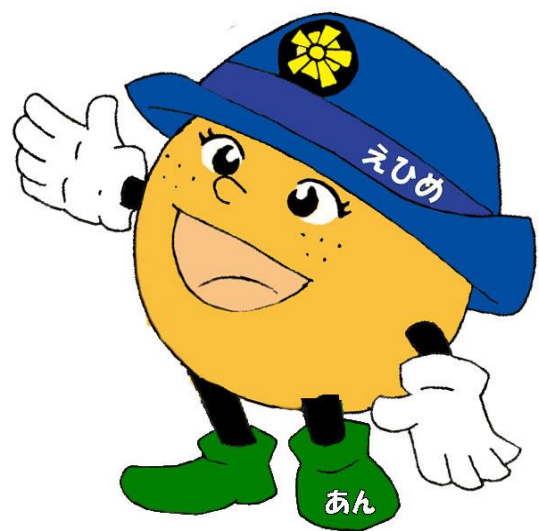


For any victim of a traffic accident or their surrounding family members

(Leaflet for victims)



Ehime Prefectural Police Headquarters

Introductions

Traffic accident and run away after hitting cases will give pain and sadly feeling.

This leaflet has been produced for any victim of a traffic accident or their surrounding family members.

It discusses:

- What support system is provided by the Police?
- What requests could the Police make to the victims and their family members?
- How are the traffic accident perpetrators punished?
- What type of motor insurance is available?

We hope the leaflet will be helpful for you and your family members.

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1 Any support provided by the police

The police can support and help the victims of traffic accident and their families (hereinafter written as “the victims” in this leaflet) by offering escort by a police officer, provision of information and providing a consultation service.

① Designated Victim Support Personal System

This system designates, besides investigations, a police officer as “Victim Support Personnel” to support the victims that are emotionally upset not long after the traffic accident. The “Victim Support personnel” will offer escort and accept consultation on various issues.

② Victim Information System

The police understand that the victims have a vested interest in how the investigation of the traffic accident proceeds, whether the traffic accident perpetrators are caught or not, and what punishment is imposed on the perpetrators.

In response to such interest, the police investigator in charge of the traffic will provide the victims with the following information concerning serious traffic accidents etc.

◆ Information about the Traffic Accident Perpetrator

- Address, name/age etc, of the perpetrator
- The time and date and place of the traffic accident
- Progress of the investigation

◆ Information about the criminal disposition for the party responsible for the accident

- Arrest of the perpetrator
- Information regarding disposition of the perpetrator
- The public prosecutor’s office where the suspect was sent, whether the suspect was indicted or not, the court where the perpetrator was indicted.

◆ Others

Some people simply want to forget about a traffic accident and

do not want to be contacted.

In this case the victim should inform the police investigators of that effect.

③ Provision of information on administrative disposition

The perpetrator who has caused a traffic accident is subject to administrative disposition such as revocation or suspension of their driver's licenses sanctioned by the public safety commission. Prior to the administrative penalties (revocation and suspension of more than 90 days), the perpetrator will be subject to a hearing open to the public. A representative may attend hearing, however when both the perpetrator and representative cannot attend, disposition may be rendered without any hearing.

The police will provide information on the administrative disposition and hearing upon your request in case of death and heavily hangover caused by traffic accident.

◆ Details of the administrative disposition

We will provide information regarding the administrative disposition offered to the perpetrator (revocation, suspension and the duration of suspension).

④ Police Consultation Services

The police officer supports such as expert counseling services for victims. The following services are available.

○ Police General Consultation Services (Reception Desk For Various Police Consultation Services)

◆ Telephone 089-931-9110 #9110

○ Traffic Accident Consultation Services

◆ Police officer who is dealing with victim support of traffic accident.(Ehime Prefectural Police Headquarters Traffic Enforcement Division)

Telephone 089-934-0110

◆ The nearest police station Traffic Section

◆ To find out your nearest Prefectural Police Consultation Service please visit Police Crime Support Office website ULR

<http://www.npa.go.jp/higaisya/home.htm>

○ Consultation Services for Counselling

To reduce the mental burden of victims suffering from shock after the traffic accident, staff with specialized knowledge and skills on counseling are available. Consultation and counseling service for the victims are available through collaboration with psychiatrists and private counselors.

- ◆ Victim Support Center in Ehime Prefectural Police headquarters Public Relations Section of General Affairs Office
Telephone 089-934-0110



2 The request to the victim and their family members

Police request the victims to cooperate necessary criminal proceedings and therefore sometimes this cooperation arresting imposes a burden on the victims.

This is a matter of great importance for arresting the perpetrator, collecting evidence on the trial, imposing punishment on the perpetrator. So please cooperate with us by all means.

① Police Questioning

The police investigator in charge will ask the victims in detail about the situation where the accident occurred, getaway vehicle and so on.

Especially, the serious case like fatal accident, please cooperate with us because we need to investigate about the situation when the accident occurred, before and after of the accident.

And hit-an-run case, we must catch and impose punishment on the perpetrator as soon as possible.

※ Sometimes, in addition to the police questioning, the prosecutor will ask you.

You will wonder why they ask same thing again and again.

But it is very important to decide “Indictment” or “Non-indictment” by the prosecutor, please understand.

② Voluntary presentation of the evidence

Sometimes the victims may be asked to submit the clothes, shoes, belongings at the time of the accident as evidence.

The evidence is needed to testify to the crime, please cooperate with us.

Especially, we will inspect the clothes you submitted for solving the situation of the accident on the fatal accident, and for finding the trace that identifies the getaway vehicle.

※ We will return the evidence you submitted whenever it does not need to have the custody of them in the process of investigation or the trial, even if the trial have not finished. (It is called 「Return」.)

③ Attendance of On-the-spot Investigation

Victims may be asked to be attended on the On-the-spot Investigation of the accident scene.

We will ask you to make clear the situation of the accident for keeping impartiality.

④ Witness of the trial

Victims may sometimes be asked to testify during the trial for the proof of crime. (It is called “Witness examination”.)

The various measures have been introduced by the court.

Please read 『4 The “Victim Support” Established within the Public Prosecutors Office and The Court』 written in the latter part.

3 A summary of a criminal proceedings

～ Outline of punishment the perpetrators ～

The following is the punishment procedures when a traffic accident occurs.

Investigation → **Indictment** → **Trial**

① Investigation

Investigation is an activity whereby the perpetrator is identified through collecting evidence, the case is solved by investigating the facts and imposing punishment on the perpetrator.

The following investigations are carried out by the police when traffic accident occurs.

◆ Police Questioning

The police investigator in charge will ask you in detail about the situation where the accident occurred and the situation where the report of the traffic accident was filed.

We will take a deposition.

◆ On-the-spot Investigation

On-the-spot Investigation involves the police officer investigating the following in detail in order to identify the situation and the cause of the accident:

- The scene of the traffic accident
- Clothes the victim wore at the time of the accident or the vehicle involved in the accident

◆ Sending suspects to the public prosecutors office

When the suspect is arrested

- If it is deemed necessary for investigation, the suspect will be arrested and sent to the public prosecutor with relevant documents and evidence within 48 hours after the arrest.
- If the public prosecutor decides it is necessary to detain the suspect, he or she will ask the judge to issue a detainment order within 24 hours after the suspect has been sent.
- When there is a need to detain the suspect for a longer period, the suspect may be detained for a maximum of 20 days.

When the suspect is not arrested

- When the suspect is not arrested and is investigated on a voluntary basis, the relevant documents and evidence will be sent to the public prosecutor after the police have collected evidence.

② Indictment

The prosecutor will decide whether or not to bring the suspect to trial on the basis of the evidence sent.

- ◆ Bringing the suspect to trial is called “Indictment”
- ◆ Choosing not to bring the suspect to trial is called “Non-indictment”

There are two types of requests available to a prosecutor seeking indictment.

- ◆ “Demand for a Trial” that requests for a public trial.
- ◆ “Summary indictment” which requests a judicial trial where fines or minor fines are ordered through written proceedings.

(After the suspect is indicted, he or she is referred to as the “Defendant”)

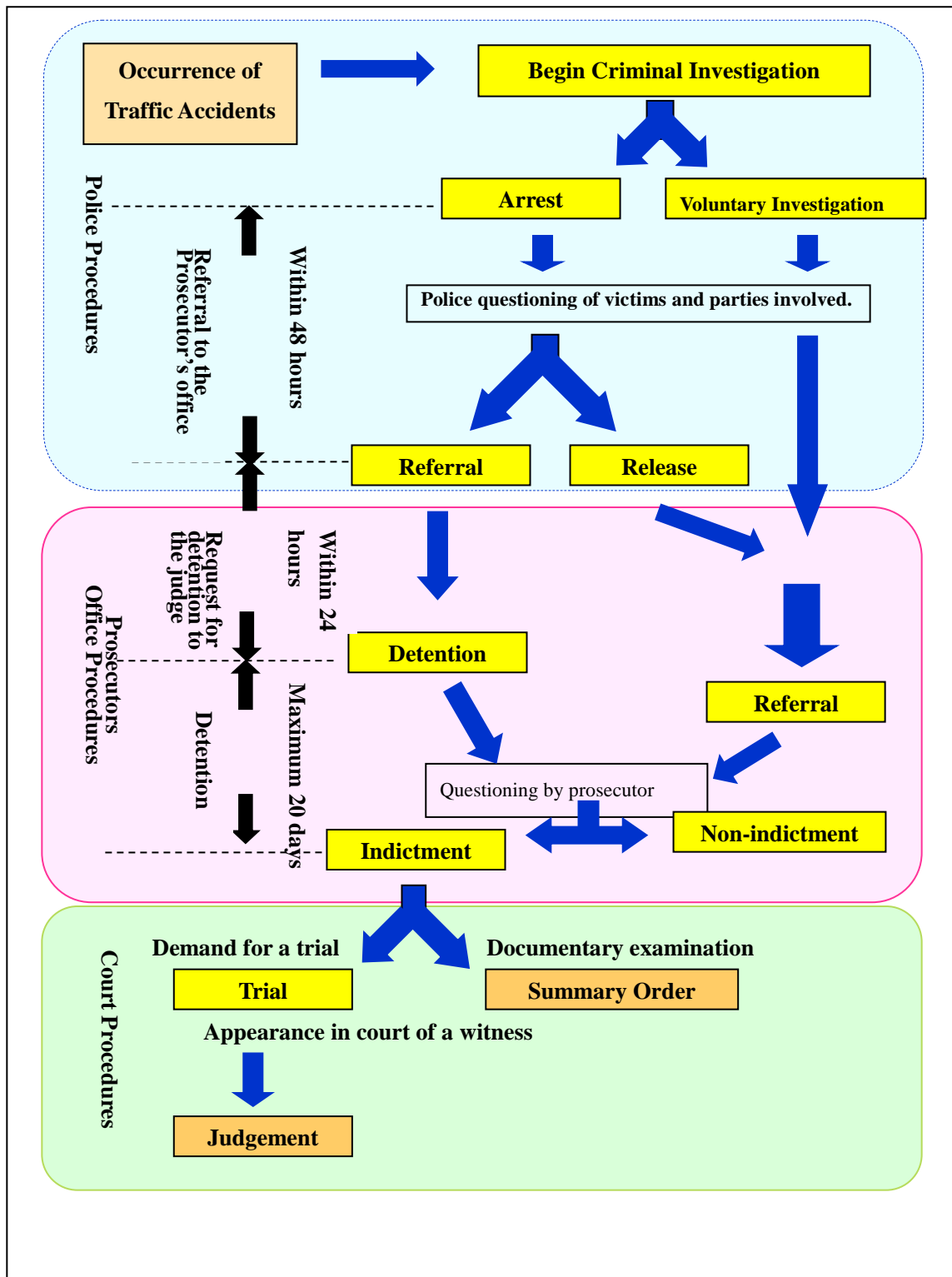
- ※ The prosecutor may question the victim in order to decide whether to proceed with an indictment or not. We appreciate your cooperation.
- ※ If the prosecutor has not to indict a suspect, an application for review may be made to the Committee for Inquest of Prosecution of the district court.

③ Trial

After the indictment, the district court decides the date for public trial. At the trial, the judge will conduct a trial based on evidence and give decision.

If the prosecutor or the defendant complains of the decision, they will appeal to a higher court (High court etc).

Criminal Procedure Chart



* If the suspect is a juvenile (less than 20 years of age), a juvenile trial proceeding etc., may be followed. A juvenile trial follows a different set of procedures than listed here.

4 The “Victim Support” Established within the Public Prosecutors Office and The Court

① The “Victim Support Personnel System” Established within the Public Prosecutors Office.

Public Prosecutors Offices nationwide designate a “Victim Support Personnel” to support victims and help ease the burden and anxiety of the victims.

The Victim Support Personnel offers support in the form of consultation to the victims on various issues, escorting them to a court, assistance in viewing of dossiers, return of evidence and other procedures. They will also introduce relevant organizations and groups that offer mental, everyday living and financial support depending on the condition of the victim.

② The “Victims of Crime Notification System” Established within the Public Prosecutors Office

If the victims, committed a case to Public Prosecutors Office, his relative, common-law marriage, fiancé (or fiancée), and so on, they hope a notification against The Public Prosecutors Office, the following services are available.

- ◆ Outcome of the criminal trial (Indictment, Non-indictment)
- ◆ The Court and The day that the case is on trail
- ◆ Outcome of the trial
- ◆ The situation of the criminal, the fact of indictment, the summary of the reason of Non-indictment
- ◆ The information that the criminal will be out of the prison

Also, especially, only when (for prevention of re-damage) it will be notified for you that release time in the release direct first year of the criminal.

(Even if you hope a notification, we could not notify you in this case the prosecutor should judge not to notify you for the properties of the case.)

③ The System to reduce the mental burden of witness with the criminal trial

Victims may sometimes be asked to testify the situation of the damage and the mind against the defendant, witnesses may sometimes be asked to testify the situation to witness the (traffic) accident.

The following measures have been introduced by the court to protect the victim.

- ◆ To be accompanied with a person deemed to be appropriate by the court.
- ◆ To be set physical shield to hide the victim from the defendant and audiences.
- ◆ To testify from a different room via a video monitor.

④ In addition, the system that is available by the criminal trial.

- ◆ After the first court day, in principle, the victims may inspect and copy the dossier of the criminal case.
- ◆ Victims will be given an opportunity to express their feeling, about the harm they suffered or give their opinion concerning the crime.
- ◆ Upon their request, victims are given consideration to have priority, in observing the court proceeding.
- ◆ When a out- of-court settlement is reached between the victim and defendant, the details of the out-of-court settlement may be written down in the record of investigation to avoid civil suit.
- ◆ At the Public Prosecutors Office, victims may receive a paper copy of the summary of the opening statement made at the Public Prosecutors Office.

◆ **Victims participation system**

Victims of dangerous driving resulting in injury or death or automobile driving manslaughter are allowed to join in criminal trials with court permission as “victim participants”, a status in the proceedings.

To be specific, a victim can attend trials on the court day and under certain conditions he/she can give opinion about the fact

or the application of the law.

◆ **Court-appointed lawyer system for victims**

Victims' participants can entrust a lawyer with the appearance on court day and questioning to the defendant.

If you were short of your money, the government will pay the cost of employing the lawyer.

Even if the means are poor, it is the system that a country bears a legal fee to be able to use the help of the lawyer.

◆ **Compensation order system**

The intentional crime such as dangerous driving causing death or injury, accompanies with a criminal trial, as the exception, the civil trial procedure that compensation for damages request requires, temporarily and quickly, it is the system that established in order to be settled.

⑤ The system that is available by the juvenile

◆ After a decision on commencement of hearing has been made, you can, in principle, peruse and copy the dossier of the juvenile criminal case stored in the court (expecting so-called social records which report surveys concerning the necessity of protection of the juvenile).

◆ Against the Family Court, you can be given an opportunity to express their feelings about the harm they suffered or give their opinion about the crime.

◆ With the family court permission, you can be allowed to hear in the juvenile.

As much as possible, please do your request against the family court.

◆ The victims can receive explanation about the circumstance of the hearing from the Family Court.

◆ The victims can receive notifications of the result of the hearing from the Family Court.

⑥ Consultation window of the Public Prosecutor's

In order to use the consultation about the harms and inquiry about the case. Freely, it is established the Victims Hotline as the dedicated phone. The Victims Hotline can not only use the telephone but also the fax. Above services are available at night and holiday. Please use the following services.

- ◆ The Victims Hotline of Matsuyama Distract Public Prosecutors Office
Tel : 089-935-6607
- ◆ The gateway of The Victims Hotline to Public Prosecutors Office
http://www.moj.go.jp/keiji1/keiji_keiji11-9.html

5 The summary of motor insurance

The security system for the victim of traffic accidents is as described below.

① Automobile Liability Insurance and Voluntary Insurance

Automobile insurances are operated under two systems.

One is, called the compulsory insurance (includes mutual aid), automobile liability insurance, and the other is the voluntary insurance (includes mutual aid).

- ◆ Automobile liability insurance, which has an obligation to be insured in order to be designed to provide relief for victims of traffic accidents
- ◆ Voluntary insurance, which supports guarantees not to be covered by automobile liability insurance

The following is a comparison of the two systems:

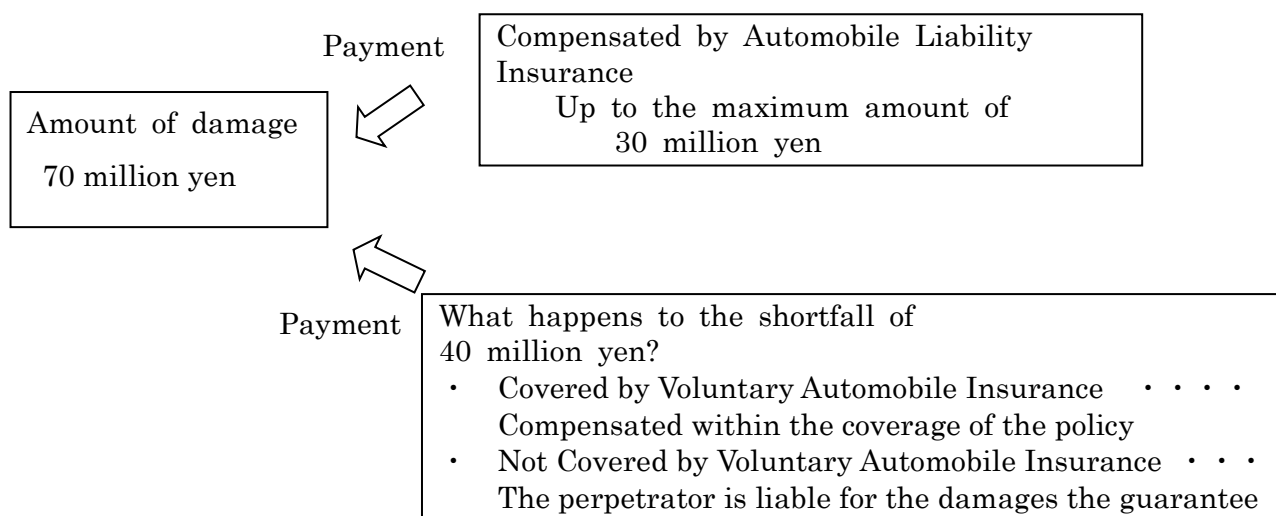


Automobile Liability Insurance			Voluntary Automobile Insurance						
Compulsory (obligation)		Membership	Voluntary						
Physical injury only		Coverage	Physical Injury and Property Damage						
<table><tr><td>Death</td><td>30 million yen</td></tr><tr><td>Injury</td><td>1.2 million yen</td></tr><tr><td>Physical impediment</td><td>750,000 – 40 million yen (Based on the Grade of Disabilities 1-14)</td></tr></table>		Death	30 million yen	Injury	1.2 million yen	Physical impediment	750,000 – 40 million yen (Based on the Grade of Disabilities 1-14)	Max. amount of benefit Paid	Maximum amount of compensation based on the insurance policy
Death	30 million yen								
Injury	1.2 million yen								
Physical impediment	750,000 – 40 million yen (Based on the Grade of Disabilities 1-14)								

About physical injury, fundamentally, it is covered by automobile liability insurance.

If the amount of damage exceeds the limits of coverage, the exceeding amount would be covered by voluntary automobile insurance.

For example, because of a death accident, if the amount of damage would be calculated at 70 million-yen, automobile liability insurance compensated up the maximum amount of 30 million yen, about the shortfall of 40 million-yen, voluntary automobile insurance contracting the perpetrator or physical Injury Insurance insuring the victims, which compensated by the whole or partial amount. If the compensation can not cover the amount of damage, or the parties involved are not contracted, the perpetrator must be liable for the guarantee of the damages by himself (herself).



○ Automobile Liability Insurance

1 Claiming for Automobile Liability Insurance

The perpetrator or victim, by putting out the traffic accident, certificate, and other necessary documents, are able to request the guarantee of the damage against the motor insurance companies (including unions),

(1) Making a claim as a victim

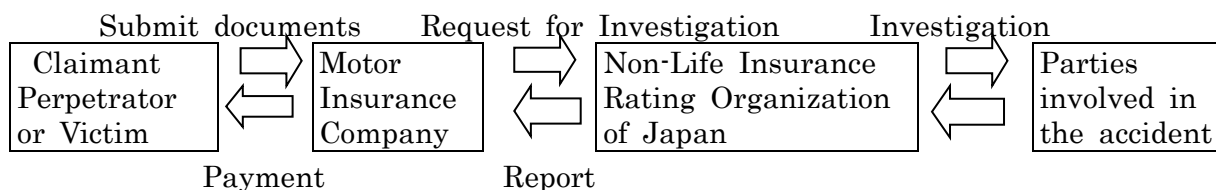
Victims can claim the guarantee of the damage directly against the motor insurance company insuring the car of the traffic accident.

(2) Making a claim as an perpetrator

If, the driver or the owner of the vehicle, already has paid the compensation to the victim, who can claim against the casualty insurance company for the compensation to the victim.

Even before reaching settlement of the amount of damage, whenever the victim pays the medical bills to the medical institutions, and whenever the perpetrator pays the compensation to the victim, within the allowable limit, the victim or the perpetrator can claim guarantee against the motor insurance company.

Procedures for Claiming Insurance



2 Suspense Payment System

For the victim, in order to avoid running into the difficulty the daily life due to the accident, prior to reaching an out-of-court settlement, for use in paying for immediate expenses, the victim can claim the suspense payment against motor insurance companies.

※ As for details processes to claim the suspense payment, please inquire motor insurance companies.

3 Time limit for making a claim

Claim Type	Since when	Till when
Injury	Date when treatment ended	Within three years after the accident
Physical Impediment	Date of symptom stabilization	Within three years after the date of symptom stabilization
Death	Date of death	Within three years after the date of death

※ Date of symptom stabilization is determined by a doctor, and points to a certain time when the symptoms have stabilized, and widely accepted medical treatment will have no further medical effectiveness.

◆ **Voluntary Insurance (Mutual Aid)**

As for details processes to claim the suspense payment, because of the method of claiming differs per insurance company, please inquire motor insurance companies that you contract.

② Automobile Liability Insurance Security Project

For the following types of accidents causing physical injury, the victim could not make a claim for Automobile Liability Insurance.

- ◆ The hit-and-run driver of the automobile is unidentified.
- ◆ The driver that caused the accident is not insured under Automobile Liability Insurance.
- ◆ Because it was the stolen car caused the accident, the victim could not claim the guarantee against automobile liability insurance of the car is contracted.

The system, called “Automobile Liability Security project”, in these above circumstances, in order to protect the victim based on the Automobile Liability Security Act. is compensated for the amount of damages.

As for methods and documents required for above procedures, please ask your insurance company and Agricultural cooperative and so on.

③ Other Liability Claims

As for the liability of the damage for automobile accidents causing injury, based on Article 3 of the Automobile Liability Security Act, against not only the perpetrator but also the owner of the car, victims could make a claim for the property and the mental damage.



6 Consulting offices to support victims in Ehime Prefecture

Beside the police, public offices, public institutions and various organizations offer the following advisory centers and counseling services.

Consultation Services

Name	Description
Consultation Office for the Traffic Accidents	<p>◆ Ehime prefectural consulting office</p> <p>Ehime prefectural office has “traffic accident consulting office”.</p> <p>9:00~16:00 excluding prefectural office holiday</p> <p>TEL 089-941-2111 (extension 5586)</p>
Nichibenren Traffic Accident Consultation Center Ehime	<p>Offers Free legal consultation on the percentage of negligence or any troubles with insurance payment, mediation of out-of court settlements regarding negotiation of damages, and higher brain dysfunction due to traumatic brain injury.</p> <p>13:30~16:00 on Tuesdays (reservation only)</p> <p>TEL 089-941-6279</p>

Consultation Center of Japan Non-life Insurance Association	<p>◆ Sampo ADR Center</p> <p>Accepts consultations on automobile liability insurance and car insurance.</p> <p>TEL 0570-022808</p> <p>Weekdays 9:15~17:00</p> <p>(Excluding national holidays, End-of-year and the New Year)</p>
Consultation Office of Agricultural Cooperative for traffic accidents	<p>Accepts consultation at national mutual benefit association of Agricultural Cooperative Ehime main office.</p> <p>TEL 089-948-5551</p>
Consultation Office for Traffic Accidents of Casualty Insurance Companies	<p>Situated inside the main office, branch offices, business offices of each Casualty Insurance Company.</p>
Victim Mental Support Center Ehime	<p>This is a group established for the purpose of supporting victims.</p> <p>Accepts Consultation on Tuesday/ Saturday 10:00~16:00</p> <p>(Excluding national holidays, End-of- year and the New Year)</p> <p>TEL 089-905-0150</p>
The Japan Center For Settlement of Traffic Accident Disputes	<p>Part-time lawyers offer mediation of amicable settlements and legal consultations to aid the victims of traffic accidents.</p> <p>TEL 087-822-5005</p>

* Please contact the relevant organizations for more information.

7 Other Systems of aid and support

The following systems of aid and support are available for victims of traffic accidents.

- 1 Aid and support systems carried out by various support organizations

Name	Description
<p>Japan Legal Support Center Crime Victims Support Telephone Number TEL 0120-079-714</p> <p>Japan Legal Support Center Ehime TEL 050-3383-5580</p>	<p>The Center provides free information on lawyers who are knowledgeable about the aid of victims and crime victim support organizations. The Center also provides legal consultations at no charge and advances fees for court representation and document preparation fees for people with financial difficulties.</p> <p>Furthermore, commissioned by the Center Japan Federation of Bar Associations, the Center also assists in attorney fees for victims of certain crimes, from a human rights standpoint.</p>
<p>National Agency for Automotive Safety and Victim's Aid TEL 089-960-0102</p> <p>Hotline for Victims of Traffic Accidents TEL 0570-000738</p> <p>Weekdays 9:00~17:00</p>	<p>The group offers the following victim assistance business such as loan for living expenses for orphans of traffic accidents or children of a traffic accident victim with severe residual disabilities until the orphans or the children graduate junior high school.</p> <ol style="list-style-type: none"> ① Care payment for a traffic accident victim with severe physical impediment that requires full-time or part-time care. ② Grant to cover costs for a short term admission into a hospital or short-term entry into a nursing home for traffic accident victims with severe residual disability. ③ Setting up and operating Nursing Care facilities to treat and nurse patients with persistent disturbance of consciousness due to traffic accidents. ④ Loan for living expense for orphans of traffic accidents or children of a traffic accident victim with severe residual disabilities. ⑤ Consultation on care and consultation on every-day life for orphans of traffic accidents. ⑥ Carrying out "Meeting of Friends" activities as opportunities to exchange feelings among families who experienced similar damages.
<p>Foundation for Orphans from Automobile Accidents TEL 0120-16-3611</p>	<p>Orphans from a traffic accident under 13 years old and who make contributions from some of the payment they have received as traffic accident damages are eligible to join the "Foundation for Orphans from Automobile</p>

Weekdays 9:00~17:00	Accidents”. Combining the contributions with the aid money from the government and private cooperation groups, the Foundation will manage the funds and pay out a certain amount as benefit to the orphans, 4 times a year (March, June, September, December) until they are 19 years old. Please contact the Head Office of the Foundation for membership details.
Highway Exchange promotion Foundation TEL 03-6674-1761 Weekdays 9:30~17:00	The Foundation offers financial aid for high school students, who can not receive schooling due to financial difficulties and who are orphans of traffic accidents that have occurred on roads managed by East Nippon Expressway Company Limited, Central Nippon Expressway Company Limited, and West Expressway Company Limited.
Scholarship Association for Orphans from Automobile Accidents TEL 03-3556-0773 0120-521-286 Weekdays 9:00~17:30	The association offers scholarships to high school students and above who have difficulty studying due to financial reasons, such as their parents dying in a car accident or being unable to work due to severe sequelae.

* Please contact the relevant organizations for more information.

2 Support system in terms of tax regulations

“Tax deduction and allowances” that reduces income tax may be available for victims, who have paid medical fees for injuries, suffered physical injuries or have been separated from their spouse by death due to traffic accidents.

The following are examples of the tax deduction and allowances available.

Name	Description
Medical Expenses Deduction	Tax deduction for the amount (only for the sum that exceed a certain amount) of paid medical bills (excludes insurance coverage received to compensate for the said medical bill).

Allowances for disabled persons	Tax deduction of 270,000 yen to a disabled person (400,000 yen when the disability is severe. Same shall apply hereafter), and 270,000 yen per one disabled person if the disabled person is a dependant.
Widow's (Widower's) exemption	In general, tax deduction of 270,000 yen to the wife (widow) separated from her husband, or the husband (widower) separated from his wife.

* Please contact the nearest tax office for more details.

3 Welfare System

There is a welfare loan system for single-mother householders that have lost the father due to a traffic accident. Available loans include Child Raising Allowance and Welfare Funds for Mothers with Dependable Children.

The Livelihood Protection System provides for those who due to loss of income, or low income, have trouble making a living with necessary protection such as maintenance allowance, education allowance, housing allowance, and medical assistance corresponding to their needs.

Windows of Cities . . . Welfare office in each city

Windows of Towns . . . Local Welfare Division in Ehime
Prefectural offices

Please feel free to contact us when you have questions, uneasiness or requests.

【The person to contact】

Name _____

Section

Division

Police station

Tel (extension)

[illegible]