

## Chapter 3

# Efforts to Broaden the Opportunity for Victims to Participate in Criminal Procedures

### 1 Development of the System to Expand Opportunities to Participate in Criminal Procedures, etc. (related to Article 18 of the Basic Act)

#### • Appropriate Provision of Information Concerning Investigation

[Policy No. 145]

The National Police Agency gives instructions to the prefectural police to ensure contacting victims and provide crime victims with information appropriately based on the “Contacting Victim Guidelines” (attachment to circular notice by the Director-General of Criminal Affairs Bureau of the National Police Agency, on July 12, 2017).

In addition, in order that an appropriate response is provided to traffic accident victims, etc., in consideration of their sentiments, each prefectural police headquarters has set up victim contact coordinators to serve as people who supervise contact with traffic accident victims and they provide guidance and education to traffic investigators at police stations.

Furthermore, the prefectural police endeavors to cooperate with related organizations and groups by providing them with information which needs to be shared with private-victim support organizations and other administrative agencies on the situations and needs of crime victims, etc. identified through contacting victims with their consents.

#### Outline of System for Contacting Victims



#### • Enhancement of Consideration for Crime Victims in the Treatment of Offenders

[Policy No. 154]

The Ministry of Justice requires that inmates in correctional institutions, if needed, attend an “education from victims’ points of view.” This program aims to have inmates face up to the crimes they have committed, recognize the magnitude of those crimes and their emotional impact on the victims, respond to victims with sincerity, and strengthen their resolve not to commit their crimes again. This includes direct lectures by guest speakers, such as victims of crimes, to deepen understanding of the sentiments of crime victims and to provide guidance that encourages concrete actions such as apologies. Moreover, to further enhance the program, the Ministry held a “Study Group of “Education from the Victims’ Points of View” in Penal Institutions” in FY2020, inviting outside experts to discuss the policy for revising the standard program. Toward the start of its operation in FY2023, the Ministry has been revising the program since FY2021. In addition, correctional institutions utilize the information on the sentiments of crime victims, etc., which is included in the survey sheets for reference in treatment sent from the family court and/or the Public Prosecutors Office, etc., to provide guidance to inmates.

[Policy No. 158]

In the system where sentiments regarding the damages and the situation of crime victims, etc. are heard upon their request and conveyed to probationers/parolees (communication system of victims’ sentiments to probationers), the Probation Office provides thorough instructions and supervision to probationers/parolees to face them with the reality of damages and deepen their sentiments of remorse and repentance.

The number of cases in which sentiments were conveyed in 2021 based on the system was 182.

In addition, based on the report of the “Study Group for Considering Measures for Crime Victims, etc. in Offender Rehabilitation,” the Ministry of Justice has been considering 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. Furthermore, the Offender Rehabilitation Act revised by the Act Partially Amending the Penal Code enacted in June 2022 (hereinafter referred to as

the “Revised Offender Rehabilitation Act”) newly establishes a hearing system of the victims’ sentiments without the need to communicate them to probationers/parolees in response to requests from crime victims. Currently, necessary studies are being conducted to determine the specific operation of this system.

### Measures in Offender Rehabilitation

**Measures for crime victims in offender rehabilitation**

- Opinion Hearings System in parole examination**  
Opinions can be submitted to the Regional Parole Board regarding parole etc. of offenders.
- Communication System of Victims' Sentiments to Probationers**  
This system allows communication of the victims' statements to probationers and parolees.
- Victim Notification Scheme**  
This process provides information on the status of the examination of parole, etc., or probation of offenders.
- Counseling and Support System**  
This system allows for consultation on emotional issues. A dedicated staff in charge of victims will be available to listen and, if necessary, explain the relevant systems and introduce related organizations.

The Offender Rehabilitation provides instructions and supervision to those who have committed crimes and juvenile delinquents in society to prevent them from re-offending.

**The confidentiality of crime victims is strictly protected.**  
For more information, please contact the probation office in your prefecture.

Information is also available on our website  
[https://www.moj.go.jp/hogo1/soumu/hogo\\_victim.html](https://www.moj.go.jp/hogo1/soumu/hogo_victim.html)

Source: Ministry of Justice

### Operation of the Communication System of Victims' Sentiments to Probationers

Year	Number of cases of communication of victims' sentiments
2017	177
2018	185
2019	158
2020	155
2021	182

Source: Ministry of Justice

- **Enhancement of probation/parole supervision from the perspective of crime victims, etc.**

[Policy No. 159]

When Regional Parole Boards and Probation

Offices take measures such as probation/parole, they have been taking into consideration the sentiments regarding the damage, the situation, and other circumstances of crime victims, etc. in accordance with the measures so far. In light of the fact that this is clearly stipulated in the Revised Offender Rehabilitation Act, the Ministry intends to further promote appropriate operations.

[Policy No. 160]

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 probation officers or *Hogoshi* (Volunteer Probation Officers) shall be added to the category of conditions in probation/parole.

[Policy No. 161]

The Regional Parole Boards have been hearing the opinions of crime victims when deciding whether or not to permit release on parole upon their requests. In light of the Revised Offender Rehabilitation Act, which clearly stipulates that opinions regarding Coordination of the Social Circumstance and probation during parole periods shall be heard at the same time, these are to be more appropriately implemented, as well as parole examination.

In addition, since April 2022, this system also adopts to the newly established discharge examination of specified juveniles under probation in custody.

[Policy No. 162]

In March 2022, the Ministry of Justice established new operational guidelines for the Director of the Probation Office to establish guidelines for life to encourage probationers/parolees to take actions of atonement to crime victims, etc. and to instruct and encourage them to live their lives and conduct themselves in accordance with these guidelines and enhance the instruction.