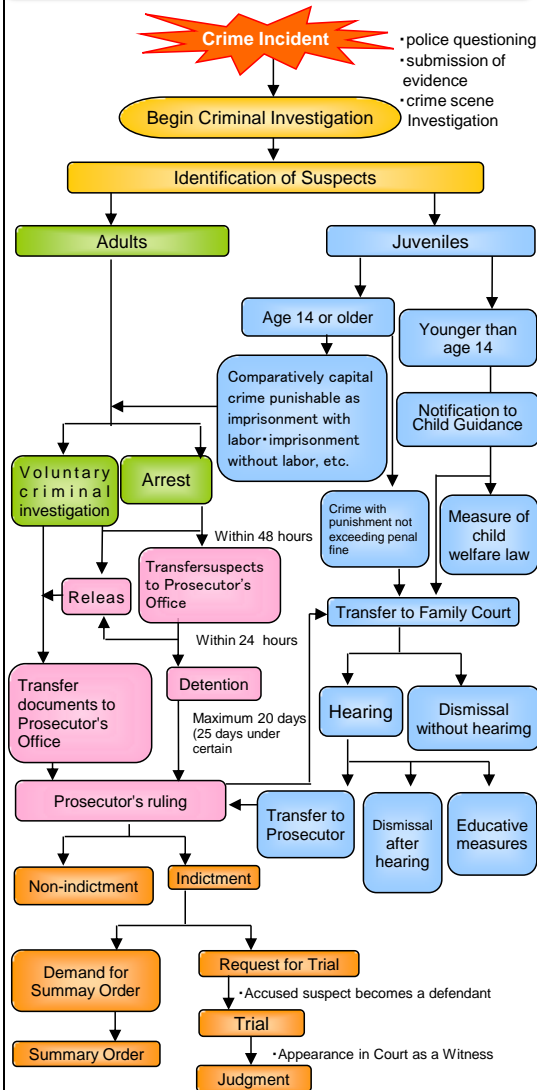


## Crime Incident Procedure Chart



## Summary of Criminal Proceedings

Criminal proceedings means finding the suspect, disclosing criminal fact and finally deciding on punishment. This procedure is divided into three steps which are Criminal Investigation, Indictment, and Trial. These procedures differ between adult and juvenile suspects.

**In case of an adult aged 20 or older**

### Investigation

Arrest of suspect, collecting evidence, disclosing criminal fact and activities in order to solve the case. After arrest, the police send a suspect to the prosecutor within 48 hours. The prosecutor will ask the judge to issue a detention order within 24 hours. If a detention order is issued the suspect may be detained for a maximum of 20 days; 25 days under certain circumstances. If the suspect is not likely to flee, the police may investigate without arresting the suspect, and will send documents related to the investigation to the prosecutor.

### Indictment

After referral, the prosecutor in charge of the case will decide whether to bring suspects to trial or not. (The person who has been indicted is called a "Defendant"). There are two types of indictment. One is a demand for trial in an open court. The other is the summary order without a trial in open court.

### Trial

After the suspect is indicted, a trial is held, and a judgment is reached. If the prosecutor or the defendant have any complaints about the contents of the sentence, they may appeal to a higher court.

**In case of a juvenile aged 14 or older but under 20**

### Investigation

If the suspect is a juvenile 14 years of age or older, 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. In the case of crimes not exceeding penal fine, the police will directly send the case to the Family Courts.

### Hearing

#### At Family Court

- Determining whether or not to proceed with the hearing
- Determining protective measures (sending to juvenile reform and training school, protective supervision, etc.) or dismissal
- In case of finding of a heinous crime, the case is sent back to the public prosecutor's office (*gyakusouchi* in Japanese)

**In case of a juvenile aged under 14**

### Investigation

Juveniles under 14 years of age shall not be subject to penal punishment. The police can notify the Child Guidance Center about the case.

### Measure

#### Measure of the Child Guidance Center

- Referral to a children's self-reliance support facility, and entrusting to a foster parent, etc. as prescribed in the Child Welfare Act. In case of finding the need for a hearing, the center sends the case to the Family Court.

Various Consultation Services in Addition to the



### Matsuyama District Public Prosecutors Office

Victim hotline 089-935-6607 (TEL/FAX)

Website

<http://www.kensatu.go.jp/kakuchou/matsuyama/matsuyama.shtml>

### The Early Assistance Providing Groups for Crime Victims designated as Ehime Prefectural Public Safety Commission (public interest incorporated association) Victims of Crime Support Center Ehime

Counseling TEL: 089-905-0150 (Tue~Sat.10:00~16:00)

E-mail [info@shien-ehime.or.jp](mailto:info@shien-ehime.or.jp)

Website <http://www.shien-ehime.or.jp>

Private victim support groups who are members of the "National Network for Victim Support" carry out support activities such as counseling of sex crimes, homicide, traffic accidents, etc., and accompanying services to court, referral of specialized agencies.

### (public interest incorporated foundation) Ehime Prefectural Boryokudan (organized crime group) Elimination Center

Violence Elimination Counseling TEL: 089-932-8930 (FAX combination use) 0120-89-3024 (toll free)

This center will support extending interest-free loans for costs of judicial procedures, expense of civil lawsuits, loan of damage recovery expenses, offering consolation payments to victims, etc.

### Spousal Violence Counseling and Support Center

Welfare General Support Center Child and Woman Support Section 089-927-3490

Ehime Prefectural Gender Equality Center 089-926-1644  
This center supports consultation, introduction of consultation organization, counseling, temporary protection, provision of information for Victims of DV.

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

Crime Victims Support Dial 0570-079714

PHS/IP Phone 03-6745-5601

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

Expert staff of the call center contributes information of damage recovery and relief measures systems, and additionally, can introduce a well-informed attorney.

### Crime Victim Support Fund Foundation

Head office 03-5226-1020-1021 (TEL), 03-5226-1023(FAX)

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

This foundation offers relief activities such as scholarships and school supply allowances, lifestyle guidance and consultation for bereaved children of crime victims.

### Japan Foundation Magokoro(warm)

Desk: 03-6229-5111 (TEL); 03-6229-5160 (FAX)

E-mail [magokoro@ps.nippon-foundation.or.jp](mailto:magokoro@ps.nippon-foundation.or.jp)

Website <http://nf-yoho.com/>

This foundation provides scholarships for bereaved children of crime victims.

# For Victims of Crime

## ~leaflet for victims of crime~

The aim of this leaflet is to provide you with more information to aid understanding of the following:

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

For more information about the contents of this leaflet, please feel free to ask the police officer in charge.

Officer in Charge

Ehime Prefecture: ( ) Police Station

Section:

Name:

## Ehime Prefectural Police



### Police Counseling

Website <http://www.police.pref.ehime.jp>

Police general counseling Tel. 089-931-9110 or #9110

Police Headquarters(Crime Victims Support Desk) 089-934-0110(Ext. 2663/2666)

Local Police station counseling services

Shikokuchuo (0896)24-0110	Matsuyama (089)958-0110
Niihama (0897)35-0110	Minami (0892)21-0110
Saijo (0897)56-0110	Kumakougen (089)882-0110
Saijonishi (0898)64-0110	Iyo (0893)25-1111
Imabari (0898)34-0110	Ozu (0894)62-0110
Hakata (0897)72-0110	Yawatahama (0895)22-0110
Matsuyama (089)943-0110	Seiyo (0894)62-0110
Higashi Matsuyama (0895)22-0110	Uwajima (0895)72-0110
Nishi Matsuyama (089)952-0110	Ainan (0895)72-0110

## Cooperation Regarding Investigations

An inconvenient request from the police may impose a strain on your cooperation during the criminal proceeding. Please cooperate with the police to assure that others do not suffer the same fate.

### 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 prompt arrest of the suspect.

### 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 that you were wearing or your belongings at the time of the crime. Such material evidence can have a great impact on the outcome of a trial and it is recommended that victims cooperate with the police in supplying this information.

### On-The-Spot Investigation and Review

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

### Giving Evidence in Court

Victims may also be asked to testify some time during the trial (this is called "Examination of a Witness").

## Systems Available for Crime Victims, etc.

※ Crime victims and their bereaved families are referred to as "crime victims", etc.

### 《Police Support System for Crime Victims》

#### Designated Victim Support System

When crimes such as homicide, assault, injury, hit and run or fatal traffic accidents that require specialized victim support staff assistance occur, a designated police officer supports crime victims as follows.

- Arrangement of a hospital if an assessment by a doctor is necessary, accompaniment to hospital.
- Presence at the on-the-spot investigation
- Transportation to and from the victim's home
- Counselling for anxiety issues (personal care issues, etc.)
- Introduction, handover to private victim support groups and external counsellors, etc.

For more information, please feel free to ask Ehime Prefectural Headquarters, or the police station near you.

#### Victim information System

A police officer in charge will inform victims of homicide, assault, injury, hit and run or a fatal traffic accident, etc. Information categories are as follows:

- Criminal proceeding and the victim support system
- 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.
- 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, and 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.

#### Measures to prevent re-victimization and protection measures

In case the crime victims, etc. have received any life threatening intimidation or bodily harm by the same perpetrator, they 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 of protection to prevent further harm by the perpetrator or there is a need for crime information, such as the release of the perpetrator, these will be provided.

In case the perpetrators are gangsters, crime organizations or corporate racketeers, etc. and the victims are in danger of being harmed by them again, crime victims will be put under necessary protection from any attacks by gangsters, etc. to ensure prevention of victimization.

## Protective Care for Victims of Domestic Violence and Child Abuse

In case there is a need to protect victims from a perpetrator because of domestic violence (spousal violence), child abuse, stalking, etc., the police will take measures to ensure the victim's safety in collaboration with the Woman Guidance Center and the Child Guidance Center.

For more information, please feel free to ask the investigator in charge, the Woman Guidance Center, or the Child Guidance Center.

### Victims of Crime Benefits System

This system pays benefits to crime victims or a bereaved family of crime victims in the form of a lump-sum payment.

Payment categories are classified as follows:

- Survivor Benefits (Paid to bereaved families)
- Serious Injury or Sickness Benefits (Paid to victims who have suffered serious injury that requires treatment of over one month and hospitalization of over three days or mental illnesses such as post-traumatic stress disorder that require treatment of over one month and inhibit a worker from performing a job for more than three days, and the benefits paid to a victim who has paid medical fees personally.
- Disability Benefits (Paid to victims who have suffered disability)

For more information, please feel free to ask the police station near you, or the Crime Victim Support Center of Police Headquarters Administration Section.

### Support System for Psychological Trauma

When crime victims receive overwhelming stress under damage from crime, physical and mental responses are as follows:

- Strong fear/anxiety, sleeplessness
- Lack of concentration, replaying the disturbing event in one's mind
- Increase in drinking and smoking
- Headache, stiff shoulders, a feeling of oppression

The police can set up a counseling system to aid a victim's recovery from psychological damage in collaboration with a clinical psychotherapist, etc.

For more information, please feel free to ask the police station near you, or Police Headquarters.



## 《Various Consultation Services In Addition to the Police》

### System of Public Prosecutors Office Victim Support Officers

Public Prosecutors Office Victim Support Officers supply support service activities such as responding to the various questions that victims may have, guiding and accompanying the victims in the courthouse and helping them with inspection of the trial case records, introduction of concerned authority and other organizations, etc. For more information, please feel free to ask the public prosecutors office or the public prosecutor in charge of the case.

### Victims of Crime Notification System (public prosecutors office,

The Prosecutors 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 ruling outcome of a case, venue of the trial, the outcome of a criminal trial, criminal's custody details, possible schedule for release from prison and other related information. For more information, please feel free to ask the public prosecutors office or the public prosecutor in charge of the case.

### Attendance at the hearing and notification of the result of the hearing

In cases where a perpetrator who committed a serious crime (such as homicide, arson, etc.) is declared insane and when the public prosecutor does not prosecute the perpetrator, a hearing request will be filed to the District Court to decide the necessity and substance of medical treatment. The crime victims, etc. may request attendance at the hearing, and also request notification of the result of the hearing. For more information, please feel free to ask the public prosecutor or the court in charge of the case.

### Making requests to the Committee for the Inquest of Prosecution

Upon completion of the investigation, the public prosecutor makes a recommendation. As a result of the prosecutor's investigation, the decision of non-prosecution can be made for various reasons. Upon receiving a request from the victims, etc., the Committee for the Inquest of Prosecution will conduct an inquest into cases submitted to them. For more information, please feel free to ask the Committee for the Inquest of Prosecution.

### Victim Support During Trials

Victims, etc. may be asked to testify as witnesses during trial. At this time, crime victims can take advantage of the following system:

- 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, criminal elements, and spectators in the courtroom.
  - A video link can be set up so the witness can testify from a different location. Apart from the above mentioned, the following system is in place for criminal trials:
  - Inspection and photocopying of the trial case records
  - There is a system in place that gives crime victims, etc. priority attendance at trials if they so request.
  - Victim Participation System
  - State-appointed attorneys for victim participants
  - Restitution Order System
- For more information, please feel free to ask the Public Prosecutors Office, or the court in charge of the case.

### Civil Law and Financial Restitution

In case the crime is an illegal action under Civil Law, victims can ask for compensation for financial loss and mental anguish. This system is different from the penal procedure. Victims have to file a suit for compensation against illegal action. For more information, please feel free to ask the Court, the JLSC and the Bar Association.