

Chapter 2 Concrete Measures for Crime Victims and Their Progress

1 Efforts to Recover the Victim's Damages and to Provide Them with Economic Support

(1) Supporting Victims' Claims to Compensation for Damages, etc.

○ Major efforts

- Support by the Japan Legal Support Center (Ministry of Justice)

Depending on crime victims' individual circumstances, the Japan Legal Support Center (commonly called "Houterasu") introduces an attorney with experience and knowledge of victim support from among the attorneys recommended by the Japan Federation of Bar Associations. The Center has a list of 2,671 attorneys as of the end of January, 2014, and has already introduced attorneys to 1,101 cases between April 1, 2013 and the end of January 2014.

Japan Legal Support Center discussed the necessary arrangements in order to implement measures with regard to the Center to support the fee to allow the attorney to have psychological counselor present at meetings

with crime victims in the process of preparation and litigation to claim compensation for damages. As a result, the Center decided to grant payment for such counsellors under the Civil Legal Aid System from April 2014, subject to satisfaction of the required support conditions.

(2) Improvement of Systems Concerning Benefits and Other Payments

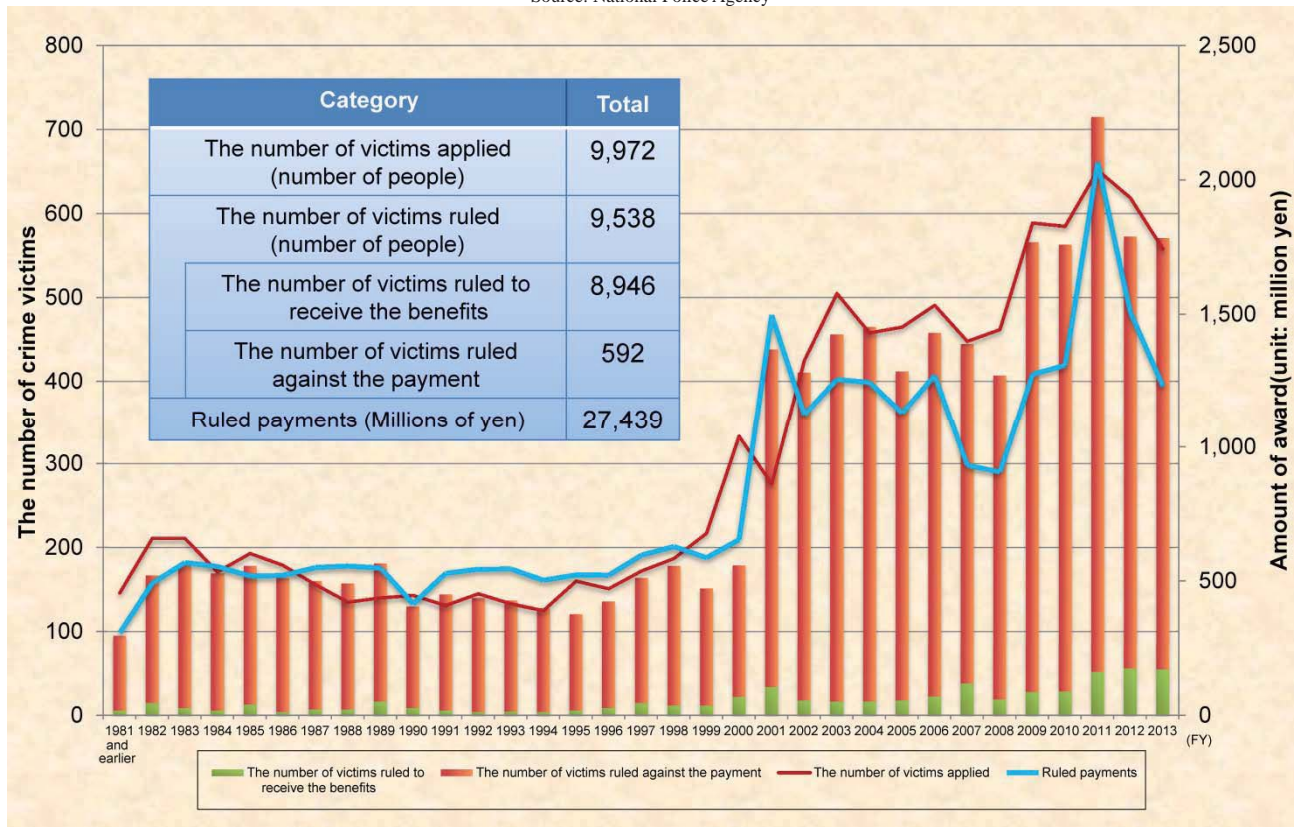
○ Major efforts

- Improvement of the current Benefit System for Crime Victims Practices (National Police Agency)

The System has undergone continuous expansion and the benefits paid in the fiscal year 2013 reached around 1.233 billion yen. The ruling period of time (from application to decision) was 6.8 months on average in 2013 (it was 7.4 months in 2000 when the Second Basic Plan was established).

Benefit System for Crime Victims

Source: National Police Agency



- Consultation on the feasible expansion of the Benefit Systems for Crime Victims and/or establishment of a new compensation system (Cabinet Office, National Police Agency, Ministry of Justice, Ministry of Health, Labour and Welfare, and Ministry of Land, Infrastructure, Transport and Tourism)

In January 2014, a meeting of experts and related ministries and agencies was held, and the contents of discussions and proposals were summarized.

First, they proposed that the scope of the special provision on crimes against relatives (other than those against a spouse) should be expanded to ensure that the full amount is provided for victims instead of zero and the reduction ratio should be 1/3 instead of 2/3. In the same session, based on frequent crime damage reported to affect Japanese people abroad, they proposed that some form of economic support should be provided for overseas victims under the concept of mutual assistance, although the expansion of the Crime Victim Benefits System may not necessarily be required.

In addition, they proposed that the Cabinet Office urge municipalities to promote the establishment of a comprehensive consultation desk to offer proper information for crime victims, as various social welfare windows are operated exclusively by municipalities.

The above outline was reported to the 11th Meeting on Promoting Measures for Crime Victims held in March 2014, in which a decision was made to take measures in line with the summary.

(3) Ensuring a Stable Residence

○ Major efforts

- Securing residence (Ministry of Health, Labour and Welfare, National Police Agency and Cabinet Office)

The women's Consultation Office provides temporary shelter (including contracted shelter) for women who need protection. The number of temporary protection cases of spousal violence and trafficking in persons was 11,565 (6,189 in women and 5,376 in

family members) in 2012. The numbers of temporary protection and contracted cases in the Child Guidance Center were 20,777 and 11,268, respectively, in 2012.

Since 2007, the National Police Agency has provided victims with temporary accommodation at public expense to alleviate their economic and emotional burdens when staying at their own residence became difficult because, for instance, the residence was demolished because of the crime and the victims are unable to personally secure a place to stay. (Government subsidy for temporary accommodation for crime victims: 16 million yen in 2013; 17 million yen in 2014)

(4) Stabilization of Employment

○ Major efforts

- Disseminating and enlightening the leave system for recovery (Ministry of Health, Labour and Welfare)

In fiscal year 2013, in order to disseminate and enlighten the leave system for the recovery of crime victims for businesses and workers, the Ministry of Health, Labour and Welfare created leaflets and posters, sent them to 224 organizations including relevant administrative organs, economic organizations and labor organizations, and held seminars.

Poster to promote the Leave System for Victim's Recovery



2 Efforts for the Victims to Recover from or to Prevent Mental and/or Physical Damage

(1) Provision of Healthcare and Welfare Services

○ Major efforts

- Specialist Training Seminars to Prevent PTSD (Ministry of Health, Labour and Welfare)

The MHLW holds specialist training seminars for physicians, nurses, public health nurses and medical health welfare professionals to prevent PTSD (posttraumatic stress disorder), encouraging preventive activities in respective facilities. People with PTSD can consult the mental health welfare centers, hospitals, and public health centers. Training for crime victims' mental care is also provided at the seminars, and 174 persons participated in 2013.

- Enhancement of counseling opportunities offered by police for sexual crime victims (National Police Agency)

Currently, every prefectural police is commissioning outside psychiatrists, clinical psychologists, or other professionals for counseling crime victims or to act as adviser to improve the counseling skills of police staff. For juvenile crime victims, juvenile guidance officials and other officials are to provide counseling with advice from external experts. Since 2012, the National Police Agency has established the counseling guidance section and placed counseling staff members with clinical psychologist qualifications and rich experience to give guidance to police authorities throughout the country.

Further, since 2007, the National Police Agency has been approaching police officers or other staff with clinical psychologist qualifications to participate in further professional training in order to improve their counseling skills. (Government subsidy for training of counseling professionals: 9 million yen in 2013; 10 million yen in 2014)

(2) Securing Safety

○ Major efforts

- Consideration on further enhancement of the system to provide victims with information of offenders after their final and binding judgment or decisions on protective measures, and implementation of relevant measures (Ministry of Justice)

In 2013, 75,516 victims requested information on offenders and 129,036 received information under the Victim

Notification System. The number of notifications regarding offenders after the final and binding judgment includes: 13,341 cases about the expected end of the sentence, 15,818 cases about the status of treatment in penal institutions, 2,511 cases about the release of the sentenced person, and 138 cases about the revocation of the pronouncement to suspend sentence executions.

Status of the Victim Notification System

	Number of applicants	Number of victims who received notice
2002	47,690	76,691
2003	44,442	76,087
2004	45,967	75,877
2005	46,953	74,813
2006	50,504	76,377
2007	51,676	77,487
2008	55,330	91,818
2009	61,007	107,464
2010	62,993	114,996
2011	63,542	118,933
2012	67,750	122,376
2013	75,516	129,036
Total	673,370	1,141,955

Source: Ministry of Justice

The number of the notifications on juvenile offenders under protective measures includes: 337 cases about treatment in juvenile training schools, 165 cases about the parole examination procedure, and 752 cases about the status under probation.

As a result of the review of the Victim Notification System, the Ministry of Justice decided to additionally include from April 1, 2014 the notification of rewards and punishments received by offenders in penal institution, and reward, punishment, and education of problematic behavior received by juvenile offenders in juvenile training school.

As for the beginning of probation, the ministry had been relaying the probation end year and month, which was changed to the year, month and date. In addition, the ministry will notify the implementation status of a Professional Treatment Program, which will be carried out under the Special Compliance Rules to improve specific criminal tendencies.

- Examination of the enhancement of measures to ensure the safety of victims of spousal

violence and implementation of relevant measures (Cabinet Office, National Police Agency, Ministry of Justice, and Ministry of Health, Labour and Welfare)

In accordance with the Act on the Prevention of Spousal Violence as revised on June 2013, victims of their cohabitant’s violence would also be supported under this Act (except those who are not in an equivalent state as a marital relationship). Based on the revision of the Act and basic policies, the related ministries have streamlined and revised the relevant regulations, including procedures for police support for victim’s decision-making, and the policies for proper operations of the Protection Order System. This Act and basic policies came into effect on January 3, 2014.

The police have a nation-wide integrated system to respond quickly to victims of spousal violence and prioritize their safety. They have prepared a “Guide for Decision-making Support for Crime Victims,” which explains risks inherent in a case and what measures the police can take, and also a “Risk Determination Checklist” to determine the risk level involved in each case.

The Immigration Bureau of Japan responds to foreign nationals who are victims of spousal violence by ensuring their physical protection through coordination with concerned agencies. If a victim is compelled to live apart from the spouse due to violence, or cannot submit an application for extension of the period of stay or for change of status of residence, the Bureau responds properly on humanitarian grounds by sufficiently considering victims’ will and their situation according to their individual circumstances. If a victim is overstaying or violating the Immigration Control and Refugee Recognition Act on account of spousal violence, the Bureau also responds properly on humanitarian grounds by considering individual circumstances.

The Women’s Consultation Offices, which function as a Spousal Violence Counseling

and Support Center, based on the Prevention of Spousal Violence Act, provide victims and their families with temporary shelter or temporary protective care in the women’s protection facilities. The facilities, used as a shelter, increase the number of security guards at night, and arrange psychotherapists and instructors who can care for victims’ children.

(3) Considerations and Other Regards to be Shown during the Process of Protection, Investigation, and Trial, etc.

○ Major efforts

- Appropriate operation of measures such as video links (Ministry of Justice)

The Ministry is striving for proper operations of systems allowing victims to state their opinion at the trial so as to properly reflect their perspectives to court proceedings, and promoting the use of video links and other protective measures to reduce victims’ burdens and anxiety during witness testimony.

Between January and December of 2013, the total number of witnesses who were allowed to have accompanying person during the witness examination was 116, the total number of witnesses who used shielding measures was 1,792, and the total number of witnesses whose examination was conducted through video link was 278.

Application of witness protection

	Witness Protection Measures		
	Attendant	Shield	Video link
2009	79	1,094	235
2010	102	1,295	261
2011	136	1,317	242
2012	121	1,757	288
2013	116	1,792	278

(Notes)

1. Data (approx. figures) from General Secretariat of the Supreme Court
2. The number of witnesses represents the total number who appeared at High Court, District Court and Summary Court

Source: Ministry of Justice

3 Efforts to Broaden Opportunity for Victims to Participate in Criminal Procedures

(1) Development of System to Broaden Opportunities to Participate in Criminal Procedures

○ Major efforts

- Consideration to cover travel and other expenses of victim participants (Ministry of Justice)

“Amending Part of the Act on Measures Incidental to Criminal Proceedings for Protecting the Rights and Interests of Crime Victims and Comprehensive Legal Support Act (Act No.33, 2013)” was formulated in June 2013 (enacted on December 1, 2013). The Act allowed victim participants who attend the trial dates to receive travel expenses, a daily allowance and accommodation fees from the Japan Legal Support Center.

- Reconsideration regarding the level of

financial resource requirements for victim participants to be eligible for court-appointed attorneys at law (Ministry of Justice)

“Amending Part of the Act on Measures Incidental to Criminal Proceeding for Protecting the Rights and Interests of Crime Victims and Comprehensive Legal Support Act (Act No.33, 2013)” was formulated in June 2013 (enacted on December 1, 2013). The Act expanded the range of participating crime victims to be eligible for court-appointed attorneys at law by extending the period to take into account the necessary living cost etc. from 3 months to 6 months, which is the base in calculating their level of pecuniary resources. Rewards and fees for court-appointed attorneys at law are paid by the national government.

4 Efforts to Improve the System to Support Crime Victims

(1) Providing Consultation, Information and others

○ Major efforts

- Promotion to establish comprehensive response desks at local governments (Cabinet Office)

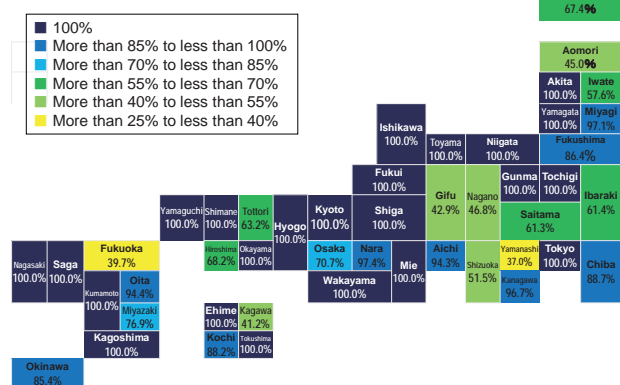
As of April 1, 2014, of 1,722 municipalities (excluding ordinance-designated cities), 1,691

municipalities (about 98%) have a crime victim policy division (Bureau or Department responsible for crime victim policies), while 1,390 municipalities (about 81%) have a comprehensive consultation desk (a desk that responds to consultations and requests from crime victims).

Municipal Crime Victim Policy Division in Each Prefecture (excluding ordinance-designated cities) (as of April 1, 2014)



Municipal Comprehensive Consultation Desk in Each Prefecture (excluding ordinance-designated cities) (as of April 1, 2014)



(2) Promotion of Research and Studies

○ Major efforts

- Research on the mental health status of crime victims and their recovery (Ministry of Health, Labour and Welfare)

Under the Health and Labour Science Research Program, the three-year project “The Assessment of Mental Disorders by Major Disasters or Crime Victimization and a Study of the Formulation and Evaluation of Guidelines for such Disorders” (principal researcher, Yoshiharu Kim) has been in progress since 2011. In 2013, a pamphlet titled “You are Not Alone” was created to provide educational psychology and support information for victims of sexual violence, so as to be utilized by obstetrics and gynecology hospitals, early support groups for crime victims and sexual violence victim support centers.

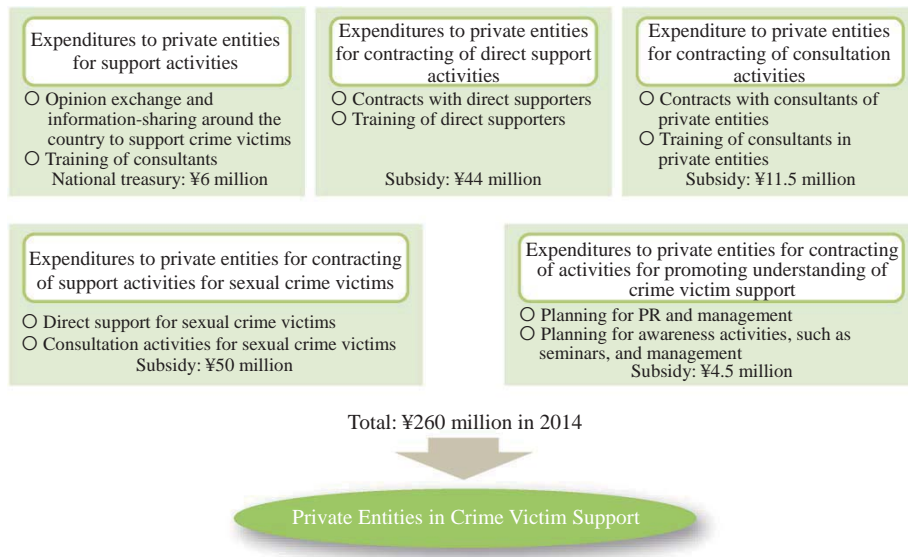
(3) Assisting Private Entities

○ Major efforts

- Enhancement on the assistance to private entities (Cabinet Office, National Police Agency, Ministry of Health, Labour and Welfare, Ministry of Justice, Ministry of Education, Culture, Sports, Science and Technology, and Ministry of Land, Infrastructure, Transport and Tourism)

The National Police Agency assists the activities of private crime victim support organizations in various ways, including by dispatching lecturers for their training. The police have been taking budgetary measures to provide financial aid for private entities in crime victim support for the contracting of direct support and consultation activities to aid the early recovery of victims of sexual crime.

Government Financial Aid for Private Entities in Crime Victim Support



Source: National Police Agency

5 Effort to Foster the Understanding among Citizens and to Earn Their Consideration and Cooperation

(1) Fostering Understanding among Citizens

○ Major efforts

- Implementation of advocacy projects to raise

public awareness on the actual situation that crime victims are in (Cabinet Office)

Refer to the Column below

Column
(6)

▶ Campaigns of Crime Victims' Week

The Cabinet Office has been carrying out various events for PR and awareness during Crime Victims' Week (November 25 to December 1).

As the 8th project (Central Event) of 2013, the Cabinet Office hosted in Tokyo on December 1 a panel discussion involving three persons who lost family members, under the theme of "Losing a Family Member," and also hosted other panel discussions, including lectures by the bereaved and supporters, under the joint auspices of Shimane Prefecture (November 11) and Oita Prefecture (November 29). The details of the events are available to the public on the website. (http://www8.cao.go.jp/hanzai/kou-kei/houkoku_h25/index.html)

This year, the Cabinet Office invited suggestions for a nickname of a crime victim support symbol character, which had been created in 2010 to raise people's awareness of crime victims' difficulties. Of the 2,113 nicknames received, "Gyutto-chan" proposed by Suzuka Taira from Ishikawa Prefecture was selected, and honored at the Central Event by Masako Mori, Minister of State in charge of specially designated affairs.

As usual since 2007, the Cabinet Office invited suggestions for this year's slogan for supporting crime victims. The motto submitted by Hidefumi Kasai from Osaka Prefecture, "Supporting hands, close hearts, from you," was selected as the best among 3,570, and honored in the Central Event by Masako Mori, Minister of State for Special Missions. Posters of the Crime Victims' Week events with this motto were distributed to local governments around the country, and in Tokyo they were posted in subways, related organizations and entities, and universities.

This year, the Cabinet Office collected information on events that had been independently held in each prefecture to enlighten people on crime victims' struggles. The data was publicized on the Promotion of Policies for Crime Victims Office website, and Facebook.

Finally, various events, including seminars and panel exhibitions, have been started in all prefectures. The Cabinet Office will further strive to make the Crime Victims' Week (November 25 to December 1) known to all as a nation-wide activity.



Slogan and nickname contest winners and Minister Mori

- Implementation of advocacy projects on crime victim related measures during respective promotion periods (Cabinet Office, Ministry of Justice, and Ministry of Health, Labour and Welfare)

The Cabinet Office has been addressing the elimination of violence against women through the "Campaign for Eliminating Violence against Women" (from November 12 to 25 every year) in cooperation with local governments, women's groups, and other

related organizations.

The Cabinet Office also carried out the Nationwide Traffic Safety Campaign in spring (from April 6 to 15, 2013) and autumn (September 21 to 30, 2013) on "Prevention of Traffic Accidents of Children and Elderlies," to appeal the misery of traffic accidents and preciousness of life to the public while incorporating perspectives of traffic victims.

The Ministry of Justice, in order to promote consideration and protection for the human

rights of crime victims, carries out various promotion activities, under the slogan of “Consider for the Human Rights of Crime Victims and Their Families,” as one of the annual priority matters of promotion activities, such as holding lectures and workshops, distributing leaflets dealing with human rights issues of crime victims and crime victim support, during the Human Rights Week (December 4 to 10) and other times throughout the year.

In 2004, the Ministry of Health, Labour and Welfare is conducting intensive advocacy activities during November as the Month to Promote Prevention of Child Abuse to deepen the understanding and to raise awareness of

every parts of the society on child abuse in collaboration with related ministries and agencies, local governments, and related organizations. In 2013, the Ministry of Health, Labour and Welfare adopted a monthly slogan, “An extended hand is a lifeline for a child,” held a National Forum on Child Abuse Prevention in Beppu City, Oita Prefecture (November 16), prepared and distributed posters, leaflets, and handbooks that introduce the Child Guidance Centers’ nation-wide common hotline, and thus, through Government PR media and various media (radio and newspaper advertisements, etc.), propagated the principle that child abuse is an issue to be resolved by society as a whole.

The crime victim support symbol mark Gyutto-chan (holding a victim tight)

