



## **Help and Support for Victims of Crime**



**Shimane Prefectural Police Headquarter**

## Preface

The aim of this pamphlet is to provide you with more information to help understand the following:

- How investigations and trials are conducted, and how the criminals are punished. In addition, what requests could victims receive from the police?
- What systems are there to help and support victims?

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## 1. Summary of Criminal Proceeding

The process of finding the criminal, proving his or her guilt or innocence and finally deciding on punishment is called the Criminal Proceeding. This procedure is divided into three steps which are Criminal Investigation, Indictment and Trial. These procedures differ between adult and juvenile suspects

### (1) When the criminal activity has been conducted by an adult

#### A. Criminal Investigation

Capturing criminals, collecting evidence, and other related activities in order to solve the case constitute the Criminal Investigation.

The person suspected to be a criminal by the police on the basis of evidence is called the Suspect. After the police arrest a suspect, they must send him or her to the prosecutor within 48 hours with documents detailing the investigation. (This situation is called a "referral".)

When a prosecutor receives a referral and decides it is necessary to detain the suspect, he or she will ask the judge to issue a detainment order within 24 hours (This situation of physical restraint is called "Detention". If a detainment order is issued the suspect may be detained for a maximum of 20 days. The police will continue various investigative activities throughout the suspect's detainment.

If the suspect is not likely to flee, the police may investigate without arresting him or her. After the police have collected evidence, they will send the results to the prosecutor.

#### B. Indictment

After referral, the prosecutor in charge of the case will scrutinize the documents and evidence received from the police, conduct necessary investigation such as interviewing suspects and key witnesses by him/herself, and decide whether to indict the suspect or not. Choosing not to bring him or her to trial is called "Non-indictment". (The person who has been indicted is called a "Defendant").

There are two types of requests available to a prosecutor seeking indictment. One is a demand for trial in an open court. The other is a demand for a summary order, in which regarding a minor crime, papers are filed seeking fines or damages without a trial.

When the referred case involves a suspect who is investigated without being arrested, the prosecutor decides whether the suspect is brought to trial or not after finishing the necessary investigation.

#### C. Trial

After the suspect is indicted, a trial date is decided, a trial is held, and a judgment is handed down.

If the prosecutor or the defendant has any complaints about the contents of the sentence, they may appeal to a higher court (High Court, etc.)

### (2) When the suspect is a juvenile aged over 14 but under 20

#### A. Criminal Investigation, etc.

If the suspect is a juvenile aged over 14 years, the police will carry out an investigation in the same way as a normal criminal proceeding.

When a comparatively felonious crime resulting in statutory penalties in the form of servitude or imprisonment has been committed, the case will be referred to the Public Prosecutors Office. The Public Prosecutors Office, when it deems necessary, initiates its own criminal investigation and refers the case to the Family Courts along with a recommendation for the treatment of the juvenile suspect.

For less serious crimes punishable by monetary fines or lighter penalties, the police will directly refer the case to the Family Courts.

#### B. Judgment

The Family Court decides whether or not to commit the case to a hearing (a trial in criminal proceedings).

If it is judged that during the process the juvenile has fully reformed and is not required to be summoned to appear in court for an arraignment, then the case is dismissed without the commencement of hearing procedures (this is called “dismissal without hearing”).

On the other hand, in the instance where it is found necessary for the judges to directly conduct the proceedings in order to determine the treatment of the juvenile, proceedings will be commenced. At the hearing, decisions will be made on protective measures (commitment to juvenile training schools which involves sending the juvenile to a training school and giving the juvenile correctional education, probation, etc. where probation officers and volunteer probation officers collaborate to enable the improvement and prevention of subsequent delinquency of the juvenile) and on dismissal after hearing where it is determined that protective treatment is not necessary. When a heinous crime has been committed by the juvenile suspect, and it is concluded that the juvenile merits criminal prosecution as an adult, the case will be referred back to the Public Prosecutors Office. In this instance, the juvenile will be put on trial in the same manner as an adult offender, in principle, for the court judge to decide whether or not to impose penalties upon the juvenile.

### (3) When the suspect is a juvenile under 14 years

#### A. Criminal Investigation, etc.

It is ruled that anyone under 14 years of age shall not be subject to penal punishment. Therefore investigations will be conducted by the police. During the investigation procedure for anyone under 14 years of age, the juvenile cannot be placed under detention such as arrests; however compulsory disposition such as seizure or a search may be conducted. After due investigations or inquiries have been carried out the police can notify the Child Guidance Centre about the case. When the police consider it appropriate to submit the juvenile to the Family Court’s inquiry, they will refer the case to the Child Guidance Centre.

#### B. Measure at the Child Guide Center

After the Child Guidance Centre receives a referral or a notice, the Child Guide Center will implement the measures prescribed in the Child Welfare Act (referral to a children's self-reliance support facility, entrustment to a foster parent, etc.) and close the case. When the Child Guide Center considers it appropriate to submit the juvenile to the Family Court's inquiry, they will refer the case to the Family Court. Regarding a case referred to by the Police, the Child Guidance Centre shall send the case, in principle, to the Family Court. The Family Court will decide whether to commit the juvenile case referred to the Family Court to a hearing in the same manner as juveniles over 14 years old.

## **2. Cooperation regarding Investigations**

We realize the inconvenience our request for your cooperation during the course of the criminal proceeding may cause.

However without your support it may not be possible to ensure the criminal is arrested, and punished, justice is carried out or that someone else doesn't meet the same fate. Please cooperate with the police in the following ways.

### **(1) Interview**

The police investigator in charge will ask you about the situation in detail, such as damage, or the suspect's appearance. There may be things you do not want to be reminded of or speak about, however, these things are requested in order to identify the suspects and prove the facts constituting the crime.

The more details are discovered, the faster and smoother the investigation will proceed, and lead to a prompt arrest of the suspect.

- Victims may fear retaliation from suspects in relation to talking to the police. All possible measures will be taken to ensure the victim's security from any possible harm by the suspect. For more details please refer to 3(5) "Systems to Ensure Safety."
- If any female victim wishes to be questioned by a female police investigator, or the parents of a child victim wish to be present at the time of the interview, please consult with the investigator in charge beforehand.
- Apart from the police, the prosecutor may also question the victim. Some questions may be asked repeatedly. It is important to understand that the prosecutor is not attempting to harass the victim, only to collect enough information to proceed with an indictment.

### **(2) Submission of Evidence**

In order to identify the suspects and prove the facts constituting the crime, victims may be asked to submit evidence such as the clothes or items worn at the time of the crime. Such material evidence can have a large impact on the outcome of a trial and it

is recommended that victims cooperate with the police in supplying this information.

- If it is not necessary to keep items submitted to the police as material evidence, the items will be returned. (This is called a “Return”).
- Even if it is necessary to keep material evidence, the items may be returned temporarily if requested by the submitter. (This is called a “Provisional Return.”)
- If the submitter of material evidence does not wish to reclaim the items and has filled out the necessary paperwork for “abandonment of evidence” at the time of submission, the items will be destroyed once they are no longer needed.

(3) On-The-Spot Investigation and Review

Victims may be asked to revisit the crime scene with a police officer to confirm certain things (such a visit to the crime scene, etc. is called a “On-The-Spot Investigation” and confirmation carried out as a result of a warrant issued by the court is called a “Inspection”).

On-the-spot investigation inspection may take some time to complete but are very important for the course of the criminal investigation in terms of clarifying facts and establishing the crime. Victims are asked to cooperate with police to the best of their ability.

(4) Giving Evidence in Court

Victims may also be asked to testify sometime during the trial (this is called “Examination of a Witness”).

There are several systems available for the victims in relation to the trial. Please refer to 3(3) “Systems Available in Court” for more details.

### **3. Systems Available for Crime Victims\*\*, etc.**

(1) Victim Support Staff for Crime Victims, etc.

○ Designated Victim Support

The police have set up a “Designated Victim Support Staff” whereby the police designate a police officer separate from the officer in charge of the criminal investigation. The officer’s responsibility will be to guide and accompany the victims to the courthouse and help them with the hearing procedure when a case that requires specialized victim support staff assistance such as homicide, assault, injury, hit and run or a fatal traffic accident, is taking place.

The Victim Support Staff will provide the following support:

A. Witness Assistance and Support

- Immediate attendance after the incident. Self-introduction.
- Arrangement of the hospital if an assessment by a doctor is necessary,

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\* In this pamphlet crime victims and their bereaved families are referred to as “crime victims, etc.”

accompaniment to hospital.

- Accompaniment at the on-the-spot investigation or police inspection.
- Transportation to and from the victim's home

B. Hearing

- Counselling for anxiety issues (personal care issues, etc.)
- Accompaniment in hearing, creation of damage report, and preparation of victim statement.

C. Introduction, handover to private victim support groups and external counsellors, etc. For details please contact your local police or police headquarters.

- Victim Support Officers are available at Public Prosecutors Offices

To ease as much as possible, the worries and burdens of crime victims, etc., "Victim Support Officers" are available at Public Prosecutors Offices, providing support for victims of crime.

The support provided by Victim Support Officers include such activities as responding to the various questions that victims may have, guiding and accompanying the victims in the courthouse and helping them to access case records or have evidence returned to them. Victim Support Officers can also introduce victims to organizations that can provide support psychologically, for everyday living, economically and in other forms, according to the victim's needs.

(2) Information System Concerning Criminal Proceedings and Progress of the Investigation, etc.

- Victim information System

The police have in place a victim information system whereby they can provide the following information to the victim or the bereaved concerning physical crime such as homicide, assault, injury, and serious traffic accidents such as a hit and run or fatal traffic accidents.

A. Criminal proceeding and the victim support system

The police investigator who carried out the interview with the victim will contact the victim regarding the criminal proceeding and victim support system.

B. Progress on the Investigation

When the suspect has not been arrested, information on the progress of the investigation will be given as long as it does not interfere with the investigation.

C. Arrest of the suspect

When the suspect has been arrested, information on the arrest of the suspect, identification of suspect, etc. will be given as long as it does not interfere with the investigation.

D. Information about the criminal proceeding after the arrest

When the suspect is detained after the arrest, victims will be notified of information such as the prosecutor's office where the suspect was sent, whether or not the suspect was indicted, the court which brought the public action.

Some people simply want to forget about a criminal incident and do not want to be contacted. In this case the victim or bereaved should inform police investigators.

Please note that if the suspect is a juvenile the information provided by police officers will differ from the above explanation.

o Victims of Crime Notification System, etc. at the Various Divisions within the Ministry of Justice

The Prosecutor's Office, the Regional Parole Board or the Probation Offices manage the Victims of Crime Notification System. The system provides victims, etc. with information related to the proceedings and outcome of a case, the outcome of a criminal trial, matters concerning the criminal after conviction is finalized, and other related information.

The victims can receive the following information:

- A. Disposition of the case. (Demand for Trial, Demand for a summary order, Non-prosecution, Referral to Family Courts, etc.)
- B. Venue and time of the trial
- C. The results of the trial. (The text of the judgment, status on appeal.)
- D. The criminal's custody details, the indicted facts, the summary of the reasons for non-prosecution, and other matters similar to those listed in A to C.
- E. The possible schedule for release from prison (i.e. the scheduled date of release on completion of the sentence) after the prison sentence has become final.
- F. Matters concerning the criminal after conviction is finalized (i.e. the name and location of the prison where the criminal is imprisoned, treatment of the criminal in prison, treatment during parole inquiry, etc.).
- G. Matters concerning parole or the release from prison after the prison sentence have become final (i.e. the name and location of the prison where the criminal was released, the scheduled date of release on completion of the parole or sentence, the reason of the release).
- H. Matters concerning the proceedings for parole (i.e. the date when proceedings for parole were commenced, the result of proceedings for parole, etc.).
- I. Matters concerning treatment during parole inquiry (i.e. the date when treatment of parole inquiry was commenced, details of the Special Compliance Rules, the date when parole inquiry ended).

If you would like to have notifications from the Public Prosecutors Office,



please ask the Public Prosecutors Office in charge of the case for notifications.

The crime victims, etc. can, at their request, receive notifications of how the juvenile criminal, who was placed under protective measures at the juvenile hearing, is being treated (i.e. notification after the juvenile trial) from the juvenile training school, the Regional Parole Board and the Probation Offices.

- A. Matters concerning the juvenile training school that the criminal is committed to such as name, etc. (e.g. the date of entry and name and location of the juvenile training school).
- B. Matters concerning the educational treatment at the juvenile training school (i.e. scheduled length of the education, level of treatment, individual education goal, the proposed temporary discharge date, etc.).
- C. Matters concerning the situation of awards, disciplinary action, and problematic behavior guidance.
- D. Matters concerning the criminal's discharge (i.e. date of discharge, reason for discharge, etc.).
- E. Matters concerning the parole proceedings (i.e. commencement date of the parole proceedings, result of the parole proceedings, etc.)
- F. Matters concerning the state of treatment during probation (i.e. date of commencement of probation, details of the Special Compliance Rules and the end date scheduled for probation, etc.)

If you would like to have these notifications, please ask the nearby juvenile classification home concerning criminals committed to the juvenile training school, or please ask the probation office located in your prefecture concerning criminals placed under probation.

The victim, who fears re-victimization by the offender, may request notification so that he/she could plan to move their house or take other measures to avoid contact with the offender. The victim's request will be granted if the public prosecutor deems it appropriate to give such notification, and give notification closer to the release of the offender on when the offender will be released from prison and the offender's address after release.

For more details on this system please contact the public prosecutor in charge or the victims support officer, etc.

- Attendance at the hearing of the victim and the families of a crime committed by a person due to insanity and notification of the result of the hearing.

Where a person has committed serious harm to others due to insanity (such as homicide, arson, etc.) and the public prosecutor does not prosecute the person on the ground of mental incompetence, or the person is acquitted, the public prosecutor will file a hearing request to the District Court to decide the necessity and the content of medical treatment except the case where it is clearly unnecessary.

At the District Court, the judge will conduct a hearing and based on this, the Court will make a decision such as an in-patient treatment decision, or out-patient treatment

decision.

The crime victims, etc. may request attendance at the hearing, and also request notification of the result of the hearing.

For more details please contact the public prosecutor or the District Court handling the case.

○ Making requests to the Committee for the Inquest of Prosecution

Upon completion of the investigation, the public prosecutor makes the decision on whether or not to prosecute the case. Decision of prosecution will be made if the public prosecutor judges that the suspects should be brought to justice, however a decision not to prosecute (decision of non-prosecution) can be made due to various reasons.

The Committees for the Inquest of Prosecution are located in the district courthouses and their major branches and are commissioned to examine whether or not the disposition of non-prosecution made by public prosecutors is appropriate.

Upon receiving the request from the victims or accusers, the Committee for the Inquest of Prosecution will conduct an inquest into the case submitted to them. The Committee can also decide to conduct an inquest themselves based on news paper articles, etc. even without a request from the victims and others.

Rising objections or consultations with the Committee for the Inquest of Prosecution are free.

Please contact your local office for the Committee for the Inquest of Prosecution for more information.

(3) Victim Support during Trials

Victims, etc. may be asked to testify as witnesses during civil trials and criminal trials. There are several systems in place for victims and others to ease the burden for those who have to testify at court.

- The judge may provide an attendant or guard for the witness
  - A physical shield may be provided to hide the witness's identity from defendants, criminals and spectators in the courtroom.
  - A video link can be set up so the witness can testify from a different location
- Apart from the aforementioned, the following system is in place for criminal trials:
- If crime victims, etc. make the request, they are, as a general rule, allowed to inspect and photocopy the trial case records that are kept at court during the criminal case once the opening statement stage of the trial is complete. Crime victims, etc. of similar crimes may also be allowed to inspect and photocopy the trial case records, if it is acknowledged as appropriate and necessary to make a claim for damages.
  - Crime victims, etc. can make a request to the court not to disclose the names and other information of victims of sexual offenses and other offenses in open court. When such decision is rendered, court proceedings including reading of the indictment will be carried out in a manner not disclosing the information of the victim.

- There is a procedure which allows crime victims, etc. to express their opinions in court during a criminal trial.
- There is a system in place that gives crime victims, etc. priority attendance at trials if they make the request.
- Upon request, where an out of court settlement has been reached between the defendant and crime victims, etc. the criminal court handling the criminal offense can enter details of such an agreement into trial records, so there will be no need for a civil court hearing .
- The crime victims, etc. may receive a summary of a written opening statement at the Public Prosecutor Office.
- Victim Participation System (Effective December 1<sup>st</sup>, 2008)
 

If the court permits the victim of intentional criminal acts such as murder or a resulting bodily injury, or the death or bodily injury as a result of a violation of laws concerning the punishment of acts that cause fatal injuries while operating a vehicle (Negligent Driving and Involuntary Manslaughter), he or she can participate in criminal trials as a victim participant.

They can attend the court on trial date, and they can question mitigation witnesses and the defendant under certain conditions, and state their opinion in court with regard to the facts or the application of laws.
- State-appointed attorneys for victim participants (Effective December 1<sup>st</sup>, 2008)
 

Victim participants can delegate to an attorney, such acts as attending trials on trial date and questioning of the defendant. If their financial resources (total of cash and deposits) are less than the basic rate (2.0 million yen) then after deducting any costs for treatment (costs of treatment due to the criminal acts needs to be paid within six months), they can request the appointment of an attorney (referred to as an “attorney for victim participants”).

The State will bear the remuneration and costs for attorneys under this system.
- Restitution Order System (Effective December 1<sup>st</sup>, 2008)
 

When the criminal case is dealt with in the District Court, victims and their bereaved families of cases of an intentional criminal act such as murder or injury can make a request to the criminal court to issue a restitution order against the defendant. This request will be to claim compensation of damages caused by the offense mentioned in the indictment.

The criminal court having received such a request will look into it after the criminal case is convicted. The court will reexamine the record of the criminal case and conclude the hearing promptly within four hearing days, by mandatory examination of the trial records. Through this system crime victims, etc. will be able to prove the fact of their damages more easily.

If the hearing does not conclude within four hearing days or any objection is filed against the court’s ruling by either side of the parties, ordinary civil procedure will commence.

For more details please contact the public prosecutor in charge or the Public Prosecutors Office and Court in charge of the case.

The following systems are available for the victims of juvenile crimes and the families.

- The crime victims, etc. are, as a general rule, allowed to inspect and photocopy the records of the juvenile hearing (excluding so-called social records which reports surveys concerning the necessity of protection of the juvenile), after the decision on the commencement of the trial procedures has been made. (The expansion of the coverage was implemented on December 15<sup>th</sup>, 2008.)
- Upon request, the crime victims, etc. can state their feelings and opinions to the judges in and out of the court and to the investigator of Family Court out of the court.
- With regard to cases where the offender has killed or injured a victim in an intentional criminal act such as murder or bodily injury, or the death or bodily injury as a result of a violation of laws concerning the punishment of acts that cause fatal injuries while operating a vehicle (in cases of concealing evidence of being under the influence of substances such as alcohol, committing a hit and run, negligent driving involuntary manslaughter, unlicensed driving, it becomes a heavier offence), the crime victims, etc. are allowed to attend the juvenile hearing upon request, when it is deemed appropriate (Effective December 15<sup>th</sup>, 2008). Furthermore, in cases of resulting in injury the victim hearing attendance is limited to cases in which the victim's life was seriously endangered due to the injury.
- The crime victims, etc. can, at their request, receive explanation about the circumstance of the hearing from the Family Court, when it is deemed appropriate (Effective December 15<sup>th</sup>, 2008).
- The crime victims, etc. can receive notifications of the case such as the result of the hearing from the Family Court, when it is deemed appropriate.

For more details please contact the Family Court.

#### (4) Systems Available in the Offenders' Rehabilitation Process

##### ○ Hearing System

Victims can express their opinions or feelings in hearings held by the regional parole board to determine whether an offender should be granted parole from prison or reform school. Victims' opinions can be considered by the regional parole board to decide if the parole is appropriate. Victims' opinions are considered by the regional parole board to decide if parole is granted, and if granted these opinions are considered to decide if special conditions should be put on the parolee.

##### ○ Victims' feelings conveyance system

If an offender is released on probation, at the victim's request, the offender will be informed by the probation office about the victim's feelings and the plight the victim is placed in. The offender will be supervised and guided so that he can face what he did and reform. The offender is supervised so that he or she looks straight the victim's actual condition, reflects on what he/she did and deepen the feeling of

remorse

For more information, please contact the local probation office.

(5) System for Securing Safety

- Measures to prevent re-victimization and protection measures

If the crime victims, etc. have received any life threatening intimidation or bodily harm by the same offender, they will be classified as “victims who are in danger of being re-victimized” and will be given instruction on crime prevention and placed under security measures when necessary. When there is a request by the victims who are in need to prevent further harm by the offender or there is a need to prevent further crime, information such as the release of the offender will be notified.

If the offenders are gangsters, crime organizations or corporate racketeers, etc. and the victims are in danger of being harmed by them again, then the victims will be classified as “victims who need protection”. They will be put under necessary protection from any attacks by the gangsters, etc. to ensure prevention of victimization.

If you do receive any life threatening intimidation or bodily harm by the offender or gangsters, etc. please report to the police immediately.

- Protective care for victims of spousal violence, child abuse, etc.

When victims of spousal violence, child abuse, stalking, etc. require protective measures to be away from the offender, the police will work in collaboration with Shimane Women's Guidance Center and Child Consultation Centres.

For more information please contact the officer in charge or the Shimane Women's Guidance Center and Child Consultation Centre in charge of the case.

- Human-rights Remedy System against violation of privacy, etc.

When crime victims, etc. are hurt by receiving groundless rumours and insults, or have become victims of an invasion of privacy, the Human Rights Organs of the Ministry of Justice have protection measures in place such as counselling, and carrying out of measures against the criminal such as an accusation or warning to stop the violation of human rights.

(6) Financial Assistance and Various Assistance/Welfare Systems

- Reducing the financial burden of the crime victims, etc.

When the victims have been injured, etc. due to a crime, the police will offer some payment towards the following medical expenses in order to reduce the financial burden of the crime victims, etc.

- Death of a family member: postmortem certificate fee, cost of transportation of the corpse, cost of preserving the corpse
- Injury, etc.: cost of the medical certificate
- Victims of sexual crimes: cost of the initial consultation, cost of the medical certificate, examination fees, emergency contraception

fees, etc.

Details of payment may differ by prefecture. Please consult the police station or police headquarters in charge of the case.

○ Victims of Crime Benefits System

The Victims of Crime Benefits System provides support for the bereaved, whereby the government issues benefits to those who have not received sufficient restitution from the criminal or public relief such as workers' compensation benefits, etc. after the victim is killed, seriously injured, or suffers from severe disease or residue disability through deliberate criminal conduct.

The benefits are paid in the form of a lump-sum payment and are categorized as follows:

- Survivor Benefits: Paid to bereaved families (in the order of (a) Spouse, (b) Children, (c) Parents, (d) Grandchildren, (e) Siblings)
- Serious Injury or Sickness Benefits: Paid to victims who have suffered serious injury (injury that requires treatment of over one month and hospitalization of over three days) or serious illness (mental illnesses such as post-traumatic stress disorder that requires treatment of over one month and inhibits a worker from performing a job for more than three days). The combined amount of the medical fee the victim has paid and the damages due to taking leave from work (maximum of 1.2 million JPY) will be paid to the victim for up to one year.
- Disability Benefits: Paid to victims who has suffered disability (Disability Grade 1 -14) as a result of the crime.

Foreign residents are not eligible to receive support from this system if they do not have Japanese citizenship and their address was not in Japan when the crime which caused their injury was committed.

Please note that this system may not be available or only partially available in cases where the crime was committed among relatives or the victim, even if they suffered injury or damages, bears some responsibility for the crime.

The application is to be made to the local prefectural Public Safety Commission of the applicant. The actual application procedures involve submitting the application form and necessary documents to the local police station or the police headquarters.

Applications cannot be made more than two years after the knowledge of the occurrence of death, serious injury, sickness or disability due to the crime, or seven years after the occurrence of these damages. However, if there was an unavoidable reason such as the victim had been illegally detained by the offender, the victim can apply up to 6 months after the reason has ceased.

Please contact your local police station or the police headquarters dealing with your case for more details.

○ Civil Law and Financial Restitution

Crime is an act of violation of the rights of others that could inflict damages to other people and is considered illegal action under Civil Law (see Civil Law Article 709). This means the bereaved can claim damages for financial loss and mental anguish.

This compensation claim for damages due to illegal action is based on the civil procedures for civil suits. Please note that this system is different from the penal procedure and that the crime victims, etc. will have to make the appeal directly.

For more details please contact the Court or the bar Association.

Please refer to 3(3) about the Restitution Order System.

The Anti-Organized Crime Law stipulates that when illegal acts by organized crime groups, such as clashes between crime groups involving weapon use, and fund raising activities indicating the name of the crime groups results in life threatening intimidation, bodily harm, or infringement on property rights, the representatives of the organized crime groups concerned are liable for damages.

This Law stipulates that when the victim is claiming for damages in the following situations, the burden of producing the evidence will be reduced for the victim.

- The victim was embroiled in a fighting among groups and suffered injury caused by a member of an organized crime group member
- The victim refused to pay protection money to the organized crime group and suffered violent behavior

For more details please contact the Police Headquarters or the Bar Association.

○ Tax System

Those who have had to pay for medical expenses, suffered disabilities, or experienced the loss of one's spouse may be entitled to the following "deductions from income".

- Deduction for Medical Expenses  
A deduction of part of the medical expenses that was paid for the taxpayer or the spouse or other relatives who share the same livelihood as the taxpayer
- Exemption for the Disabled  
A deduction of 270,000 JPY (400,000 JPY in the case of specified persons with disability) if the taxpayer or the relative who qualifies for an exemption for spouses or dependents has a disability
- Exemption for Widows or Widowers  
A deduction of 270,000 JPY (350,000 JPY in the case of specified widower) for the husband who loses his wife or a wife who loses her husband

For more details please contact your local Tax Office.

○ Securing Temporary Evacuation Areas

Temporary accommodation will be offered to those who can no longer live in their houses due to destruction, cannot find accommodation using public funding, as well as times of possible danger or harm from the offender.

Details of the system may differ by prefecture. Please contact the police station or the police headquarters dealing with your case.

○ Single People Moving into Public Housing, Priority for Moving into Public Housing,

etc.

Victims of spousal violence are relieved from the requirement to live with a relative and are able to move into public housing (prefectural housing, municipal housing, etc.) as a single person.

Some local public entities preferentially provide public accommodation to those who can no longer live in their previous houses due to criminal activity if their income is below a certain level.

In addition, as some local public entities allow those who are in an emergency situation for public housing and single people who are in need of public housing, please contact your prefectural or municipal public housing administrative office for more details.

- Consultation for Moving into Prefectural Public Housing

- Shimane Department of Public Works Construction and Housing Division  
0852-22-5485

- Administration office (where to apply)

- Shimane Prefectural Housing Provision (Matsue) 0852-22-3400

- (Izumo) 0853-23-1591

- (Hamada) 0855-25-0535

- (Masuda) 0856-31-1530

- Nishinoshima Regional Infrastructure Development Division 08514-6-0106

- Oki Branch Prefectural Land and Infrastructure Development Office, Construction Department 08512-2-9728

- Welfare System

- Allowances such as Child Support Allowance and Loans from Welfare Funds for Mothers with Dependent Children are available for single mothers or guardians who take care of the children who lost their father by death or divorce.

- For those who are suffering from loss of income or reduction in earnings, there are public assistance systems in place such as those for livelihood assistance, education assistance, housing assistance, medical assistance and others.

- For more details please contact your Local Government and Welfare Offices.

- Individual Labor-Related Dispute Resolution System

- In order to prevent the occurrence of individual labor-related disputes between individual workers and business operators and in order to promote voluntary resolution between labor and management, the following systems are in place at the Prefectural Labor Bureau:

- Provision of information and consultations at the Comprehensive Labor Consultation Centre
    - Advice and Guidance by the Director of the Prefectural Labor Bureau
    - Mediation by the Dispute Coordinating Committee

- For more details please contact the Planning Division, General Affairs Department



of the Prefectural Labor Bureau or the Comprehensive Labor Consultation Centre.

- Shimane Prefecture Scholarship Association  
Students of high school, college, and special training schools are eligible. Please inquire about the allotment conditions using the information written below  
Shimane Prefecture Scholarship Association 0852-28-1981

(7) Support systems for psychological trauma

When crime victims receive tremendous psychological trauma, to various degrees, they will suffer from the following physical and psychological injuries:

- Emotional: shock and numbness, strong fear/anxiety, insomnia/waking up at night, loneliness/guilt/ self-condemnation, frustration/anger
- Mindset: lack of concentration, decline/ paralysis /confusion in the ability to think, replaying the disturbing event in one's mind, nightmares about the incident
- Behavior: becomes angry easily, excitable, breaks down, withdrawal, increase in drinking and smoking, irregular lifestyle
- Physical: headache, stiff shoulder, numbness in hands and feet, stomach upset/diarrhea, constipation, sense of choking, lack of appetite

These symptoms will gradually recover over time but every victim's recovery process is different. In some cases the victims develop mental disorders (such as Post-traumatic Stress Disorder, etc.).

To assist the crime victims, etc. recover from psychological trauma, the police have set up a counseling system for the victims, etc. such as having counseling specialists and collaboration with psychiatrist and private counselors. For more details please contact your local police station or police headquarters.

If you suffer any interference with everyday activities, please consult with a medical institution, healthcare center or Mental Health and Welfare Center.

When school children are in need of psychological therapy, there are counseling services provided by school counselors and others. Please make an arrangement with your children's school.

#### **4. Victim Support Services/Support Desks**

(1) Police Victim Support Desk ※Please use Japanese when calling.

For victims of crime, information for a dedicated consultation desk is written below.  
Shimane Prefectural Police Headquarters TEL: 0852-26-0110  
Website (<http://www.pref.shimane.lg.jp/police/>)

- General Reception Desks for Various Consultation Services  
Police Exclusive Consultation Line  
TEL #9110 or 0852-31-9110

- Victims Support Desk (Application of payment of benefits for Crime Victims, etc.)  
Shimane Prefectural Police Headquarters Prefectural Public Relations Division, Crime Victim Support Office  
TEL 0852-26-0110 (Ext. 2515-2517)
- Victim Support Desk on Juvenile Crimes  
Juvenile Crime Desk (Young Telephone/Police, Bullying #110)  
TEL 0120-786719
- Victim Support Desk on Organized Crimes, etc.  
Organized Crime Desk  
TEL 0852-21-9302
- Sex Crime Victim Desk (Sex Crime Victim #110)  
TEL 0120-110267
- . . . The nearest Police Station

Police Station		TEL
Shimane Prefectural Police Headquarters		0852-26-0110
Express Way Patrol	Matsue	0852-62-3110
	Hamada	0855-22-1377
Matsue Police Station		0852-28-0110
Yasugi Police Station		0854-22-0110
Unnan Police Station		0854-45-0110
Izumo Police Station		0853-24-0110
Ooda Police Station		0854-82-0110
Kawamoto Police Station		0855-72-0110
Goutsu Police Station		0855-52-0110
Hamada Police Station		0855-22-0110
Masuda Police Station		0856-22-0110
Tsuwano Police Station		0856-72-0110
Okinoshima Police Station		08512-2-0110
Uragou Police Station		08514-6-0121

- For information on the Support Desks of each Prefectural Police please visit the National Police Agency Crime Victim Support Office website at :  
<http://www.npa.go.jp/higaisya/home.htm>

(2) Support Desks at the Public Prosecutors Office

※Please use Japanese when calling.

“Victim Support Hotlines” have been set up at Public Prosecutors Offices nationwide

so victims of crime can freely contact the Public Prosecutors Offices to discuss the crime or ask for consultation.

“Victim Support Hotlines” can be contacted using both telephone and fax. You can also leave messages on the telephone answering service or send fax message during the night or the holidays.

Matsue District Public Prosecutors Office TEL 0852-32-6701

Please refer to the Victim Support Hotline numbers listed on the Public Prosecutors Office’s website:

<http://www.kensatsu.go.jp/higaisha/index.htm#hotline>

(3) Support Desks at the Probation Offices

※Please use Japanese when calling.

At the Probation Offices nationwide, probation officers and volunteer probation officers in charge of victims have been stationed in order to answer phone inquiries by the victims, etc. and to receive them when they visit the Probation Offices for consultation and to ask questions. The officers will listen to their problems and worries, etc. and also give explanations about the various systems and introductions of bodies concerned. Please contact each Probation Office using their dedicated phone numbers.

Matsue Probation Dedicated phone number 0852-21-2250

For the address of the Probation Offices around the country and dedicated numbers for crime victims please visit the Ministry of Justice website “Systems available for crime victims in the process of the offender’s rehabilitation process” page at:

<http://www.moj.go.jp/HOGO/victim.html>

(4) The Human Rights Bureau of the Ministry of Justice

※ Use Japanese when calling.

The Legal Affairs Bureaus and the District Legal Affairs Bureaus and their branch bureaus have set up Human Rights Consultation Centers as a part of their human rights protection activities. The staff at the Legal Affairs Bureau and the Civil Liberty Commissioners appointed by the Minister of Justice will provide consultation services on the human rights problems of the crime victims and their bereaved families. For suspected cases of human rights infringement against the victims and their bereaved families, investigation will be carried out as a human rights infringement case, and appropriate measures will be taken accordingly.

○ Permanent Human Rights Consultation Centers

Matsue District Human Rights Section, Legal Affairs Bureau  
TEL 0852-32-4260

For more details on the Permanent Human Rights Consultation Support Desk of the Legal Affairs Bureaus and the District Legal Affairs Bureaus please refer to the website of the Ministry of Justice at:

<http://www.moj.go.jp/JINKEN/jinken66.html>

○ Online Human Rights Support Desk (SOS-email)

The Ministry of Justice has set up an online Human Rights Support Desk accessible from a computer or a mobile device 24/7, 365 days a year.

Access by a Computer: <http://www.moj.go.jp/JINKEN/jinken113.html>

Access by a Mobile Device: <http://www.jinken.go.jp/soudan/mobile/001.html>



(5) Private Victim Support Groups such as the Early Assistance Providing Groups for Crime Victims ※Please use Japanese when calling.

Each prefectural Public Safety Commission has designated non-profit organizations as Early Assistance Providing Groups for Crime Victims if they have appropriately and effectively carried out activities that contributed to a swift reduction in the damage of victims.

Early Assistance Providing Groups for Crime Victims carry out the following activities:

- Consultation for crime victims over the phone, email and face-to-face meetings
- Accompanying the victims to court, hospital police etc. and rendering of other appropriate services
- Explanation of the Systems and Application support for Benefit Payments to Crime Victims
- Public relations and awareness-raising activities to support crime victims

Apart from the Early Assistance Providing Groups for Crime Victims, a “National Network for Victim Support” has been set up to further enhance the victim support activities in our country. Private victim support groups who are members of the “National Network for Victim Support” will in collaboration with the police and other relevant organizations conduct victims support activities such as consultation for crime victims over the phone, email and face-to-face meetings, and support for crime victims by accompanying them to court, hospital, or the police.

Please contact the following for more details:

Shimane Victim Support Center  
1741-3 Iki-iki Plaza Shimane, 2<sup>nd</sup> Floor  
Higashitsuda-Cho Matsue-Shi  
TEL 0120-556-491  
website : <http://www.shimane-vsc.or.jp>

(6) The National Centre for the Elimination of Boryokudan

※Please use Japanese when calling.

The National Centre for the Elimination of Boryokudan actively supports victims of

boryokudan related organized crimes as part of their boryokudan elimination activity, by giving the victims assistance and advice.

In particular they offer the following assistance:

- Extending interest-free loans for costs of judicial procedures
- Offering consolation payments to victims of boryokudan
- Consultations by officers who have expert knowledge on the issue

Please contact the following for more details:

Shimane Centre for the Elimination of Boryokudan,  
15 Shimane Prefecture Kitahori-cho Association Building, 3<sup>rd</sup> floor  
Kitahori-Cho Matsue-Shi  
TEL: 0852-21-8938

(7) Shimane Women's Guidance Center

Shimane Women's Guidance Center offer the following kind of victim support to the victims.

- Consultation and introductions to organizations that provide counseling
- Counseling
- Assurance of safety in an emergency and temporary protection of victims and accompanying family members (however temporary protection will be either carried out by the Women's Consulting Offices themselves, or the support activity will be outsourced to a person who satisfies a certain criteria by the Women's Consulting Offices)
- Provision of information (provision of information on employment, housing, relief assistance and other forms of support that will promote the self-reliance of victims, provision of information pertaining to the use of the protection order system and provision of information pertaining to the use of facilities where victims may live and receive protection, and other forms of support)

For more details please contact Shimane Women's Guidance Center.

- Shimane Women's Guidance Center  
420 Dairin-cho, Matsue-shi  
TEL 0852-25-8071
- Asuterasu Women's Guidance Room  
236-4 I Oda-cho, Oda-shi  
TEL 0854-84-5661

(8) Shimane Prefecture ☒ Please use Japanese when calling.

The Prefecture offers consultation and provides supportive information to victims and accompanying family members.

Shimane Prefectural Government, Department of Environment and Civic Affairs, General Affairs Division for Environment and Civic Affairs, Consumer Affairs Office

(9) Japan Legal Support Centre (known as "The JLSC")

The JLSC is a public corporation established with the aim of creating a society where necessary information and services for legal solutions of disputes are universally available throughout Japan. The JLSC plays a key role in providing comprehensive assistance for citizens, by offering the following victim support services.

- Provision of information

The JLSC offers information on the legal system and refers attorneys of law who have experience of consultation desks and victim support and are understanding of the victims' situation.

- Civil Legal Aid

The Center provides legal consultations at no charge and advances fees for court representation and document preparation fees for people with financial difficulties

- Matters concerning the Nomination of Court-Appointed Attorneys at Law for Victims (Service Commencement Date: December 1<sup>st</sup>, 2008)

The JLSC nominates candidates for Court-Appointed Attorneys at Law for Victims after obtaining the opinions of the victims who have been approved by the court to attend the criminal trial. The JLSC will notify the court of the nominated candidate.

- Services entrusted by the Japan Federation of Bar Associations

JLSC has been providing aid services that are entrusted by the Japan Federation of Bar Associations. JLSC offers various services from the standpoint of human rights to certain crime victims and their bereaved families, such as providing financial assistance for legal fees and counselors.

For more details please contact the JLSC.

Crime Victims Support Telephone Number

0570-079714

General Legal Consultation

0570-078374 (English is Available)

Houterasu Shimane

050-3383-5500

Website: <http://www.houterasu.or.jp>

(10) Bar Associations ※ Please use Japanese when calling.

The Bar Associations offer consultations on legal matters and will provide advice on matters such as claim for damages.

In some cases payment of consultation fees may occur, therefore please contact the Shimane Bar Association Legal Consultation Center for more information.

Shimane Bar Association Legal Consultation Center

TEL 0852-21-3450

Website: <http://www.shimaben.com/>

\*Reservations are necessary. (Fee: 5000 Yen for 30 minutes)

(11) Crime Victim Support Fund Foundation

※ Please use Japanese when calling.

The Foundation was set up to offer scholarships and school supply allowances to children of victims who have passed away in an accidental death or have become severely disabled as a result of an act of crime causing excessive bodily harm or death. The Foundation also offers other forms of crime victim support activities.

To achieve its goal the foundation carries out the following activities:

- Offer of scholarships and school supply allowances to students, high school pupils and elementary school pupils
- Offer of lifestyle guidance and consultations to students, high school pupils and elementary school pupils
- Other of activities required to achieve the goals of the Foundation

Please contact the head office (TEL: 03-5226-1020•1021) for more details.

Website: <http://kyuenkikin.or.jp/>

(12) Shimane International Center

In order to be able to gather information and offer consultation, the Shimane International Center has established a consultation desk. The Shimane International Center Consultation Desk is staffed with consultants able to speak Chinese, Tagalog, and English, and can be contacted by phone or visiting the center.

Shimane International Center (Matsue)

TEL: 0852-31-5056

Japanese (Weekdays) 8:30~18:30

English (Wed), Chinese (Thurs), Tagalog (Fri) 13~17:00

Shimane International Center Western Branch Office (Hamada)

TEL: 0855-28-7990 Japanese (Weekday) 8:30~17:15