mandatory to assign psychotherapy staff and staff to provide individual support in foster homes in FY2011 and is to continue to ensure an appropriate assistance system. Specifically, in order to allow initial responses to ensure safety of children to be performed rapidly and surely when a child abuse occurs, the Ministry is to support the assignment of child welfare officers (including child welfare officer supervisors who provide guidance and education), child psychologists, public health nurses, attorneys and doctors, based on the "Comprehensive Plan Strengthening Child Abuse Prevention Measures System" (decided by the Liaison Conference of Relevant Ministries to Child Abuse Prevention Measures on December 18, 2018) and the Child Welfare Act (Act No. 164 of 1947) revised by the Act on the Partial Amendment to the Child Welfare Act, etc. to step up efforts to prevent child abuse (Act No. 46 of 2019) enacted in June, 2019. [Ministry of Health, Labour and Welfare] (48)

- b) Enhancement of educational counseling system at schools for juvenile victims The Ministry of Education, Culture, Sports, Science and Technology is not only to aim to realize working conditions appropriate for specialized staff in schools including increase of the working time of school counselors and school social workers, so that they may provide counseling to children including juvenile victims appropriately based on the current placement situation, but also to enhance the educational counseling system in schools by improving function of school counselors and school social workers including their working system and environment and improving the quality of consultations through training on crime damages. [Ministry of Education, Culture, Sports, Science and Technology] (53)
- c) Strengthening the system of the One-Stop Support Center

The Cabinet Office, in cooperation with relevant ministries, is to endeavor to stabilize the operation and improve the quality of the One-Stop Support Center including efforts to make it available 24/7, promote to develop base hospitals, establish a regional cooperation system including allocation of full-time coordinators, develop human resources based on the enhancement of expertise, and secure the operation system and appropriate treatment of support staff. In addition, the Office is not only to disseminate the nationwide abbreviated number "# 8891," but also to endeavor to develop a system to facilitate consultation by establishing call centers that provide consultations even at night and on holidays, developing a support system to access to emergency matters in communities and increasing the number of victim support centers in accordance with the actual situation of each prefecture. Furthermore, the Office is to review the operation of the nationwide abbreviated number. [Cabinet Office] (59) (See also (172))

 Cultivating specialists with specialized knowledge and skills concerning crime victims, etc.

The National Police Agency, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Health, Labour and Welfare are to collaborate to encourage the Japanese Association of Certified Public Psychologists and Japanese Society of Certified Public Psychologists to cultivate and train certified public psychologists with specialized knowledge and skills concerning crime victims, etc. [National Police Agency, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Health, Labour and Welfare] (66)

- e) Enhancement and other efforts with regards to trainings of staff
  - In order to promote investigation and support in consideration of the feelings of sexual crimes victims, the police are to implement training at the police schools for police officers engaged in investigation of sexual crimes and support for sexual crime victims including handling cases in which a man or a sexual minority person is victimized, through lectures delivered by lecturers with specialized knowledge. [National Police Agency] (110)
  - In order to promote investigation and support in consideration of the characteristics of persons with disabilities, the police are to implement training at the police schools for police officers engaged in investigation and support, through lectures delivered by lecturers with specialized knowledge. [National Police Agency] (111)
- Efforts to Broaden the Opportunity for Victims to Participate in Criminal Procedures
- a) Enhancement of consideration for crime victims, etc. in the treatment of offenders

- Regarding the "education from victims' points of view" provided to inmates in correctional institutions, the Ministry of Justice is not only to endeavor to further enhance guidance for reform and correctional education, including deepening their understanding of crime victims, etc. and urging them to take specific actions, such as apology and compensation for damages with consideration of the intention of crime victims, etc. and crime victim support organizations, but also to perform review of the effects of the guidance including the manner of the provision thereof. In addition, in the case where feelings of crime victims, etc. are stated in materials sent to the correctional institutions form the Family Court or the Public Prosecutors Office, the Ministry is to endeavor that the materials will be used effectively in the guidance to the inmates. [Ministry of Justice] (154) (See also (101))
- Based on the report submitted by the Legislative Council to the Inquiry No. 103, the Ministry of Justice is to consider the system to hear and communicate the sentiments of crime victims, etc. at the execution stage of the sentence, and to implement necessary measures. The Ministry is to endeavor to ensure that there will be cooperation among the Wardens of Penal Institutions, Regional Parole Boards and Directors of Probation Offices when implementing the measures. [Ministry of Justice] (156)
- Based on the report of the "Study Group for Considering Measures for Crime Victims, etc. in Offender Rehabilitation," the Ministry of Justice is to consider the enhancement of the improvement in access by crime victims to the communication system of victims' sentiments to probationers/parolees and the redemption guidance program, subsequently draw a conclusion within three years, and implement necessary policies. [Ministry of Justice] (158)
- b) Enhancement of probation/parole supervision from the perspective of crime victims, etc.
  - O When Regional Parole Boards and Probation Offices take measures such as probation/parole, they are to take into consideration the sentiments regarding the damage, the situation, and other circumstances of crime victims, etc. in accordance with the measures. [Ministry of

Justice] (159)

- Declaring the facts about the instructions to probationers/parolees for them to understand the sentiments regarding the damage, the situation, and other circumstances of crime victims, etc. and to be aware of the responsibility to restore their damages, or presenting materials relating to these facts to a probation officer or a *hogoshi* (volunteer probation officer) shall be added to the category of conditions in probation/parole. [Ministry of Justice] (160)
- It is to be made clear that when deciding whether or not to permit release on parole, opinions on coordination of the social circumstance and the parole are included in the opinions of crime victims, etc. heard by the Regional Parole Board upon their request. [Ministry of Justice] (161)
- The Ministry of Justice is to consider the operation to establish guidelines for life that encourage probationers/parolees to take actions to apologize to crime victims, etc. and to instruct to encourage probationers/parolees to live their lives and conduct themselves in accordance with this guideline and to enhance the instruction. [Ministry of Justice] (162)

### • Efforts to Improve the Systems to Support Crime Victims, etc.

a) Promotion of comprehensive and planned support for crime victims, etc. in local governments

In order to contribute to providing comprehensive and planned support for crime victims, etc. in local governments from the perspective of crime victims, etc., the police are not only to provide information appropriately on the situation of the enactment of prefectural/municipal ordinances or establishment of plans or guidelines which incorporate effective matters for support for crime victims, etc. such as an ordinance aimed at support for crime victims, etc., but also to cooperate to contribute to the consideration of the enactment of ordinances, and the inspection and assessment of the situation of implementation of the ordinances in local governments. [National Police Agency] (166)

 b) Utilization of specialists and further enhancement and strengthening of cooperation and collaboration in local governments In order to effectively support the lives of crime victims, etc., the National Police Agency is to request local governments to utilize specialists such as certificated social workers, mental health social workers, certified public psychologists, and certificated clinical psychologists for supporting crime victims, etc. The Agency is also to request local governments to further enhance and strengthen cooperation and collaboration between the comprehensive support services in local governments and relevant organizations and groups so that crime victims, etc. can access to support by specialists as soon as possible. [National Police Agency] (169)

- c) Promotion of collaboration among the Liaison Conference for Victim Support and the Local Network for Victim Support The police, with the cooperation of the Ministry of Justice, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, and Ministry of Land, Infrastructure, Transport and Tourism, are not only to strengthen collaboration and cooperation among members of the Liaison Council for Victim Support and the Local Network for Victim Support, which are established at the level of police headquarters or police stations, consisting of local governments, District Public Prosecutors Offices, bar associations, medical associations, social workers associations, mental health social workers associations, certified public psychologist-related organizations, clinical psychologist associations and private organizations that support crime victims, but also to improve its capacity to handle specific cases in various fields such as life reconstruction, medical care and trials through the implementation of practical simulated training assuming cases with a large number of the dead and injured. [National Police Agency] (183)
- d) Improvement of the consultation system concerning online harassment including on social media and strengthening of public relations and raising awareness activities to prevent harassment In cooperation with relevant ministries, the Ministry of Internal Affairs and

Communications is to endeavor to improve the system so that it may appropriately respond to consultations from crime victims, etc. regarding online harassment including on social media, and to strengthen public relations and raising awareness activities to prevent harassment. [Ministry of Internal Affairs and Communications] (194) (See also (264))

#### • Efforts to Foster the Understanding among Citizens and to Earn their Consideration and Cooperation

- Promotion of education on measures against a) sexual crimes and sexual assault Based on the "Policy for Enhancement of Measures against Sexual Crimes and Sexual Assault" (decided by Liaison Conference of the Relevant Ministries and Agencies for Enhancement of Measures against Sexual Crimes and Sexual Assault on June 11, 2020), the Ministry of Education, Culture, Sports, Science and Technology is not only to further promote education to teach the preciousness of lives, to value lives and to respect everybody including oneself, but also to enhance education from early childhood to prevent children from becoming a perpetrator, a victim or a spectator of sexual crimes and sexual assault in consideration of the child's development stage. [Ministry of Education, Culture, Sports, Science and Technology] (254)
- Implementation of effective public relations and b) enlightenment activities toward citizens In order to help people from all walks of life get interested in support for crime victims, etc., the National Police Agency is to strive to diversify the methods and media for public relations activities such as the diffusion of symbols and the use of websites and social media. In addition, the Agency is to provide opportunities for citizens to think about support for crime victims, etc. by soliciting slogans on the support and promote their understanding. Furthermore, in order to deepen the understanding and interest in the situation of crime victims, etc. and the importance of support for them, the Agency is to promote more enhanced enlightenment activities by getting wider cooperation from schools and private enterprises. [National Police Agency] (260)

Part 1 Featured Article: Formulation of the Fourth Basic Plan for Crime Victims, etc.



### Support for crime victims, etc. whose damages tend to be hidden

One of the challenges stated in the Fourth Basic Plan is to provide appropriate support for crime victims, etc. who are unable to speak up their criminal damages and whose damages tend to be hidden although they are victimized of sexual crimes, sexual violence, and child abuse.

It is said that victims of sexual crimes and sexual violence tend to hide their damages because they do not want others to know that they have been victimized due to their sense of shame and remorse, or because they are reluctant to report the damage due to their relationship with the perpetrator. It is also said that abused children tend to hide their damages for reasons such as not being able to recognize that they are being victimized, properly communicate the damage in words to the people around them, nor report the damage due to their relationship with the abuser and the people around them.

The Fourth Basic Plan states further promotion of support for crime victims, etc. whose damages tend to be hidden such as victims of sexual crimes, and sexual violence, and abused children.

The followings are the main policies included in the Fourth Basic Plan related to support for victims of sexual crimes and sexual violence and abused children.

	Support for victims of sexual crimes and sexual violence	Support for abused children
Efforts to Recover the Victims' Damages and to Provide them with Economic Support	The National Police Agency is to subsidize the expenses required for emergency contraception, induced abortion and examinations for sexually transmitted diseases for victims of sexual crimes, as well as public funded expenses for sexual crime victims, such as initial medical examination fee and medical certificate fee. (14)	Strengthening of the staff allocation system and environment improvement are to be provided in order to treat child abuse individually at a temporary shelter of child guidance center. (26)
	Mental care is provided and self-reliance support to victims of sexual violence is encouraged at women's protection facility. (28)	
	Necessary support is to be provided to local governments and cooperation engaging in specified non-profit activities that operate domestic violence shelters to enable them continuously provide comprehensive support aimed to allow sexual crime victims and other clients to settle in the community. (31)	
Efforts for the Victims to Recover from or to Prevent Mental and/or Physical Damage	"Specialized training on measures against PTSD (Post-Traumatic Stress Disorder)" for medical personnel such as doctors, public health nurses, and mental health workers is to be held, and specialized knowledge including judicial one and the content related to treatment necessary for providing appropriate response and treatment of crime victims, including sexual crime victims are to be enhanced. (38)	"Adolescent Mental Health Training" for doctors, nurses, public health nurses, mental health workers, certificated public psychologists, certificated clinical psychologists and child counselors is to be conducted. (47)
	The National Police Agency is to provide instructions to the prefectural police so that the in-house counselors with qualifications such as certified public psychologists and certificated clinical psychologists are effectively utilized and that public expenditure system to cover the counseling cost by the police is operated effectively. (56)	Supports are to be provided for the assignment of child welfare officers (including child welfare officer supervisors who provide guidance and education), child psychologists, public health nurses, attorneys and doctors. (48)
	Information is provided through public health centers and women's health support centers so that people who need emergency contraception, including sexual crime victims may obtain information on the matter. (57)	<ul> <li>The system of the child guidance centers is to be improved so that they may respond to emergency consultations such as a notification of abuse at any time, including nights and holidays. (50)</li> <li>In consideration of the importance of medical</li> </ul>
	Enlightenment of medical institutions on the	In consideration of the importance of medical

	utilization of nurses and midwives with specialized knowledge and skills to assist collaboration system with local medical individual (50)
	<ul> <li>sexual crime victims is to be promoted. (58)</li> <li>institutions is to be enhanced. (51)</li> <li>Stable operation and quality improvement of the One-stop Support Center including efforts to make it available 24/7, promote to develop base hospitals, establish a regional cooperation system including allocation of full-time coordinators, develop human resources based on the enhancement of expertise, and secure the operation system.</li> <li>Working conditions appropriate for specialized staff in schools including increase of the working time of school counsellors and school social workers are to be realized. (53)</li> </ul>
	<ul> <li>(59)</li> <li>The nationwide abbreviated number "#8891" is disseminated and a system to facilitate consultation is developed by establishing call centers that provide consultations even at night and on holidays and increasing the number of victim support centers in accordance with the actual situation of each prefecture. (59)</li> <li>Cooperation among the police, women's counseling centers and child guidance centers is to be further strengthened. (81)</li> </ul>
	<ul> <li>In order to prevent recidivism of those who have served a term in prison for a violent sexual offence, such as indecency through compulsion on a child under the age of 13 and have been released from the prison, regular confirmation of their current whereabouts is to be made. (77)</li> <li>"Officers for child abuse" are to be placed in the prefectural police headquarters, who will be in charge of providing guidance to police personnel about collaboration with relevant organizations such as child guidance centers and specialized responses to child abuse. (93)</li> </ul>
	<ul> <li>The system that avoids the disclosure of the name, address, and other matters that lead to the identification of the victim in the court open to the public that handles certain cases such as sexual crimes are to be thoroughly disseminated. The awareness of public prosecutors to operate more appropriate the system including calling attention of litigants is also improved. (83)</li> <li>The use of legal consultation aid, etc. of the Japan Legal Support Center is to be promoted for cases of child abuse and spousal violence that accompany child abuse, which require a legal solution. (94)</li> </ul>
	<ul> <li>Schools and boards of education are to develop the system for early detection and response and provide appropriate response, in order for people engaged in education at school, who are in a position to easily find child abuse in the course of their duties, to be enabled to appropriately respond to child abuse. (95)</li> </ul>
	<ul> <li>Efforts are to be promoted to provide support for education at home according to the local circumstances including the provision of opportunities for education and information, and consultations, through support teams for education at home by taking advantage of a variety of human resources in the community, while considering families with worries and anxieties related to child-rearing who have difficulties in accessing places of education or consultations on their own. (96)</li> </ul>
	<ul> <li>More efforts are to be made to assign female police officers to the sections in charge of sexual crime investigations at police headquarters and police stations, and to improve staff members' practical skills. (120)</li> <li>Relevant organizations such as the police, Public Prosecutors Office, Child Guidance Centers are to hold discussions prior to interviewing a child victim and the representative of the relevant organization is to conduct the interview. (121)</li> </ul>
Efforts to Broaden the Opportunity for Victims to Participate in Criminal Procedures	In preparation for a case where a sexual crime victim who was hesitant to submit a damage report to the police in the beginning decides to submit a complaint to the police on a later day, efforts are to be promoted to provide cooperative medical institutions with evidence collection kits of sexual crimes to collect evidentiary materials from the body of sexual crime victims at the medical institutions. (127)
Efforts to Improve the Systems to Support Crime Victims, etc.	<ul> <li>The educational counseling system is to be enhanced to enable classroom teachers, student guidance teachers, nursing teachers</li> <li>The Japan Legal Support Center is to provide victims of stalking, spousal violence and child abuse, which may develop into a serious</li> </ul>

berate with one e response to ect to a sexualdamage, with appropriate legal support, which does not require examination of financial state in advance. (208)
79)
<ul> <li>The number of school teachers is to be increased as needed and the educational counseling system is to be enhanced by the allocation of school counselors and school social workers so that consultations from victimized students, their siblings and their guardians may be continuously and properly attended in collaboration with class teachers, student guidance teachers, teachers in charge of educational counseling, school health coordinators, nursing teachers and school counselors. (211)</li> </ul>
<ul> <li>##8103," which ine of the seminated, and ns" is to be to be provided so as to properly respond to consultations from victimized students and their siblings. (211)</li> </ul>
Training is to be enhanced to improve the ability of officials of relevant organizations such as child guidance centers, child welfare institutions, municipalities and health organizations with the aim to protect abused children and properly support their independence using professional knowledge. (238)
d is to be from becoming a ander of sexual consideration of 54) The board of education is to be urged to make efforts in accordance with the local circumstances in order not only to recognize that children have been victimized by bullying, abuse or violence, but also to actively learn how to deal with the matter. (253)
<ul> <li>Public relations activities are to be conducted using various media in order to widely inform the public of child-rearing without corporal punishment and of the scope, current situation and prevention of child abuse. (268)</li> </ul>
<ul> <li>Intensive public relations and enlightenment activities are to be implemented by preparing posters and holding forums during the "Child Abuse Prevention Promotion Month" held in November every year. (268)</li> </ul>
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\*( ) shows the policy numbers in the Fourth Basic Plan