

White Paper on Crime 2019

- Criminal Justice Policy During the *Heisei* Era -

Outline of White Paper on Crime 2019

Special Features

Japan moved from the *Heisei* Era to the *Reiwa* Era. The White Paper on Crime 2019 reports major legislation of laws, trends in crimes and juvenile delinquencies, treatment of offenders and juvenile delinquents, and support for crime victims during the *Heisei* Era (1989-2019).

Contents of White Paper on Crime 2019

- Part 1 Major Legislation of Laws During the *Heisei* Era
- Part 2 Trends in Crimes and Juvenile Delinquencies During the *Heisei* Era
- Part 3 Treatment of Offenders and Juvenile Delinquents During the *Heisei* Era
- Part 4 Specific Types of Offenses/Offenders During the *Heisei* Era
- Part 5 Repeat Offenders During the *Heisei* Era
- Part 6 Crime Victims During the *Heisei* Era
- Part 7 Conclusion

Criminal Justice Policy During the *Heisei* Era

Measures Against Crimes

- ✓ **Sharp increase of crimes during the first half of the *Heisei* Era**
(See pages 3 & 4)
- ✓ **Action Plan to Establish a Society Strong on Crime 2003 by Ministerial Meeting Concerning Measures Against Crime**
 - i. Prevention of crimes in the neighborhood threatening peaceful lives
 - ii. Prevention of juvenile crimes through the whole society
 - iii. Response to transnational threats
 - iv. Protection of the economy and society from organized crime
 - v. Development of infrastructure for restoration of a peaceful society
- ✓ **Action Plan to Establish a Society Strong on Crime 2008**
Seven priorities including “building a society that does not create offenders” leading to prevention of re-offending (see page 2)
- ✓ **Decrease of crimes during the second half of the *Heisei* Era**
(See pages 3 & 4)

Justice System Reform

- ✓ **Act for Promotion of Justice System Reform 2001 and Promotion Plan for Justice System Reform 2002**
- ✓ **Legislation of 24 Acts to promote justice system reform by 2004**
 - i. Act on the Expediting of Trials
Define conclusion of the proceeding of the first instance within two years as its objective
 - ii. Comprehensive Legal Support Act
Establish Japan Legal Support Center supporting selection of court-appointed attorneys and assisting victims
 - iii. Act Partially Amending Code of Criminal Procedure, etc.
Introduce pretrial arrangement proceedings, expedited trial proceedings, court-appointed attorneys for suspects under detention, indictment based on decision of committees for the inquest of prosecution
 - iv. Act on Criminal Trials with the Participation of *Saiban-in*
Introduce *Saiban-in* trials

Criminal Justice System in Line with the Time

- ✓ **Review Meeting on Prosecution in 2010**
- ✓ **Report of Legislative Council of the MOJ of 2014**
- ✓ **Act Partially Amending Code of Criminal Procedure, etc. of 2016**
 - i. Introduce video and voice recording of interrogation
 - ii. Introduce an agreement system where the accused agrees to cooperate with the probe and the prosecutor agrees to dismiss/demand lenient penalty
 - iii. Introduce transactional immunity
 - iv. Expand the range of permissible wiretap targets and promote rationalization and efficiency of wiretap procedure
 - v. Expand cases for which court appoints defense counsel for suspects
 - vi. Introduce issuance system of list of evidence
 - vii. Expand examination of witness through video link

Improvement of Offender Treatment

- ✓ **Penal Detention Facilities Act of 2005**
 - i. Clarify inmates' rights and obligations and scope of staff's authority
 - ii. Improve treatment for sentenced inmates' rehabilitation and re-integration e.g. individualized treatment, special guidance for reform
- ✓ **Juvenile Training School (JTS) Act and Juvenile Classification Home (JCH) Act of 2014**
 - i. Specify treatment based on inmates' characteristics in JTS
 - ii. Specify assessment based on professional knowledge and skills in JCH
 - iii. Introduce JCH's support within the local community for crime and delinquency prevention
- ✓ **Offenders Rehabilitation Act of 2007**
 - i. Specify prevention of re-offending as a goal of rehabilitation
 - ii. Organize and expand condition that probationers/parolees must comply with
 - iii. Improve adjustment of living conditions for parolees

Prevention of Re-offending

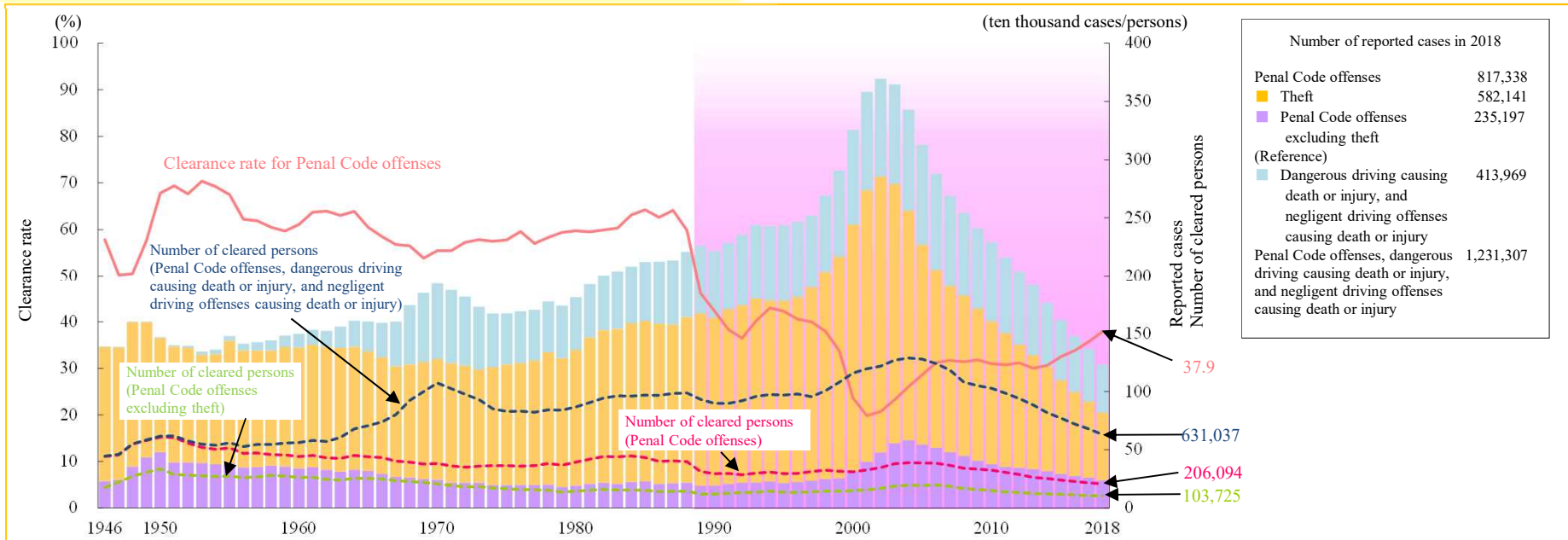
- ✓ **Ministerial Meeting Concerning Measures Against Crime**
 - i. Action Plan to Establish a Society Strong on Crime 2008
Prevention of re-offending by released inmates for "building a society that does not create offenders"
 - ii. Comprehensive Measures for the Prevention of Re-offending 2012
Numerical target for criminal policies over the next decade
 - iii. Strategy to Make Japan the "Safest Country in the World" 2013
 - iv. Declaration of No Return to Crime, No Facilitation of a Return to Crime 2014
 - v. Emergency Measures to Prevent Re-offending by Drug Addicts and Elderly Criminals 2016
- ✓ **Re-offending Prevention Promotion Act 2016 and Re-offending Prevention Promotion Plan 2017**

Protection of Crime Victims

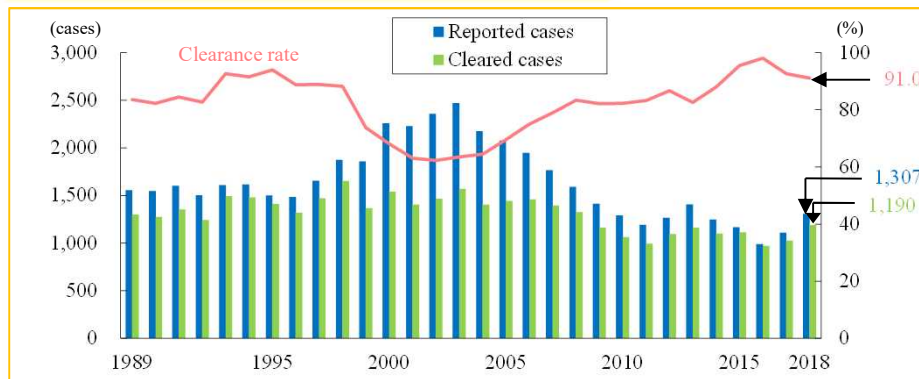
- ✓ **Notification to Crime Victims 1999**
Prosecutors, etc. notify disposition of the case, trial date and judgment by the court to the crime victims.
- ✓ **Two Acts on protection of crime victims 2000**
 - i. Introduce statement of opinions in court by crime victims
 - ii. Introduce inspection/copy of trial record by crime victims
- ✓ **Basic Act on Crime Victims 2004 and the Basic Plans for Crime Victims, etc. 2005, 2011 and 2016**
 - i. Introduce crime victim participation in criminal procedure
 - ii. Introduce restitution order
 - iii. Expand the benefit system for crime victims
 - iv. Introduce decision to conceal the identities of crime victims
 - v. Introduce crime victims' observation of the proceedings of juvenile cases
 - vi. Expand inspection/copy of trial record by crime victims
 - vii. Introduce travel expenses for participating crime victims

Crime Trends During the *Heisei* Era

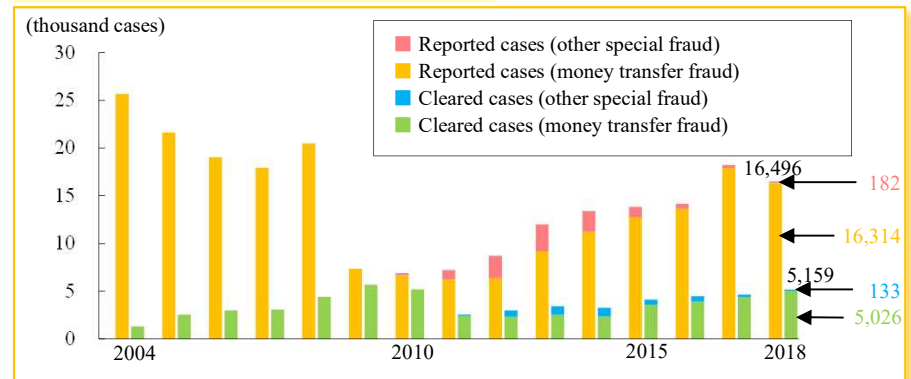
Penal Code offenses: reported cases, cleared persons and clearance rate



Rape: reported/cleared cases and clearance rate

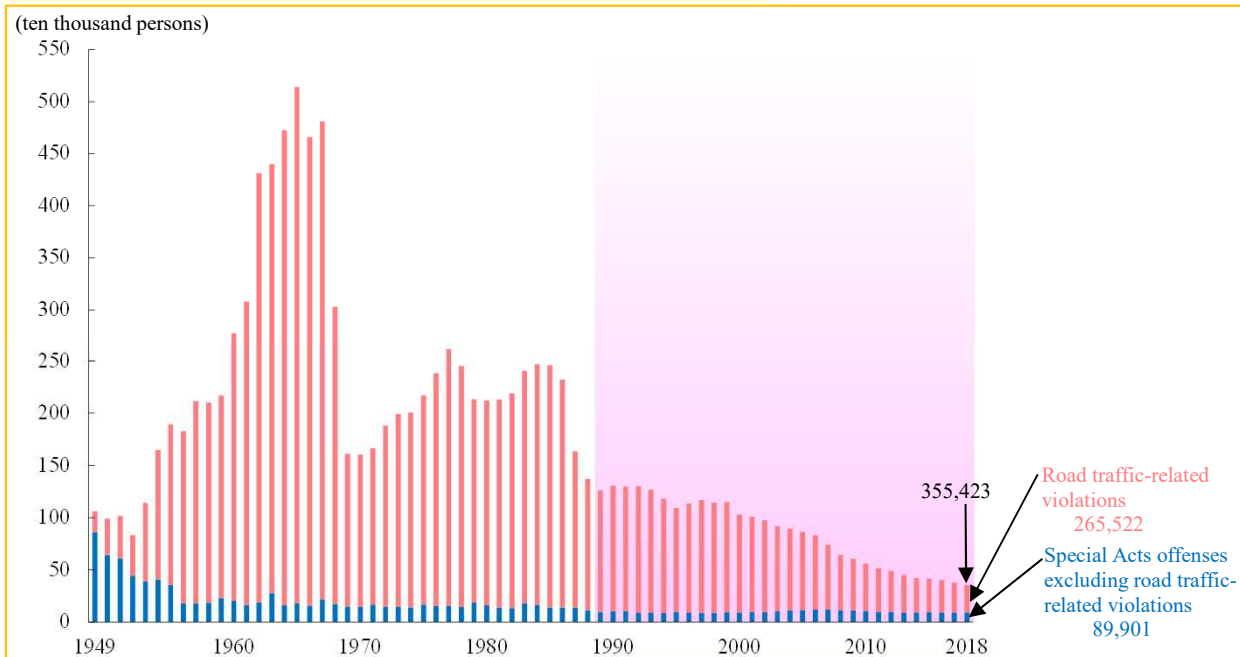


Special fraud: reported/cleared cases

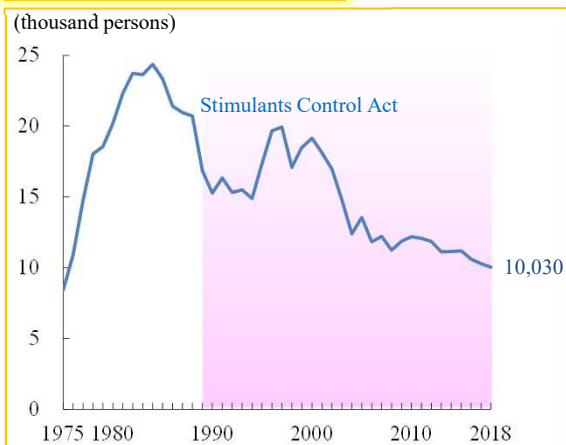


Note: "Special fraud" is a generic term to refer to certain types of fraud or extortion offenses in which the offender uses telephone or other devices to avoid facing victims in person when defrauding them into making money transfers, etc.

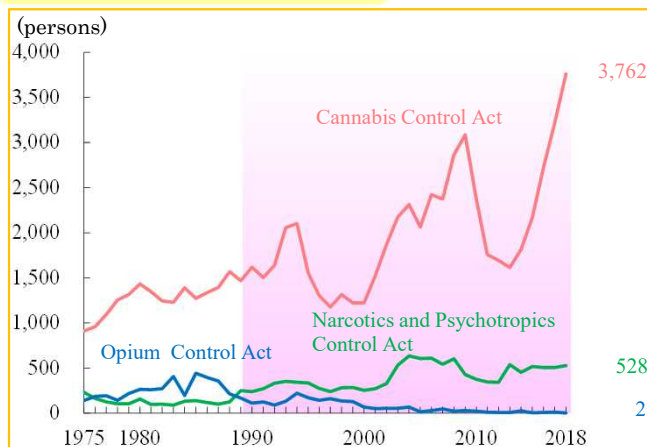
Special Acts offenses: persons received by public prosecutors



Stimulants Control Act violations: persons cleared

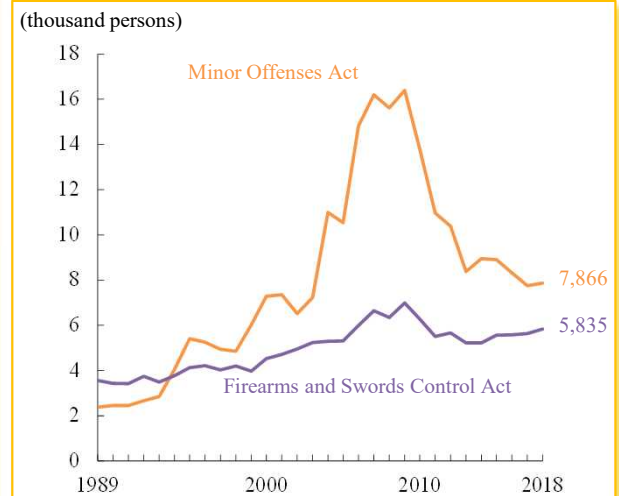


Cannabis and other drug violations: persons cleared

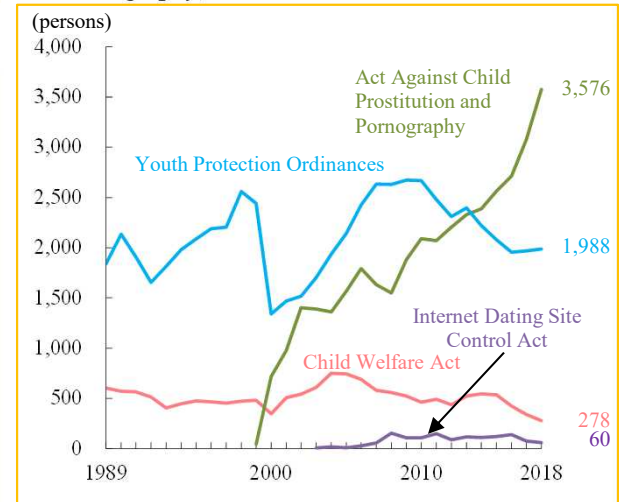


Major Special Acts offenses: persons received by public prosecutors

[1] Offense related to security

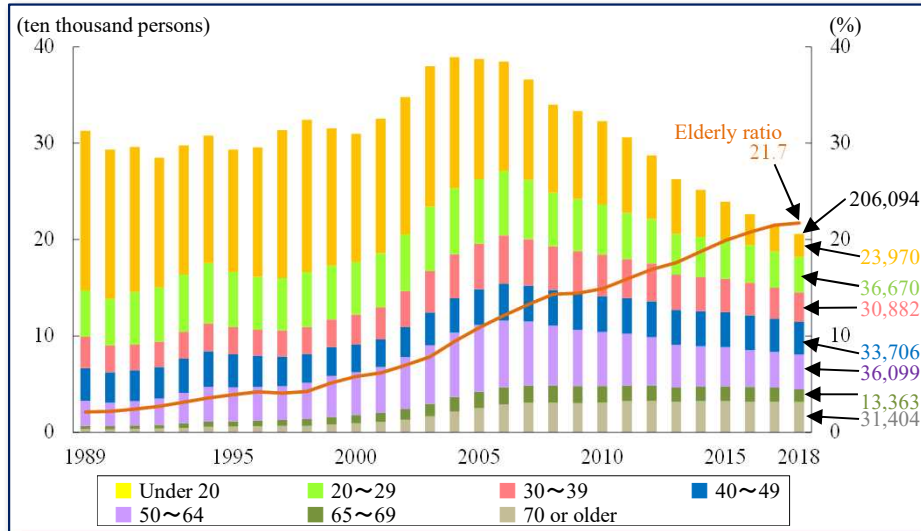


[2] Act Against Child Prostitution and Pornography, etc.

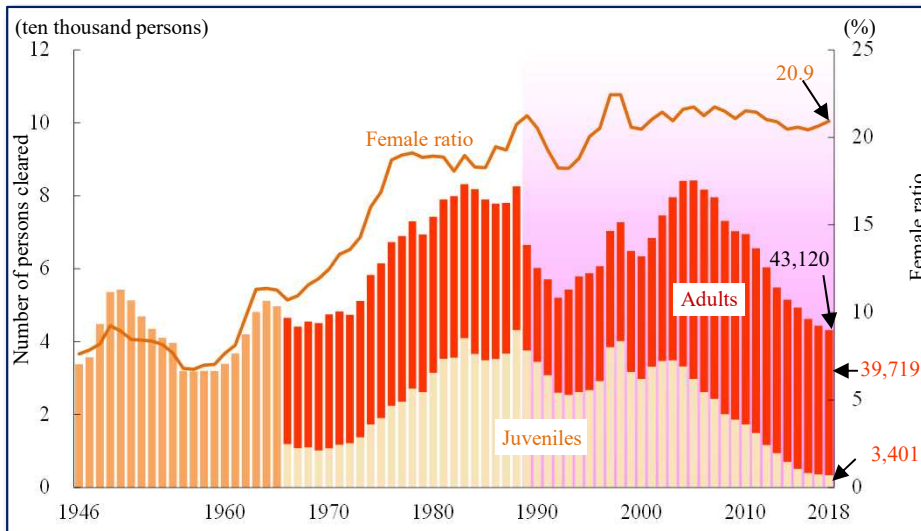


Trends in Specific Types of Offenses/Offenders During the *Heisei* Era

Penal Code offenses: persons cleared by age groups and elderly ratio

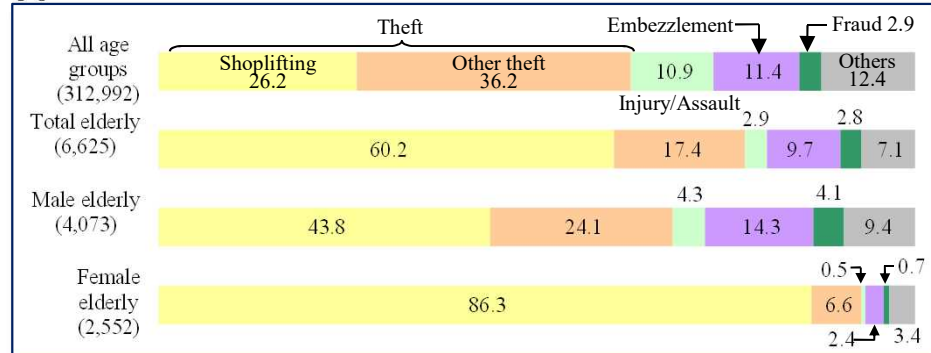


Penal Code offenses by females: cleared persons and female ratio

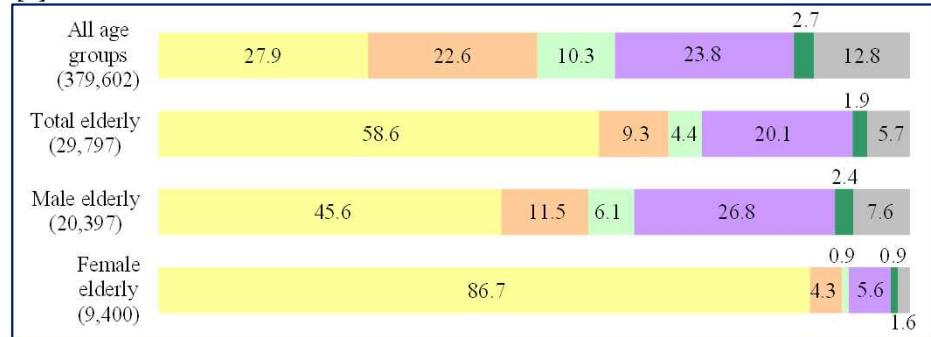


Penal Code offenses: composition ratio of types of offenses committed by elderly persons cleared (male/female)

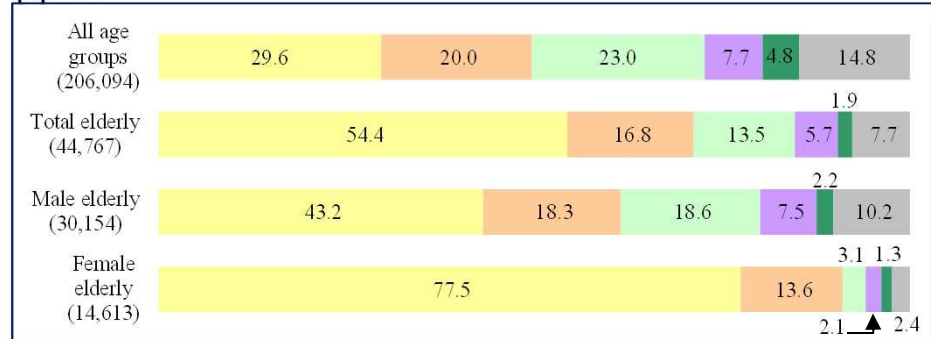
[1] 1989



[2] 2003

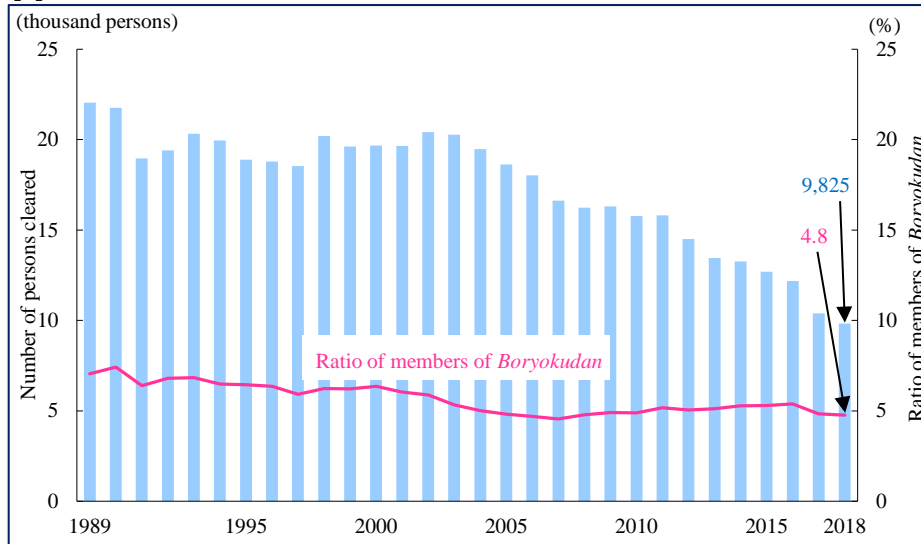


[3] 2018

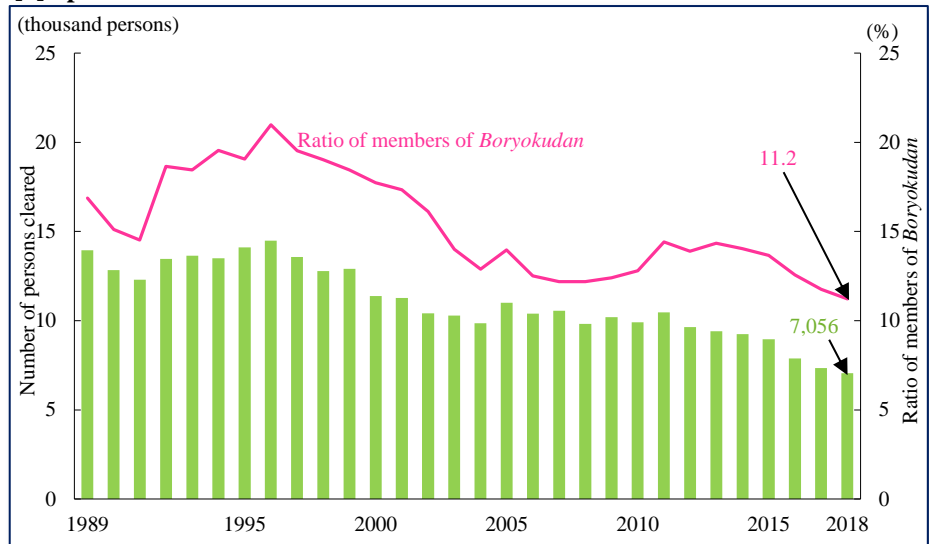


Members of *Boryokudan* cleared

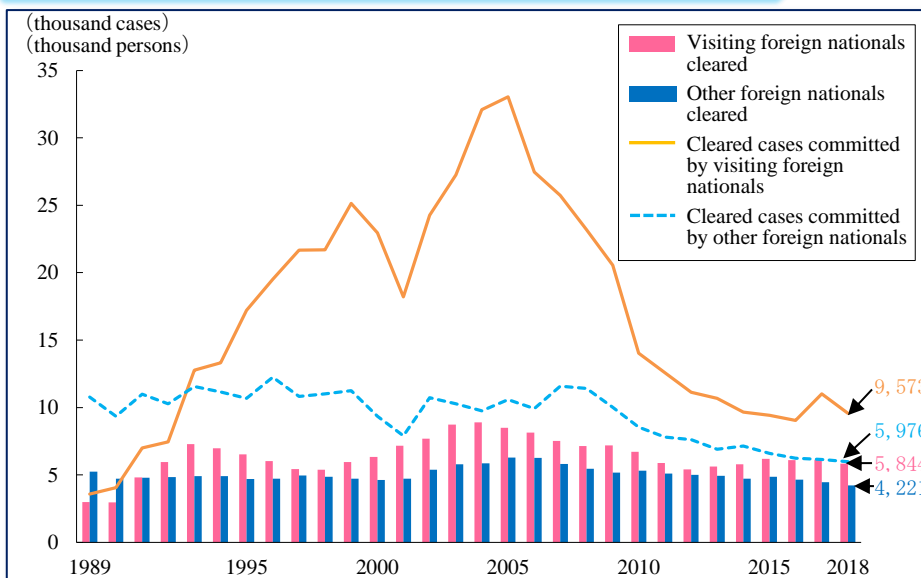
[1] Penal Code offenses



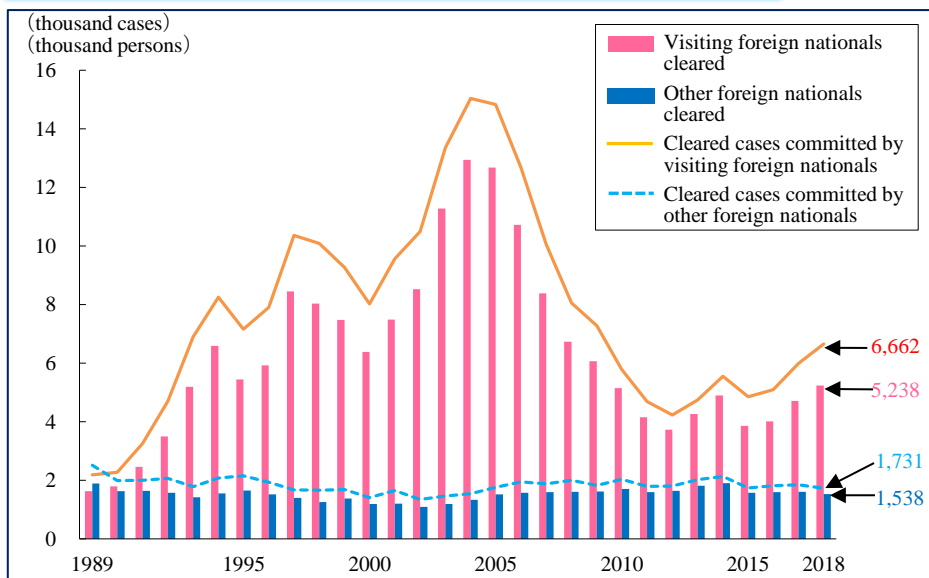
[2] Special Acts offenses



Penal Code offenses by foreigners: cases/persons cleared



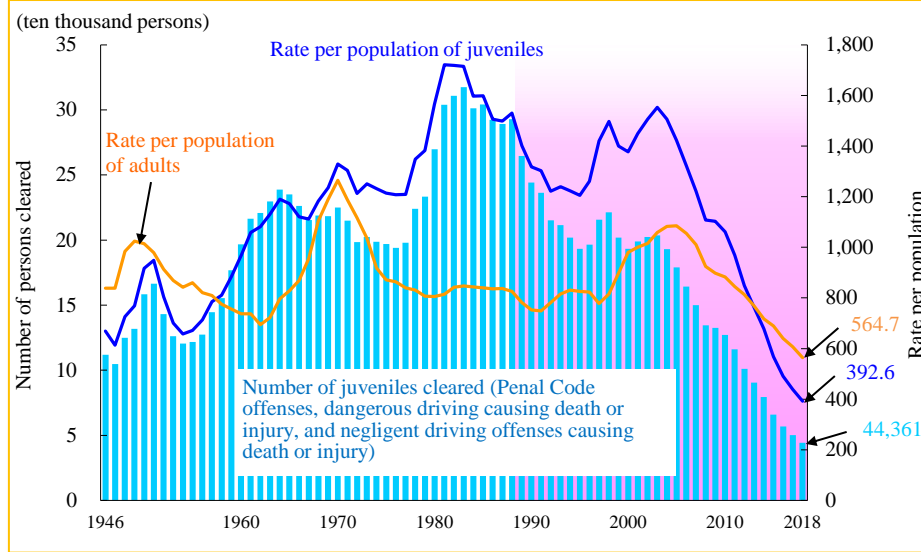
Special Acts offenses by foreigners: cases/persons cleared



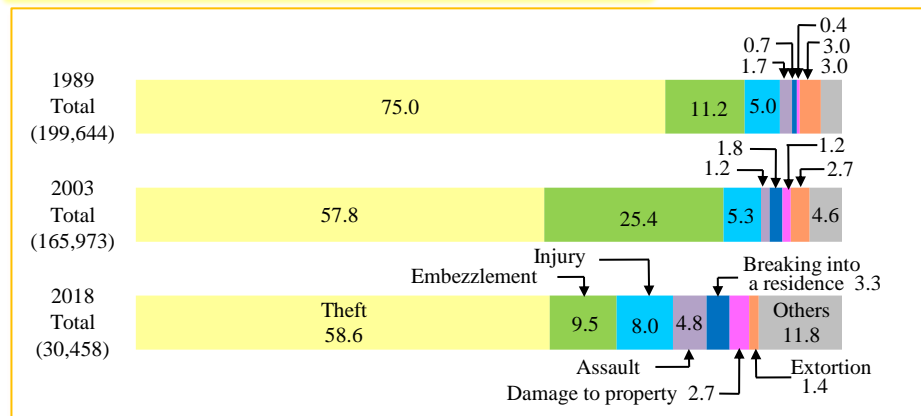
Trends in Juvenile Delinquencies During the *Heisei* Era

Penal Code offenses, etc. by juveniles: juveniles cleared and rate per population

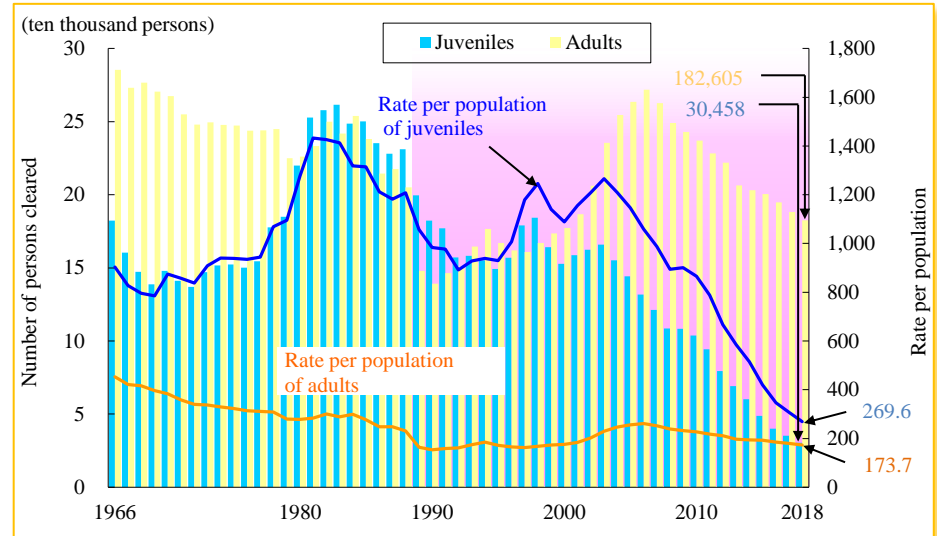
[1] Penal Code offenses, dangerous driving causing death or injury, and negligent driving offenses causing death or injury



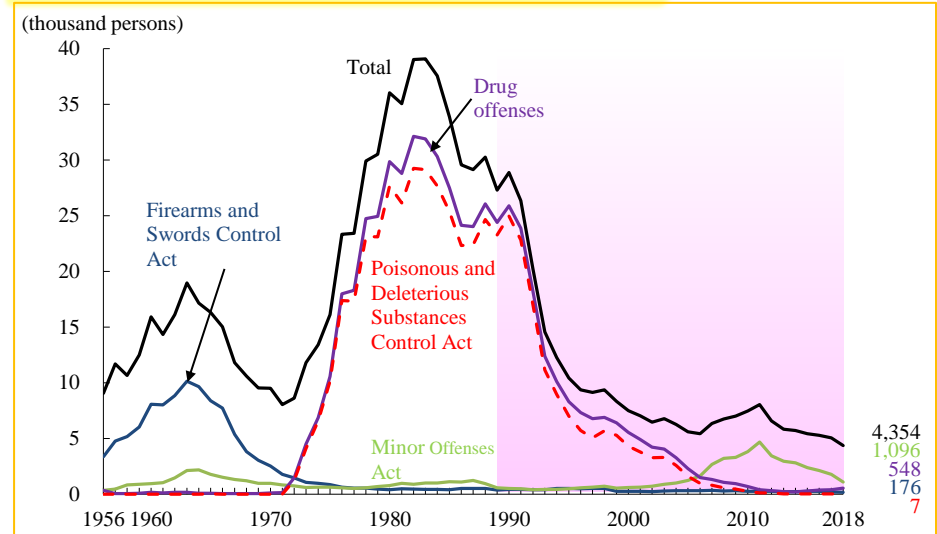
Penal Code offenses by juveniles: composition ratio of types of offenses committed by juveniles cleared



[2] Penal Code offenses



Special Acts offenses by juveniles: Juveniles cleared



Treatment of Offenders/Juvenile Delinquents During the *Heisei* Era

Procedure of Criminal Justice

Judicial Police Officials

2018

Numbers denote persons

Investigation initiated by public prosecutors etc.

Non-penal fine for traffic offenses

Dispositions as trivial offenses
60,548

Public Prosecutors Offices

Reception 984,819
Disposition 996,145

Penal Code offenses 210,001
Negligent driving offenses causing death or injury 419,395
Special Acts offenses 355,423 (excludes road traffic-related violations 89,901)

Prosecuted 308,721

Public trial
83,768

Summary order procedure
224,953

Not prosecuted 632,323

Suspended prosecution 568,392

(Juveniles)

Family Courts

Courts

【Finalized judgements】 275,901

Death penalty 2

Imprisonment (with/without work)

Definite term 50,766

Life imprisonment 25

Imprisonment without suspension of execution 18,836

Imprisonment with partial suspension of execution 1,567

Imprisonment with full suspension of execution 31,930

with probation 2,481

Penal detention 1

Fines 222,841

Petty fines 1,834

Acquittal 123

Others 309

Penal Institutions

【New sentenced inmates】 18,272
(Imprisonment with partial suspension of execution 1,537)
【Released sentenced inmates】 21,032
(Imprisonment with partial suspension of execution 1,202)

Detention in workhouse in lieu of payment of fines

Women's Guidance Home

Guidance disposition

Discharge

Release on the completion of the term of imprisonment 8,523

Completion of the term of imprisonment with partial suspension of execution 210
with probation

209

Release on parole 12,299
Imprisonment with partial suspension of execution 992

12,299

Provisional release from workhouse

Probation Offices

Commencement of probationary / parole supervision 15,754

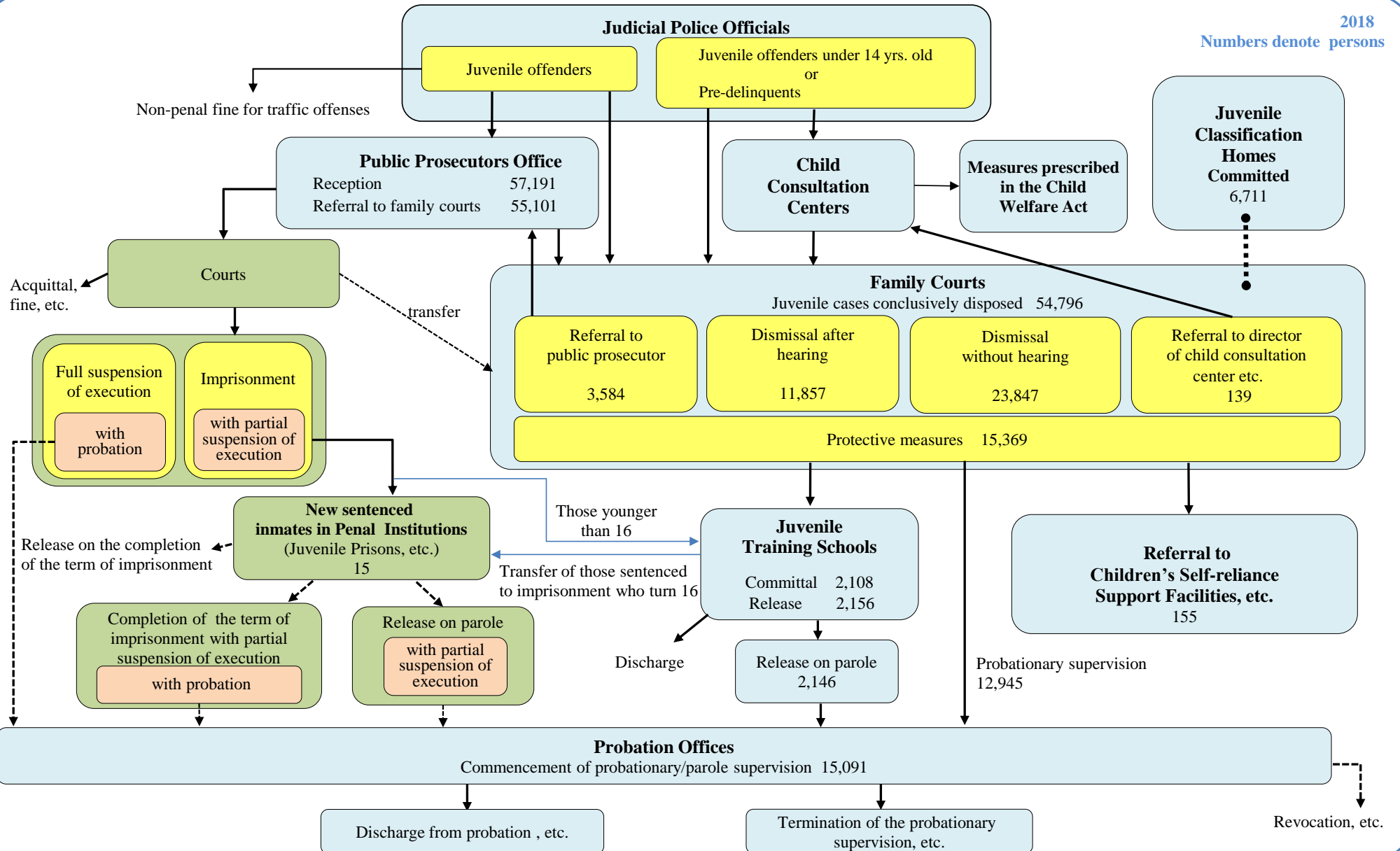
Release on parole 0

Revocation of parole, etc.

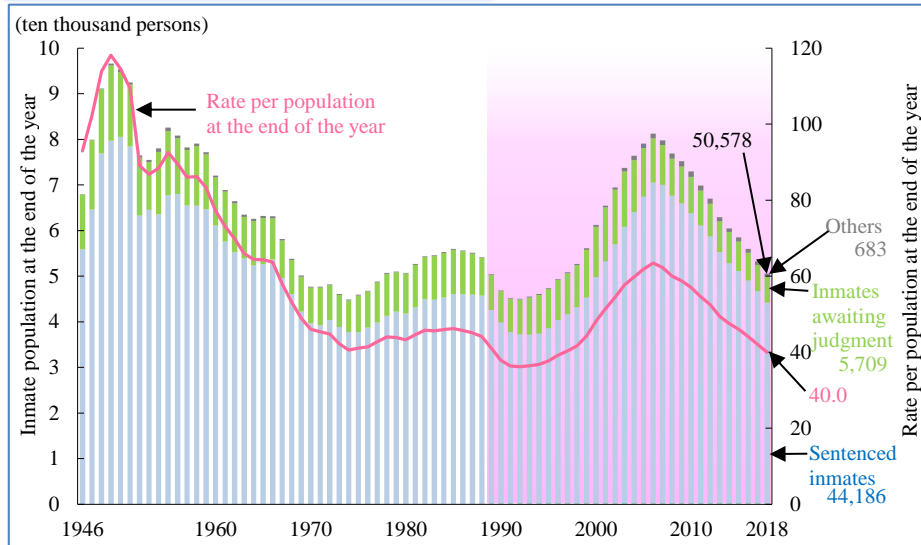
Termination of the probationary supervision, etc.

Procedure of Juvenile Justice

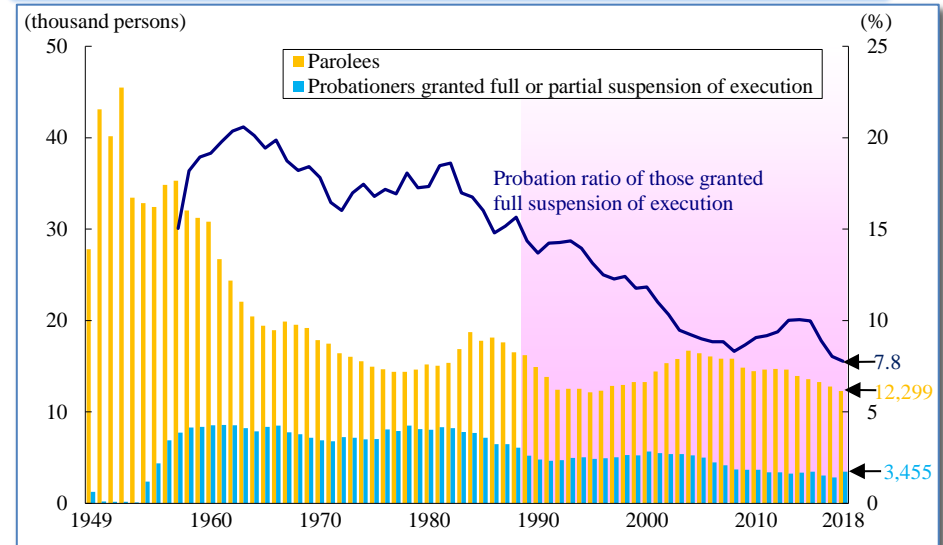
2018
Numbers denote persons



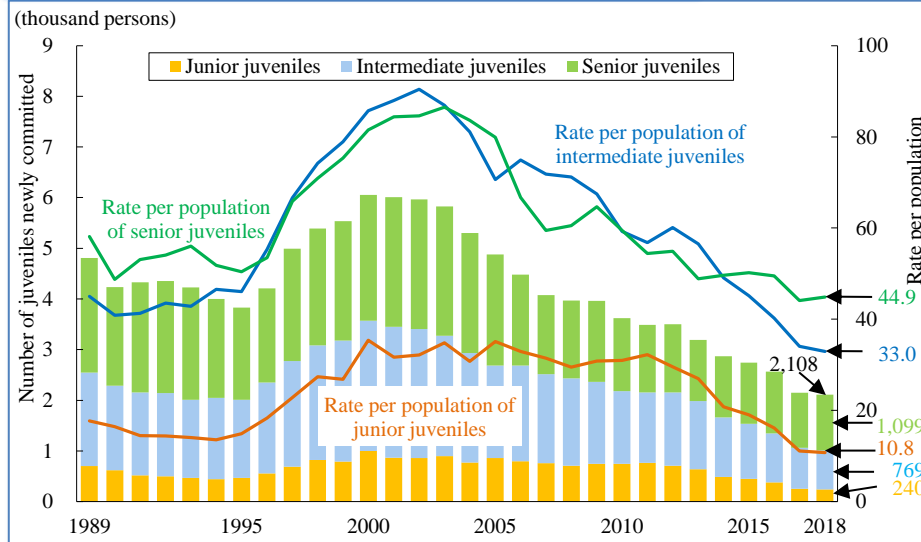
Year-end inmate population of penal institutions and rate per population



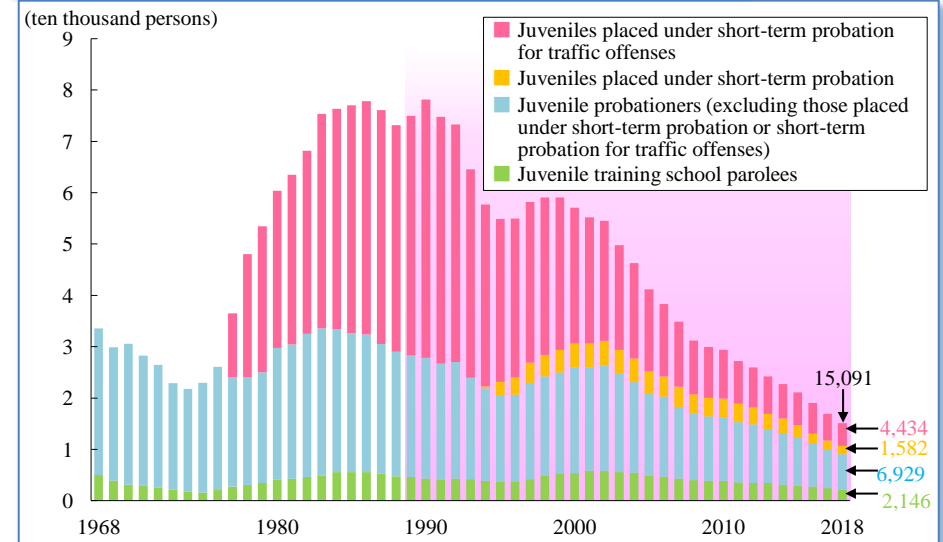
Probationers/parolees newly placed under probation/parole supervision and probation rate of those granted full suspension of execution



Juveniles newly committed to juvenile training schools: number and rate per population, by age groups

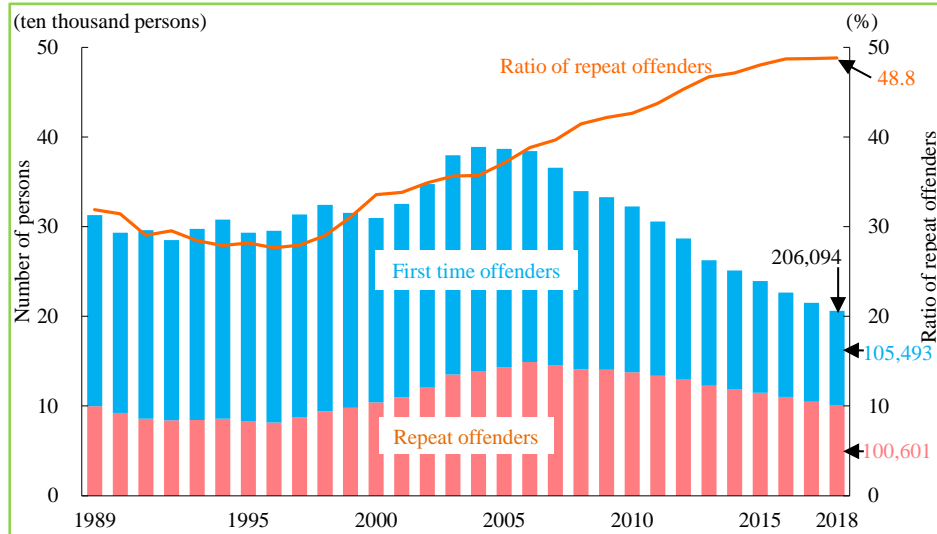


Juveniles newly placed under probation/parole supervision

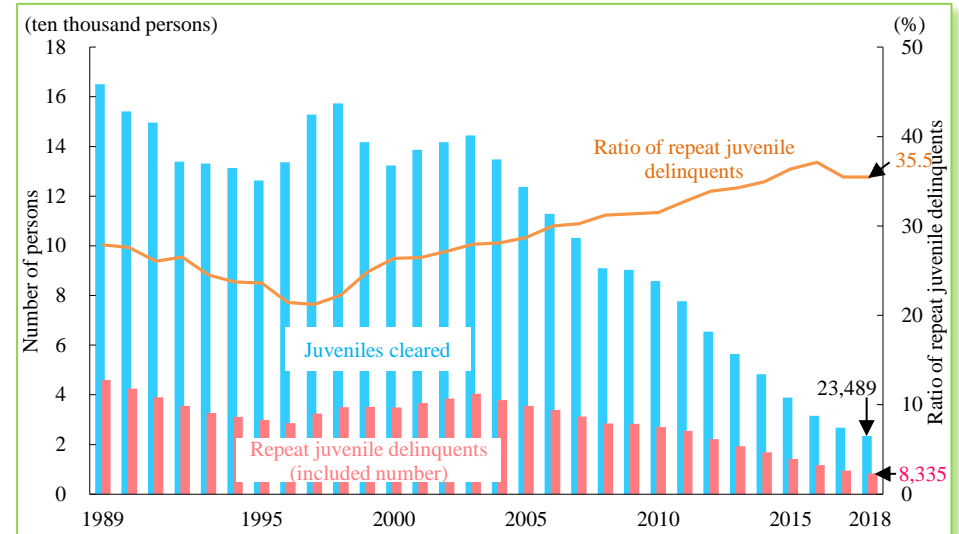


Repeat Offenders/Juvenile Delinquents During the *Heisei* Era

Penal Code offenses: repeat offenders among persons cleared, and ratio of repeat offender

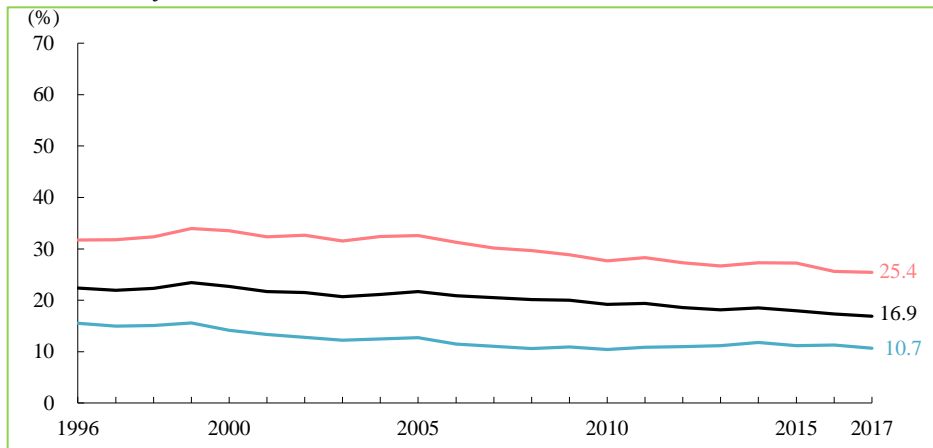


Penal Code offenses by juveniles: repeat juvenile delinquents among juveniles cleared and ratio of repeat juvenile delinquents

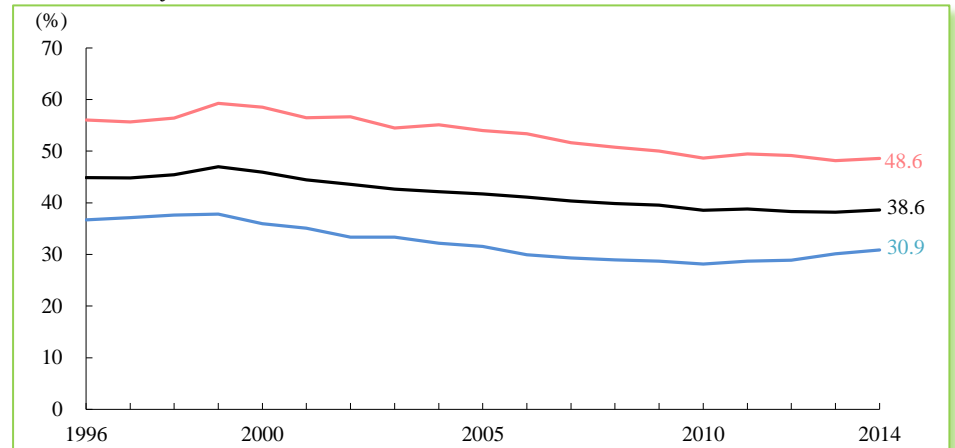


Percentages of reimprisonment of released sentenced inmates, by reasons for the previous release

[1] Within 2 years



[2] Within 5 years



— Released on completion of the term of imprisonment with/without partial suspension of execution
— Released on parole
— Total