

Chapter 1

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

1 Supporting Victims to Claim the Compensation for Damages, etc. (related to Article 12 of the Basic Act)

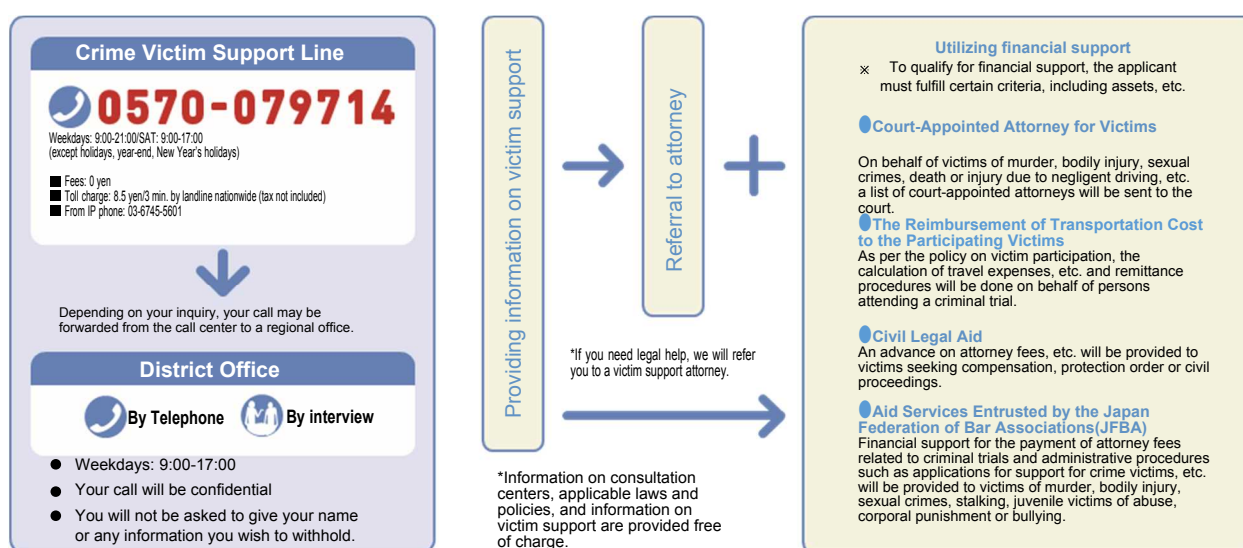
○ Main Efforts

- Support Provided by the Japan Legal Support Center [Policy No. 1*]

The Japan Legal Support Center (hereinafter referred to as the “Houterasu”) provides free legal consultation and when necessary, provides interest-free loan for legal representation or the

services of a judicial scrivener as a Civil Legal Aid System to persons with financial need, when the said persons have recourse to civil law procedures such as civil litigation and meet specific criteria for receiving support, including income, etc. (see: The Aims and Duties of the Houterasu (Civil Legal Aid System) at the Houterasu website: https://www.houterasu.or.jp/houterasu_gaiyou/mokuteki_gyoumu/minjihouritsufujo/).

Crime Victim Support Services by Houterasu



Source: Ministry of Justice

If crime victims are unable to bear the financial burden of legal fees, etc. despite their need for legal representation by an attorney, etc. to claim compensation for damages through civil litigation, the said persons may use the Civil Legal Aid System to receive an advance on the cost of the relevant legal fees, repay the advance in monthly installments, and thereby alleviate their financial burden.

Moreover, even when seeking simple and speedy compensation for damages under the restitution order system (enforced in December 2008) based on the results of criminal proceedings, crime victims may use the Civil Legal Aid System to receive an advance on attorney's fees, etc.

Furthermore, since April 2014, the civil legal aid also applies to expenses for counselors who sit at the same table with the victim claiming compensation for damage at the meeting with an attorney.

- **Enhancement of the Provision of Information on the System of Claiming Compensation for Damages, etc.**

[Policy No. 3]

The police may also act in an advisory capacity to inform crime victims about the outlines of the restitution order system based on the “Brochure for Crime Victims.”

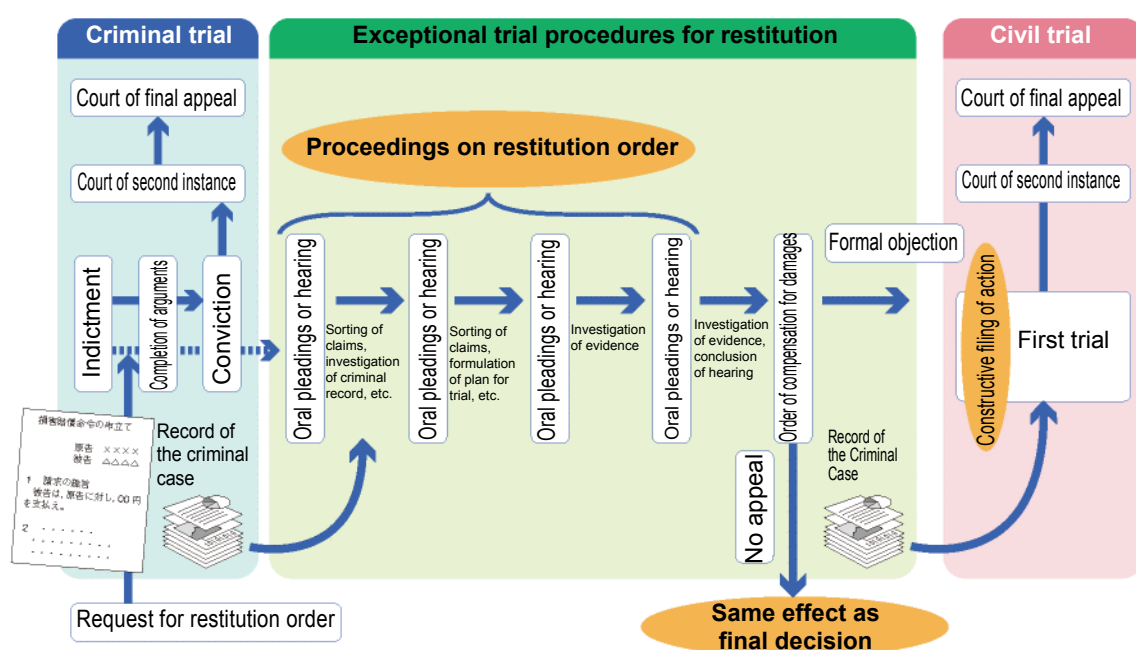
* Added to clarify the status of responses in accordance with the Third Basic Plan

The Ministry of Justice also provides information on the restitution order system through informational pamphlets such as “For Victims of Crime” and the DVD, “If you encounter crime .”

Since the introduction of the restitution order system, 2,767 claims were filed by the end of 2018 and 2,677 were concluded; of these, 1234 claims were upheld, 619 were settled, 356 were terminated, 300 were withdrawn, 108 were acknowledged, 36 were dismissed, and 7 were rejected.

Numerous public prosecutors conduct procedures for the payment of support for the restitution of criminal damages to victims through the confiscation of property and additional collections based on the Act on the Restitution Order System from the Properties of the Accused (Criminal Damages Restitution Assistance Procedures). In 2017, this procedure was initiated in 16 cases, with the total amount of 389,870,000 yen assessed as payable at the issuance of the commencement order.

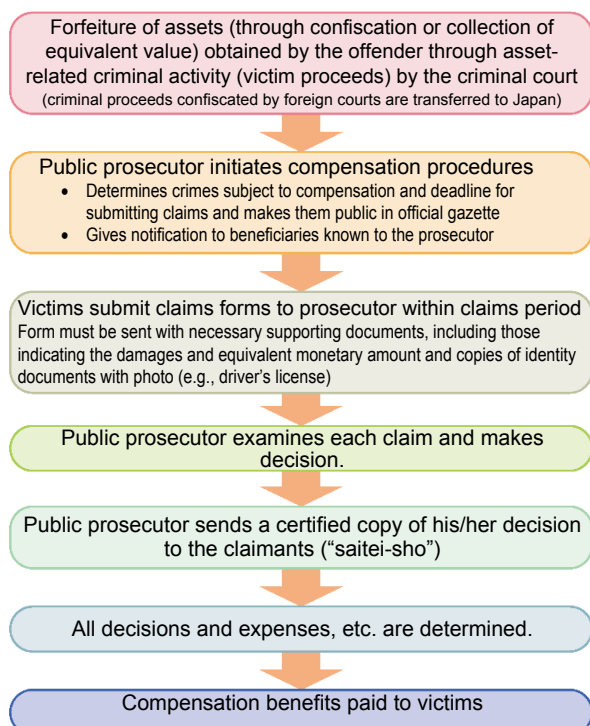
Outline of the Restitution order system



Source: Ministry of Justice

Damage Recovery Benefit Payment System

Outline of basic compensation benefit procedure



* The public prosecutors in charge may delegate part of the procedures to "Victim Compensation Administrator," who is a qualified lawyer.

Source: Ministry of Justice

Status of procedures to issue Remission Payments

	Number of cases on which initiation of procedure was decided	Total amount of remission funds when the initiation of procedure was decided
2012	23	398,716,097 yen
2013	18	approx. 146,000,000 yen
2014	15	approx. 254,010,000 yen
2015	13	approx. 83,080,000 yen
2016	8	approx. 97,500,000 yen
2017	16	approx. 389,870,000 yen

Source: Ministry of Justice

2 Improvement of Systems Concerning the Benefits and other payments (related to Article 13 of the Basic Act)

○ Main Efforts

• Review of the Benefit System for Crime Victims

[Policy No. 12]

The Benefit System for Crime Victims aims to mitigate the psychological and financial impact upon the relatives of victims of an intentional crime such as a random murder, which has resulted in the unforeseen death of the said victim; or upon a victim of a crime who has suffered a physical disability due to crime, through the payment of Support to Crime Victims by the government in keeping with the spirit of solidarity and support of society at large.

The following actions were taken in regard to the Benefit System for Crime Victims: an increase in the amount of support for the bereaved for the maintenance of their livelihood as well as in the amount of disability support for persons with severe impairments (Disability Classes 1-3) (July 2008); a revision of special regulations allowing the payment in toto of support for victims of spousal abuse for whom the support is deemed particularly necessary (October 2009); a revision of the reduction or reasons for the refusal of support to victims of domestic crimes based on advice received from "the consultation meeting on the feasible expansion of the Benefit System for Crime Victims and/or establishment of a new compensation system" (November 2014). Further, following the release of the Third Basic Plan, research was conducted to the end of 2016 on the current time frame for Support for Severe Injuries and Diseases, the current status of support minimizing the burden on crime victims, the current status of support for juveniles, as well as the current status of support pertaining to cases of domestic crime; deliberations were begun by an expert meeting on the Benefit System for Crime Victims in April 2017; amendments were made to the said policy in July of the same year based on the advice of the Commission; and the revised policy was enforced from April 2018.

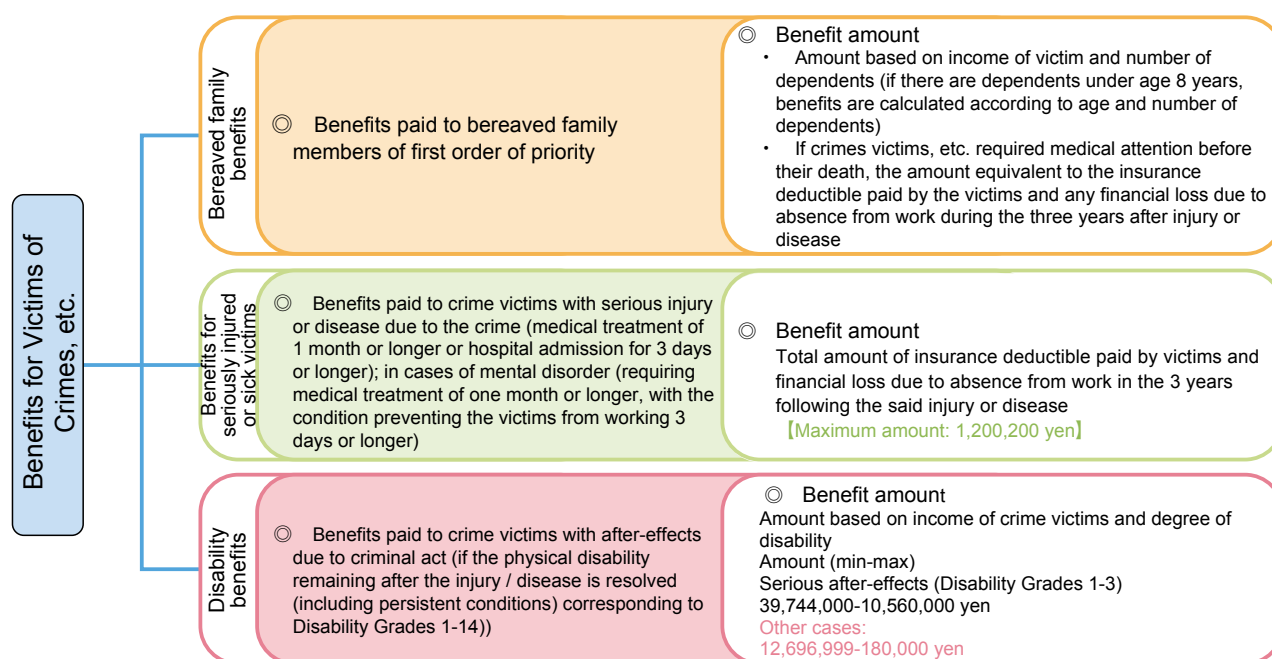
• Improvement of the Current Benefit System for Crime Victims Practices

[Policy No. 13]

The National Police Agency offers guidance to the prefectural police on matters pertaining to administrative improvements, including actively considering the provisional approval of support payments and expediting rulings, by holding meetings for administrators charged with overseeing the Benefit System for Crime Victims .

While fully disseminating information on the Benefit System for Crime Victims , including the provisional approval of support payments, via informational pamphlets, posters, and websites, the National Police Agency offers thorough instruction to crime victims or the bereaved who may be beneficiaries of the Benefit System for Crime Victims on matters pertaining to their legal rights and procedures under the Policy.

Benefit System for Crime Victims, etc.

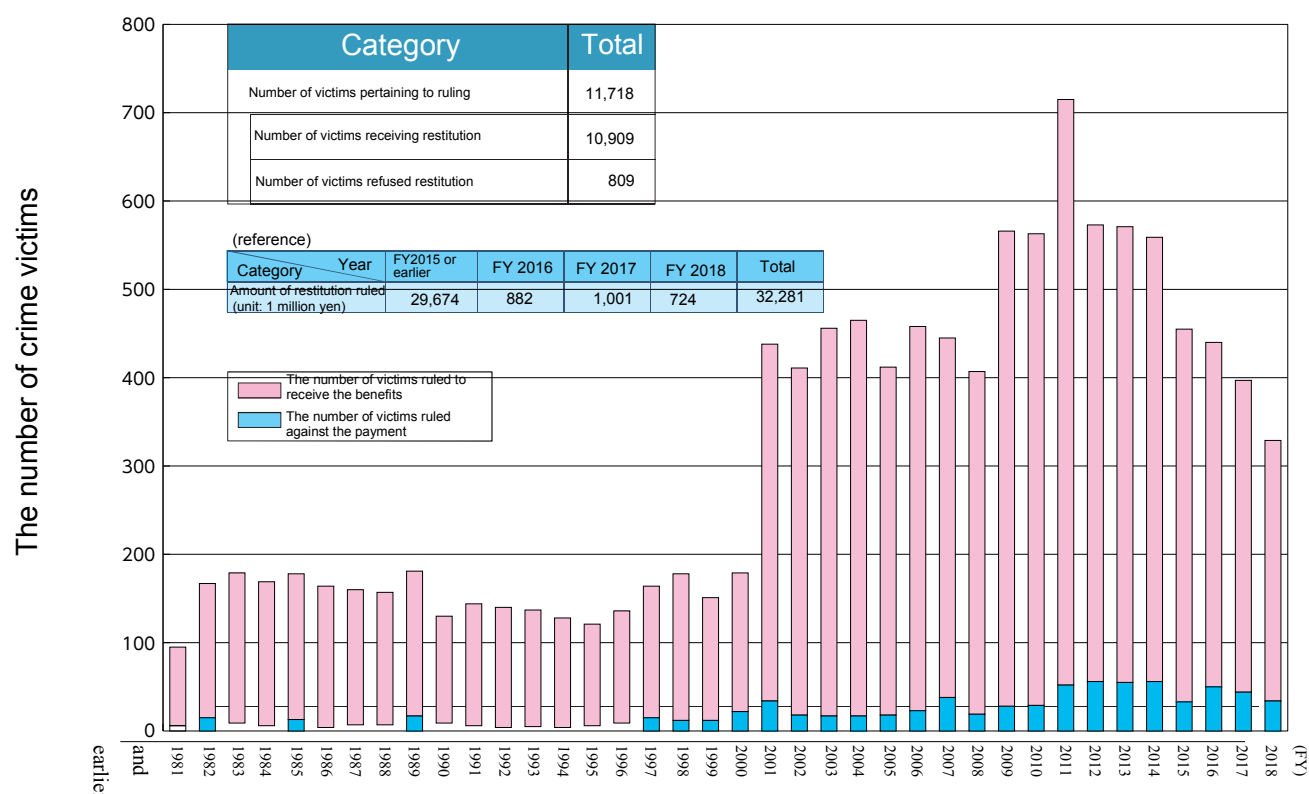


The amount of crime victim benefits awarded in 2017 and 2018 was 1,001,000,000 yen and 724,000,000 yen respectively. Furthermore, the average ruling period (the time required from the application to the issuance of the ruling) and the median ruling period was 6.4 months (0.3 months shorter than the previous year) and 4.2 months (0.2 months shorter than the previous year), respectively, for 2017, and

6.6 months (0.2 months longer than the previous year) and 4.1 months (0.1 months longer than the previous year) respectively, for 2018.

The National Police Agency plans to continue offering guidance to the prefectural police on matters pertaining to administrative improvements, including expediting rulings and disseminating full information on the Benefit System for Crime Victims .

Operational status of benefit system for crime victims



- Reduction of Medical Expenses of Sexual Crime Victims**

[Policy No. 14]

Since 2006, the National Police Agency has been assisting the prefectural police with subsidies for emergency birth control and other treatments (e.g., the cost of an initial examination, medical certificates, tests for sexually transmitted diseases, abortions, etc.), and the prefectural police are aiming to alleviate the psychological and financial burden on sexual crime victims by utilizing the public expenditure system relevant to the said costs. Also, in order to alleviate the burden imposed by criminal proceedings on crime victims who have suffered physical injuries other than those of a sexual nature, the cost of issuing medical certificates, postmortem certificates, as well as

the cost of the initial examination are also provided at public expense.

The National Police Agency will continue to take measures for budget allocation and provide guidance to the prefectural police in enhancing the content of the services provided to ensure that support using public funds attains, to the greatest degree possible, the same standard nationwide. The National Police Agency will also continue to provide guidance to the prefectural police in their efforts to disseminate effectively information pertaining to the various existing measures for support for crime victims, including the availability of support for the treatment of psychological disorders in sexual crime victims and the Policy on the Benefit System for Crime Victims.

○* The Japan Coast Guard pays by public expenses for the acquisition of any necessary medical certificates and postmortem certificates, in the investigation of crime damages. In addition, travel expenses are also paid by public expenses when crime victims are asked to appear for questioning during an investigation.

- **Reduction of Expenses Burden of Psychotherapies Including Counseling**

[Policy No. 15]

The National Police Agency offers guidance to the prefectural police in securing the placement of a police counsellor with clinical psychology qualifications. The National Police Agency also allocates a budget for the payment of the cost of initial examinations and counselling fees incurred when crime victims have been examined by a psychiatrist or a clinical psychologist of their choice using public funds. By July 2018, this policy was adopted nationwide. Further, the National Police Agency has worked with the prefectural police to disseminate information about this policy while simultaneously aiming to achieve its appropriate implementation based on the policy objectives.

- **Promotion for Local Governments to Adopt Consolation Payment System for Crime Victims**

[Policy No. 17]

The National Police Agency is requesting local governments to adopt a system of consolation payments and loans for living expenses to crime victims at meetings of prefectural/ ordinance-designated cities' crime victim policy division secretariats and at workshops targeting local governments. Also, via the "Policy Information for Crime Victims" electronic newsletter (an electronic newsletter containing information on the latest, ambitious efforts to promote measures to support crime victims and other useful information which is sent to the relevant ministries, public bodies, and other interested organizations), the National Police Agency is providing updates on the introduction of both policies and other matters. A list of the public bodies which have already introduced the policies as well as the outlines of the policies themselves are available in this white paper and the National Police Agency website under "Basic Resources Related to Measures for Support for Crime Victims in Local Governments" in "Policies for Crime Victims." (<https://www.npa.go.jp/hanzaihigai/local/toukei/toukei.html>).

As of April 2019, 2 prefectures, 4 cities designated by Cabinet Order (an increase of 1 prefecture and 1 city in comparison to the previous year) and 244 municipalities (an increase of 47 municipalities in comparison to the previous year) have introduced the system of consolation payments while three prefectures and 11 municipalities have introduced the loan system.

- **Economic Support for Crime Victims Who Have Suffered Abroad**

[Policy No. 19]

The National Police Agency has implemented a Policy on the Payment of Condolence Benefits, etc. to Victims of Overseas Crimes based on the Act for the Provision of Condolence Money to Victims of Overseas Crimes, enforced in November 2016, which enables the family of first order priority (not including persons without Japanese nationality who also do not have a domicile within Japan) of deceased victims of Japanese nationality who have lost their life due to criminal activities committed outside Japan which were intended to harm the life and physical well-being of persons (not including persons with permanent residency status outside Japan. The same applies hereinafter) a sum of 2 million yen per victim in the form of a condolence benefit payment or 1 million yen per victim of crimes overseas who has suffered a disability equivalent to a Class 1 disability due to the same crime in the form of condolence money for victims of overseas crimes. In 2018, the total sum of 12 million yen was slated for payment as Condolence Benefits to Victims of Overseas Crimes. The National Police Agency has made information pertaining to the same policies available on the website of the Ministry of Foreign Affairs and diplomatic missions abroad (http://www.mofa.go.jp/mofaj/ca/jnos/page23_001767.html).

3 Stabilization of Residence (related to Article 16 of the Basic Act)

- **Main Efforts**

- **Securing Temporary Residence Immediately after the Damage and on a Medium-term Basis**

[Policy No. 25]

The Ministry of Health, Labour and Welfare provides temporary protection to crime victims at Child Guidance Centers, Women's Consulting Offices, Maternal and Child Living Support Facilities which are under contract with Women's Consulting Offices to provide

* The "○" indicates a policy being implemented by a ministry or agency other than the ministry or agency in charge of the specific policy incorporated into the Third Basic Plan.

the said service, and privately-run shelters, and is prepared to respond flexibly to the individual circumstances of victims such as female crime victims by lengthening the period of protection. The National Police Agency is also working to provide appropriate implementation of the policy to enable female crime victims to escape persecution by the perpetrators, etc. by enabling the said victims to receive temporary protection or admission to shelters in an effort to provide appropriate and effective temporary protection across prefectural and municipal boundaries. Moreover, in 2016, the National Police Agency added female victims of stalking, sexual abuse or sexual violence to the list of those qualified to receive temporary protection even when temporary protection shelters are not fully occupied.

In 2017, the number of female crime victims, including victims of spousal abuse and human trafficking, reached 7,965 (of whom 4,172 required protection and 3,793 were accompanying family members).

Status of temporary protection in Consultation Centers for Married Women

Year needing protection	Women needing temporary protection	Accompanying family members	Total
2011	6,059	5,187	11,246
2012	6,189	5,376	11,565
2013	6,125	5,498	11,623
2014	5,808	5,274	11,082
2015	5,117	4,577	9,694
2016	4,624	4,018	8,642
2017	4,127	3,793	7,965

Source: Ministry of Health, Labour and Welfare

Further, a Child Guidance Center's director may, if deemed necessary in accordance with the Child Welfare Act, provide temporary protection to children, etc. who have suffered abuse. Moreover, as the National Police Agency has clearly stated in the "Temporary Protection Guidelines," in cases in which a child requires immediate protection for his or her own safety, a Child Guidance Center may provide the said temporary protection immediately without the consent of the child's guardians or the child.

• Securing Temporary Residence Immediately after the Damage and on a Medium-term Basis

[Policy No. 30]

The National Police Agency not only requests local governments to make efforts to provide support in securing housing and life support for crime victims starting immediately after their victimization on the occasion of the meetings of prefectural/ordinance-designated cities' crime victim policy division secretariats and workshops targeting local governments, but also disseminates information about the measures being undertaken by local governments via "e-mail magazines on policies for crime victims." As of April 2019, 60 prefectures and ordinance-designated cities and 342 municipalities have taken measures to prioritize housing for crime victims in public housing facilities.

Status of considerations at time of relocation to public housing (as of April 2019)

Local governments (with systems/total number)	Housing without lottery	Easing of housing requirements	Preferential treatment in lottery	Others
Prefectures (43/47)	12	7	31	17
Ordinance-designated cities (17/20)	5	4	8	10
Municipalities (342/1,721)	85	70	82	165

* Some local governments operate multiple systems

* Number of municipalities not including ordinance-designated cities

* Including all 23 wards in Tokyo

• Self-reliance Support and Settlement Support for Sexual Crime Victims, etc.

[Policy No. 31]

In 2014, the Ministry of Health, Labour and Welfare implemented the "Model Project for the Services and Support of Victims of Domestic Violence" to support consulters, including victims of sexual crimes, in which local governments and specified non-profit corporations operating domestic violence shelters provide life consultation, services and support for the welfare of victims to accompany those provided by government organizations, and living establishment and welfare services in the form of home and workplace visits in an integrated manner, and assessed the efficacy of these measures.

4 Stabilization of Employment (relevant to Article 17 of the Basic Act)

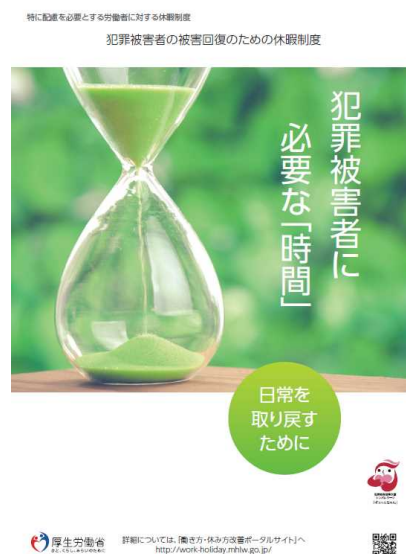
○ Main Efforts

- Disseminating and Enlightening the Leave System for Recovery

[Policy No. 38]

Workers who have become crime victims may require a leave of absence from work to receive treatments or appear in court. However, there is currently little awareness concerning the policy on leave of absence from work for recovery from a crime. For this reason, the Ministry of Health, Labour and Welfare has introduced the policy and how to introduce the leave on its official website and produced informational brochures, etc. to disseminate knowledge about this policy in an effort to raise awareness among corporations and their employees with the cooperation of relevant government organizations, business associations, and labor associations.

Pamphlet on leave system for recovery



Source: Ministry of Health, Labour and Welfare