

## JAPAN

### THE BASIC ACT ON CRIME VICTIMS, 2005

The Basic Act on Crime Victims, etc. was enforced in April 2005. This Act intends to comprehensively and systematically promote policies for crime victims, etc. (victims of crime and similar acts that adversely affect the body and mind of victims and their families, and bereaved family members) in order to protect their rights and interests. In accordance with the Act, a Cabinet meeting held on December 27, 2005 determined the Basic Plan for Crime Victims, etc. that defines the policies to be implemented comprehensively and in the long-term by the Government for those victims.

The Basic Plan for Crime Victims, etc. contains a number of measures to further strengthen protection and support for crime victims, etc. and the Ministry of Justice is actively engaged in efforts to realize these measures. For example, under the Act on the Payment of Damages Recovery Based on the Property of Crime Victims, etc., which came into effect in December 2006, it is now possible, under certain conditions, to confiscate such property of crime victims, etc. obtained by offenders through criminal acts of offenses against property or to collect a sum of equivalent value from and to use such property or sum for the recovery of damages suffered by the victims of crime. In March 2007, the Ministry of Justice submitted to the National Diet a bill on the Act Amending Part of the Code of Criminal Procedure with the Aim of Protection of the Rights and Interests of Crime Victims, etc. which introduces procedures for crime victims, etc. to participate in criminal trials and to make use of the outcome of the criminal proceedings in claims for damages. Moreover, the Ministry of Justice has introduced legislation toward making a system that considers the opinions of crime victims, etc. in the parole hearing process, and informs the probationer of the living condition and the feelings of crime victims, etc.

Contributing to the planning and organization of appropriate measures for crime prevention, in the fiscal year of 2007 the Ministry of Justice plans to conduct a domestic crime victimization survey which aims to reveal actual state of hidden crime.

In addition, the Japan Legal Support Center which started operations in October 2006, provides various types of information on supporting crime victims, etc. and refers victims to attorneys-at-law who specialize in victim assistance.

(Secretarial Division, Judicial System Department, Civil Affairs Bureau, Criminal Affairs Bureau, Correction Bureau, Rehabilitation Bureau, Human Rights Bureau, and Research and Training Institute of the Ministry of Justice.)