



**UNODC**

United Nations Office on Drugs and Crime

**Country:** Japan

**What are the primary challenges your country faces in ensuring equal access to justice within your criminal justice system? How do these challenges impact groups in vulnerable situation in your society? Please provide a thorough and detailed response.**

One of the challenges is to provide access to justice for children who have difficulty in spontaneously reporting criminal damage. Japanese prosecutors work hard to find the truth while reducing the child's mental burden. For example, prosecutors conduct interviews using a specific protocol similar to the forensic interview, with the assistance from the police and the child guidance office; moreover, prosecutors office provides a proper environment for interview to ease child's anxiety by setting up a special room for child's interview.

**Can you provide examples of initiatives or policies that have been successful in addressing access to justice issues in your country? What key lessons have been learned from these initiatives or policies? Please provide a thorough and detailed response.**

The Ministry of Justice in Japan provides lectures on the protection and support of victims in training programs for prosecutors and victim support officers.

Victim support officers are assigned to each district public prosecutors office, and they offer total support of victims such as giving advice when the victim has questions, escorting and accompanying the victim in the courthouse and helping them in procedures such as accessing the case record or having the victim's belongings returned which has been kept by the authority as evidence. Victim support officers can also introduce victims to organizations that provide psychological, economic, and other forms of support, according to victim's needs.

The Ministry is making efforts to strengthen the relationship between victim support officers and relevant authorities and external victim support organizations by inviting officers of such authorities and organizations as lecturers in the training programs for victim support officers, and by providing opportunities to exchange opinions.

The victim support hotline has been set up in every district public prosecutors office throughout Japan to provide easy access for victims seeking advice or inquiries on the case.

The Ministry of Justice in Japan has created pamphlets and DVDs for victims which describe the role and practice of victim support officer and distributes them to public prosecutors offices for awareness-raising purpose.

The Japan Legal Support Center (JLSC) provides information about legal systems and services to resolve legal disputes in response to inquiries from users and also provides civil legal aid services for people with limited financial resources, in order to establish a society in which people throughout the country can get the information and services they need to have recourse to the law in resolving disputes.

**What are the best practices currently being implemented in your criminal justice system to enhance access to legal aid and fair trials? How do these best practices improve outcomes for individuals involved in the criminal justice system? Please provide a thorough and detailed response.**

Japan has the court-appointed defense counsel system. Under this system, the Japanese government pays for the defense counsel not only for the defendants but also for detained suspects when they are unable to appoint their defense counsel at their own expense, mainly for financial reasons. Thus a person subject to the criminal procedure is able to have effective assistance by the defense counsel from the pre-indictment detention period even if the person cannot afford it by him/herself.

The Code of Criminal Procedure in Japan provides various frameworks to enhance access to justice for victims of crimes. For example, there are articles that allow victims to participate in criminal trials under certain requirements, under which they can express their feelings about the damage they experienced in the criminal trial. Moreover, there are articles that allow victims to make a claim for damages for the sufferings caused by the indicted offense, and the compensation order can be concisely and smoothly rendered by the court using the result of the criminal trial. In addition, there are articles that allow the victim to be screened off from the defendant and audience when testifying as a witness, to give testimony via videoconference, and to allow family members, psychological counselors or other persons to accompany the witness when testifying in the court.

The Japan Legal Support Center (JLSC) provides the services related to court-appointed attorneys.

Furthermore, the JLSC also provides victims of crimes and their families with the support they need without interruption. For example, paying the attorney fees and other costs to victims who meet certain requirements in the form of a loan, in addition to providing information about legal systems and introducing attorneys who is well-versed in assisting victims.

**What factors have been crucial in enabling successful reforms or improvements in your criminal justice system? How can these enabling factors be replicated or adapted in other contexts or regions to ensure equal access to justice for all? Please provide a thorough and detailed response.**

The important factors in the improvement of the criminal justice system in Japan were:

views and opinions given by the victims and relevant public/private entities, which were collected in order to reflect the needs and requests of victims including children to the criminal trial; and proper implementation of abovementioned frameworks in response to specific circumstances in respective cases.