



# MINISTRY OF JUSTICE

2015

**MJ**



## The Ministry of Justice is closely connected to every member of the community.

In order to live in this community it is necessary to have rules and regulations.

Such rules ensure that family relationships, such as parents and children or brothers and sister are accurately registered; that people can live safely within the community; and that ordered materials can be obtained without fail.

Furthermore, to preserve peace and order in society, it is also essential that the person who harms others or commits a theft is appropriately punished.

The Ministry of Justice not only prescribes such basic rules applicable in society but also creates basic judicial framework under which the rules are adhered to. It also assumes responsibility for a broad range of legal work under which those who have been punished are assisted in their resocialization processes.

The Ministry also oversees the management of a system to help citizens exercise their personal rights, such as the registration of real estate and notarization.

Other important duties of the Ministry of Justice are to ensure that the immigration control of those entering or leaving Japan is dealt with in an appropriate manner, the basic human rights of individuals are respected, and intelligence activities are carried out for the purpose of public security.



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# Ministry of Justice Challenge for the Future

—Three Challenges for Establishing the “Safest Country in the World” —

## Toward the Safe Future

### Promotion of Re-Offending Prevention Measures



In December 2014, the declaration, “No Return to Crime, No Facilitation of a Return to Crime” has been determined by the government.

We have started working on the realization of a bright society by preventing repeated offending as well as supporting those who are on recovery and on rehabilitation with everyone.

Representatives of individual organizations, receiving the prime minister’s message, asking for the understanding and cooperation of Re-Offending Prevention Measures (Publicity Poster for the “The Brighter Society Campaign 65th” Central Promotion Committee)

## Toward the Interacting Future

### Enhancement of Immigration Administration



Examination in a ship by immigration officials

Connection with the world will become more active with the Tokyo Olympic and Paralympic Games coming up in 2020.

The Ministry of Justice is advancing efforts so that Japan can welcome foreign visitors safely and efficiently to Japan.



Automated gate

## Toward the Future of Law

### System to Protect the People and Society

To realize a society where each and every individual can live without anxiety, the Ministry of Justice is working to develop the careful human rights remedy system, enhance the justice system in which the people can relate to or rely on, and promote law-related education for the next generation who will be using and creating laws in the future.

Also, the Ministry will actively provide assistance for the improvement of legal systems in different countries as a country open to the world.



Children’s Rights SOS Letter-Cards (for elementary school students)



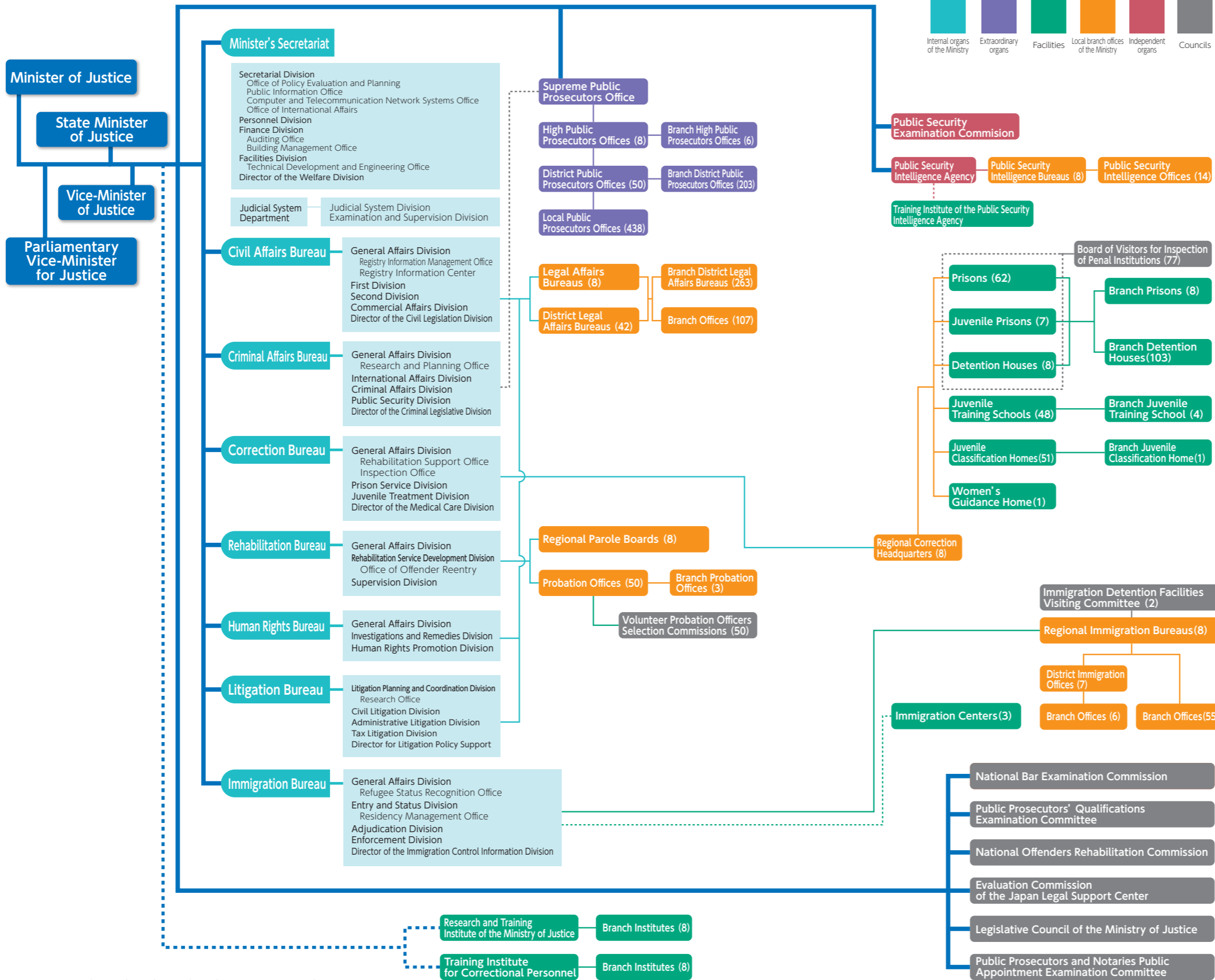
The mascot for law-related education “Hourisu-kun”

Law-related education class

# 01 About Ministry of Justice

## Structure, Historical Background, Quota and Budget for the Ministry of Justice

### ORGANIZATION OF THE MINISTRY OF JUSTICE



\*Figures in parentheses show the number of organizations (as of Apr. 2015)

### Historical Background

1871	Shihosho established
1947	Separated from Shihosho, came under the jurisdiction of the Supreme Court
1948	Homucho established (Shihosho abolished)
1949	Renamed Homufu (with 3 director-generals and 11 bureaus)
1952	Renamed the Ministry of Justice (with Minister's Secretariat and 7 bureaus)
2001	Reorganization of the central government (with Minister's Secretariat and 6 bureaus)
2015	Litigation Bureau established (with Minister's Secretariat and 7 bureaus)

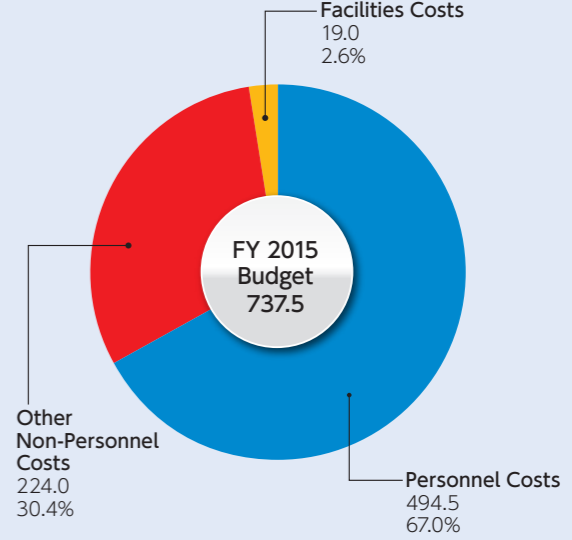
### Quota (FY 2015)

Organization	Count
Ministry of Justice	843
Research and Training Institute of the Ministry of Justice	85
Legal Affairs Bureaus	8,948
Public Prosecutors Offices	11,796
Correctional Institutions	23,572
Probation and Parole Offices	1,770
Regional Immigration Bureaus	3,980
Public Security Examination Commission	4
Public Security Intelligence Agency	1,546
<b>Total</b>	<b>52,544</b>

Note: The numbers in the Ministry of Justice include the number of special officers

### Budget (FY 2015)

The MOJ FY 2015 Budget totals 737.5 billion yen, including 494.5 billion (67.0%) in personnel costs. An additional 1.6 billion is allocated to MOJ from the "Special Account for Reconstruction from the Great East Japan Earthquake". (Unit: billion yen)



## Organization of Ministry of Justice

### Minister's Secretariat

#### Minister's Secretariat

##### ● Secretarial Division

The Secretarial Division is in charge of secretary work for the Minister of Justice, etc., overall coordination of administration of each department, clerical work pertinent to the National Diet, public relations, liaison, etc.

##### ● Personnel Division

The Personnel Division is in charge of the general affairs of National Bar Examination Commission and clerical work accompanying its exams, etc. as well as clerical work pertinent to human resources such as the quota, appointment and dismissal of employees.

##### ● Finance Division

The Finance Division is in charge of the budget, auditing and revenues and expenditures of the Ministry of Justice.

##### ● Facilities Division

The Facilities Division engages in the design, construction work and maintenance of the facilities under the jurisdiction of the Ministry of Justice, and also in international cooperation to help foreign governments build correctional institutions.

#### Civil Affairs Bureau

The Civil Affairs Bureau is responsible for handling matters such as the affairs regarding the system of the registration of companies and real estate, family registration, nationality, deposit, notarization, judicial scriveners, land and house investigators, and the planning and drafting of civil legislation, such as the Civil Code, the Commercial Code, and the Code of Civil Procedure.

#### Criminal Affairs Bureau

The Criminal Affairs Bureau is responsible for among other things, the planning and drafting of criminal legislation, such as the Penal Code and the Code of Criminal Procedure; the affairs regarding prosecution; and the affairs regarding extradition of criminals and fugitives as well as international mutual legal assistance.

#### Correction Bureau

The Correction Bureau is responsible for matters concerning the treatment of inmates (such as security, prison work, education, classification, medical treatment, hygiene) in the correctional institutions (prisons, juvenile prisons, detention houses, juvenile training schools, juvenile classification homes, and the women's guidance home); the planning and drafting of correctional legislation; the organization and management of correctional institutions; and the international transfer of sentenced persons.

#### Rehabilitation Bureau

The Rehabilitation Bureau is responsible for administration matters concerning the offenders rehabilitation system in the community which includes the parole of inmates of correctional institutions, probation for juveniles who are under probation, parolees from juvenile training schools / penal institutions or persons under probation with suspension of execution of the sentence, crime prevention activities, pardons and measures for crime victims, and also matters concerning community-based treatment according to the Act on Medical Care and Treatment for Persons Who Have Caused Serious Incidents on the Grounds of Insanity or Diminished Capacity.

##### ● Director of the Welfare Division

The Director of the Welfare Division is in charge of clerical work pertinent to mutual aid associations, the benefits and welfare as well as efficiency enhancement of the employees, pension and accident compensation.

##### ● Judicial System Department

The Judicial System Department is in charge of the work of conducting research and studies as well as drafting of laws and regulations on the judicial system. The clerical work includes: the work of collecting, filing, compiling and publishing of data on laws and regulations, court precedents and legal affairs; the administration of the Legislative Council of the Ministry of Justice; the administration of the Ministry of Justice Library and the Ministry of Justice Museum-Message Gallery; the compilation of statistics on the work handled by the Ministry; matters concerning comprehensive legal support; matters concerning law-related education; matters concerning the qualification of attorney-at-law (bengoshi) certified by the Minister of Justice; matters concerning registered foreign lawyers as "Gaikoku-Ho-Jimu-Bengoshi (Gaiben)"; matters concerning the examination of license and authorization and the supervision of the claim management and collection companies (servicers); and matters concerning the certification of private dispute resolution services.

#### Human Rights Bureau

The Human Rights Bureau handles matters concerning the protection and promotion of fundamental human rights. Its functions include investigating and handling human rights infringement cases, providing human rights counseling services, and promoting respect for human rights. As the field offices of the Bureau, there is a human rights department in each Legal Affairs Bureau and a human rights section in each District Legal Affairs Bureau. In addition, Human Rights Volunteers, who are private citizens appointed by the Minister of Justice, are placed in each municipality of cities, towns and villages (including wards of Tokyo) across the country.

#### Litigation Bureau

Litigation Bureau handles state redress suits and administrative suits in which the State is the party. Furthermore, they are in charge of clerical work that makes suggestions from juristic perspectives by request from each administrative machinery concerning cases which may lead to legal disputes. The divisions are also responsible for dealing with lawsuits involving local public entities, independent administrative institutions and other public juristic persons as prescribed by Cabinet orders in cases where such suits are found to be related to the interests of the State.

#### Immigration Bureau

In addition to the immigration examinations of Japanese nationals and foreign nationals, the Immigration Bureau processes the administrative affairs relating to the residency procedures for foreign nationals staying in Japan, the deportation of foreign nationals and the recognition of refugees.

## Extraordinary Organs

### Public Prosecutors Office

The function of the Public Prosecutors Office is to exercise control over all the work handled by the public prosecutors. The public prosecutors offices consist of the Supreme Public Prosecutors Office (in Tokyo), the High Public Prosecutors Offices (in Tokyo, Osaka, Nagoya, Hiroshima, Fukuoka, Sendai, Sapporo and Takamatsu), the District Public Prosecutors Offices (one each in the 46 prefectures except for Hokkaido, where because of the large size of its administrative area, there are four offices) and Local Public Prosecutors Offices (one each in major cities, wards or towns). Each of the high public prosecutors offices and the

district public prosecutors offices has branches to handle parts of their work.

Public prosecutors offices are staffed with public prosecutors (Prosecutor-General, Deputy Prosecutor-General, Superintending Prosecutors, Public Prosecutors and Assistant Prosecutors) and public prosecutors' assistant officers.

### Public Prosecutors

In criminal cases, public prosecutors have the power to investigate any criminal offense, decide whether or not to institute prosecution, request proper application of law to courts and control / supervise the execution of judgment, and furthermore, as representatives of public interests, they are given more authority by the Civil Code and other laws.

Prosecutorial power is exercised for the purpose of the maintenance of the law and order of the nation and society. The exercise of prosecutorial power is based on the principle of strict fairness and impartiality, and cases are handled with due respect to the human rights of the suspects.



The cover of a pamphlet explaining the meaning and role of prosecution (For its contents, please refer to the Ministry of Justice website [http://www.moj.go.jp/keiji1/keiji\\_keiji12.html](http://www.moj.go.jp/keiji1/keiji_keiji12.html)).



The cover of a pamphlet clearly explaining the various systems in the Public Prosecutors Office, supporting victims of crime (For its contents, please refer to the Ministry of Justice website <http://www.moj.go.jp/ENGLISH/CRAB/crab-02.html>).

## Facilities

### Penal Institutions (Prisons, Juvenile Prisons, Detention Houses)

The penal institutions consist of prisons which confine inmates sentenced to imprisonment with or without work, juvenile prisons which confine sentenced juvenile inmates and detention houses which confine defendants or suspects awaiting trial.

The treatment of sentenced persons aims at their rehabilitation and smooth return to society and for this purpose, they are taken into the most suitable institution after psychological examinations of their personality characteristics and social adjustments. The institutions draw up the treatment plans most suitable for individual sentenced persons and actively carry out various work, vocational training, living guidance, and educational programs, etc.

In addition, some prisons, including Ichihara Prison and Ooi Shipyard Prison Camp (of Matsuyama Prison), adopt "open treatment" measures, and thus the Ministry is actively introducing new treatment techniques.

The treatment of defendants awaiting trial is intended to contribute to smooth trial proceedings by detainment and by preventing the destruction of evidence while paying due respect to their basic human rights.



FUCHU Prison

### Juvenile Classification Homes

A Juvenile classification home confines juveniles who have been referred by the family court when the court orders "protective measures." The home conducts assessment of these juveniles based on the expertise the home has in medicine, psychology and pedagogy, etc. in order to provide relevant information for the investigation and hearing by the family court. Such assessment is conducted by interviews, psychological tests and behavioral observations as well as by psychiatric examinations if necessary; the treatment guidelines for their rehabilitation are drawn up through examination and diagnosis of the mental and physical conditions of juveniles and through clarification of the

causes of delinquency.

The home also conducts assessment at the request of the superintendent of juvenile training schools, the director of probation offices, etc. for the enforcement of protective measures etc.

Furthermore, the home provides necessary supports such as counseling and consultation services based on its professional knowledge and skills for the general public and school teachers on delinquency, bullying and domestic violence, etc. in order to prevent delinquency and crime in the local community.



OSAKA Juvenile Classification Home



Photo of a Psychological Test at a Juvenile Classification Home (an image)

### Women's Guidance Home

The Women's Guidance Home confines adult females who are rendered "guidance measures" by the criminal court for violation of the Anti-Prostitution Act. The home provides living

guidance and vocational training according to the needs for their rehabilitation.

### Juvenile Training School

Juvenile Training Schools confine juveniles etc. who have been sent from the family court as protective measures and provide correctional education etc.

At a juvenile training school, the individual treatment plan which determines the goals, contents, implementation methods, and terms of correctional education that should be conducted

according to the juvenile's traits such as age, physical and mental condition, and criminal tendencies etc. is drawn up for each individual, and the training school provides correctional education by appropriately combining lifestyle guidance, vocational training, subject teaching, health and physical education, and special activities.



KAKOGAWA&HARIMA Juvenile Training School



Photo of guidance on problematic behavior

### Research and Training Institute of the Ministry of Justice



URAYASU Center, Research and Training Institute of the Ministry of Justice. Housing the Research Department and Training Facilities

#### ● Research

Research activities of the Institute encompass from general crime trends and the treatment of offenders in Japan to the analysis on specific crime situation and effective measure to reduce recidivism. White Paper on Crime is an annual publication that portrays the overall crime situation in Japan, and detailed analyses on thematic research topics can be found in the Research Department Reports and Materials.



#### ● Training

Various trainings are conducted for the officials of the Ministry of Justice (excluding correctional personnel and those at Public Security Intelligence Agency). In the trainings, various training subjects such as lectures, debates, and exercises are adopted so that the officials can acquire knowledge and skills needed as the officials of the Ministry of Justice, depending on their duties. Through the trainings, the institute is aiming to foster officials who can respond appropriately to operations that are becoming diverse and complex in recent years.

#### ● International Cooperation

The Research and Training Institute has been actively offering international cooperation both in the criminal and civil sectors through: (i) providing training for criminal justice practitioners and implementing research for developing countries, mainly from the Asia-Pacific region, in cooperation with the United Nations, to contribute to, inter alia, the enhancement of countermeasures against organized crime and corruption, which are major policies of the UN; and (ii) providing technical assistance to developing countries mainly in Asia, that are promoting the development of their legal systems, focusing on the drafting or amending of fundamental legal codes, as well as the establishment of systems and status quo necessary for the operation of law, and capacity building for legal practitioners.

Promoting such international cooperation as mentioned above has not only contributed to the development of the countries of the Asia-Pacific region, but has delivered an important message to the whole world of Japan's determination to make active international contributions from the viewpoint of strengthening countermeasures against international crimes and promoting smooth economic activities.

The Research and Training Institute is one of the agencies of the Ministry of Justice. The institute conducts a wide range of work, including (i) research related to criminal justice policies and other Ministry of Justice affairs, (ii) various kinds of training for Ministry of Justice officials, and (iii) international cooperation both in criminal and civil sectors provided for developing countries mainly in the Asian region.

#### ● Operation of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders

The Ministry of Justice cooperates with the United Nations in terms of policy-making and policy implementation in the field of crime prevention and the treatment of offenders through its financial and human resource contributions to the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), established in 1962 based on the agreement between the United Nations and the Government of Japan.

#### ● Technical Assistance in the Legal Field

Japan has invited legal practitioners of target countries to Japan for training, and has also dispatched Japanese experts to such countries to conduct advisory activities and to hold seminars. Japan has so far offered support to such countries as Vietnam, Cambodia, Laos, Indonesia and Myanmar.



International Training Course at UNAFEI



Mock Trial in Cambodia

## Training Institute for Correctional Personnel

The Training Institute for Correctional Personnel of the Ministry of Justice provides training programs necessary as a matter of duty for personnel engaged in correctional services.



Training Institute for Correctional Personnel

### History

The Training Institute for Correctional Personnel is a venerable institute whose predecessor is the Prison Officers Training Institute of the old Home Office established in 1890. It has a long history and tradition as a training institution for public officers.



Training at the Training Institute for Correctional Personnel

After its establishment, the Institute was renamed a number of times, but in 1969, it was reorganized into the present structure by the amendment of the Ministry of Justice Establishment Act.

## Extra-ministerial Bureaus (Public Security Intelligence Agency, Public Security Examination Commission)

### Public Security Intelligence Agency

The Public Security Intelligence Agency is an administrative organ whose duties are to integrally conduct functions including intelligence activities and request for dispositions regarding the control of subversives and other relevant organizations based on the Subversive Activities Prevention Act and the Act on the Control of Organizations Which Have Committed Acts of

Indiscriminate Mass Murder.

Furthermore, as a core member of the Japanese intelligence community, the Agency contributes to relevant governmental policies by providing relevant organs on a timely basis with domestic and foreign intelligence / materials collected through investigation and related to the public security of Japan.

### The Operations of the Public Security Intelligence Agency

#### Control of Subversive Organizations

In Japan, there are many organizations and forces which may pose a security risk to the public. They include: Aum Shinrikyo, which carried out the subway sarin gas attacks, among others; leftist extremists, which have repeatedly conducted illegal activities including terrorist and guerilla attacks; right wing groups; and the General Association of Korean Residents in Japan.

Based on the Subversive Activities Prevention Act, the Agency conducts intelligence activities regarding those organizations which have a potential for subversive terrorist activities. When it is deemed necessary to take control measures as a result of intelligence activities, the Agency files an application with the Public Security Examination Commission (see page 12) in order to take control measures such as restricting their activities or giving them a dissolution order. Also, in accordance with the Act on the Control of Organizations Which Have Committed Acts of Indiscriminate Mass Murder, the Agency files an application with the Commission against organizations that have committed indiscriminate mass murder in the past and are still considered dangerous in order to take "surveillance measures" or other measures for preventing a recurrence. At the same time, the Agency conducts on-site inspections at the facilities of these organizations under the Commission's order for surveillance and carries out necessary investigations.

activities without mentioning its name; the cult also has reinforced teachings designed to increase the followers' absolute faith in Asahara, who is currently on death row.



How an On-Site Inspection is Conducted

#### Aum Shinrikyo Today

##### —20 years after the Tokyo Subway Sarin Gas Attacks—

In order to reveal the status of the activities of Aum Shinrikyo, the Agency conducts surveillance of the cult in an appropriate and rigorous manner. Investigations and on-site inspections of Aum Shinrikyo have revealed that the cult still poses a threat in nature: the cult has increased the number of new followers by recruiting

#### Intelligence Contribution

There are many challenges to the security of Japan and its people such as North Korea's ballistic missile test-launches, nuclear development and abductions of Japanese nationals; China's extensive and rapid modernization of military strength; threats posed by international terrorism and proliferation of weapons of mass destruction. These challenges need to be carefully watched. Especially, Japan has repeatedly faced situations where tensions became heightened with its neighbouring countries over the territory and maritime interests of Japan, and these situations have become

matters of great concern to the government and relevant organs of Japan. It has become one of the most important missions of the Agency, which is tasked to secure public security, to collect and analyze relevant intelligence with regard to these challenges, thus contributing to the government's policies by providing relevant organs with the intelligence.

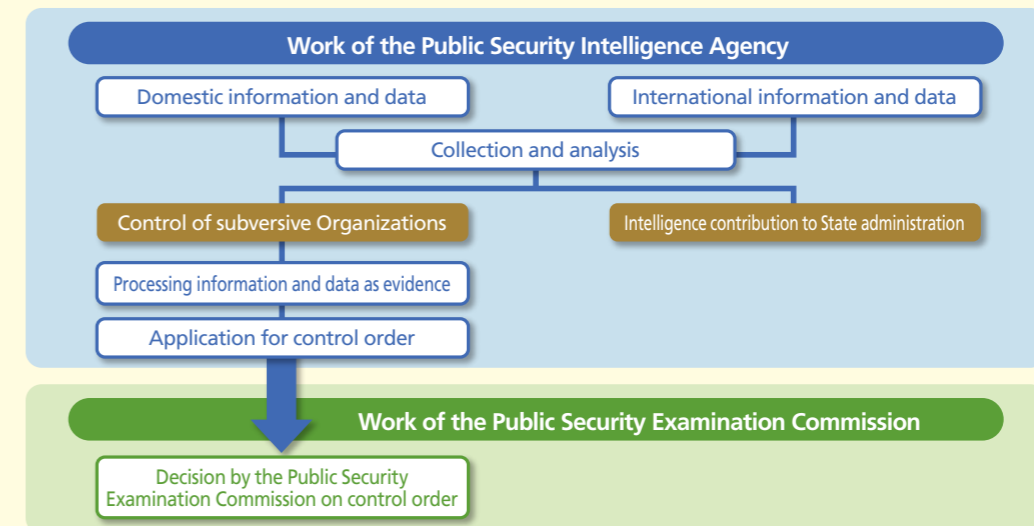
#### National Security Council and Public Security Intelligence Agency

In December 2013, the National Security Council was established as the control tower for diplomacy and national security of Japan. The Public Security Intelligence Agency provides the National Security Council on a timely basis with intelligence/materials for deliberation at the council.

### Public Security Examination Commission

The Public Security Examination Commission is an extra-ministerial organ of the Ministry with the aim of maintaining public security. Upon receiving an application from the Director-General of the Public Security Intelligence Agency for regulatory actions on subversive organizations stipulated in the Subversive Activities Prevention Act or the Act on the Control of Organizations Which Have Committed Acts of Indiscriminate Mass Murder, the Commission examines the application from an objective and neutral viewpoint and makes a decision on whether any control measure is necessary or what control measure should be taken.

The Commission is composed of a chairperson and six members. They are selected from among persons of good character who are capable of making a fair judgment on the control of organizations and those who have ample knowledge and experience of both law and society. They are appointed by the Prime Minister and must be approved by both houses of the Diet. With regard to application of the aforesaid laws, the members perform their duties quite independently, free from any direction or supervision of the Prime Minister or the Minister of Justice.



### Subversive Activities Prevention Act

The Subversive Activities Prevention Act provides for necessary restrictive measures against organizations that have committed violent subversive activities, such as insurrection, disturbance, or homicide, with the aim of creating civil commotion or achieving their own political purposes, where such activities posed a serious threat to the peaceful lives of citizens. The Act also provides a means to complement the usually applicable punitive provisions regarding such activities to help ensure public safety in Japan.

The Act provides that, if an organization that has committed

violent subversive activities is determined to pose a threat, and if apparent risk for conducting further activities is detected, the organization shall have its activities under restriction or be disbanded. It also provides for additional or stricter punishments for organizations that have committed violent subversive activities; the Act stipulates that proper punishments be inflicted on violent subversive activities that might not be covered by the provisions of the Criminal Code or other laws, or that could only be dealt with by a lenient punishment. (Enforced in 1952)

### Act on the Control of Organizations Which Have Committed Acts of Indiscriminate Mass Murder

The Act on the Control of Organizations Which Have Committed Acts of Indiscriminate Mass Murder is intended to contribute to securing the public security of Japan by prescribing necessary control measures in order to reveal the status of the activities of organizations which have committed an act of indiscriminate mass murder in the past and which are still found to possess a menacing nature, or to prevent the recurrence of an act of indiscriminate mass murder.

The Act provides for measures, aiming to prevent those organizations from committing indiscriminate mass murder again, such as the submission of mandatory reporting, surveillance action that legally authorizes the Agency to conduct on-site inspections, prohibition of acquisition and use of facilities, and/or prohibition to receive donation of money and goods. The Act also stipulates to impose appropriate punishment against prohibited conducts or rejection of on-site inspection. (Enforced in 1999)

## PICK UP! Re-Offending Prevention ~Establishing the Safest Country in the World~



**Q** What kind of issues to be addressed in order to build the safest country in the world?

**A** Ensuring favorable public security is not only prerequisite for the success of the Tokyo 2020 Olympic and Paralympic Games, but also an important basis to enable women and the young to flourish at ease in the community. It is also an important issue that could be the "foundation" of the construction of the locality.

At the Ministerial Meeting Concerning Measures Against Crime in December 2013, the "Strategy to Make 'Japan the Safest Country in the World'" was approved, and while efforts for comprehensive crime control were made by the government as a whole based on the strategy, the number of crimes

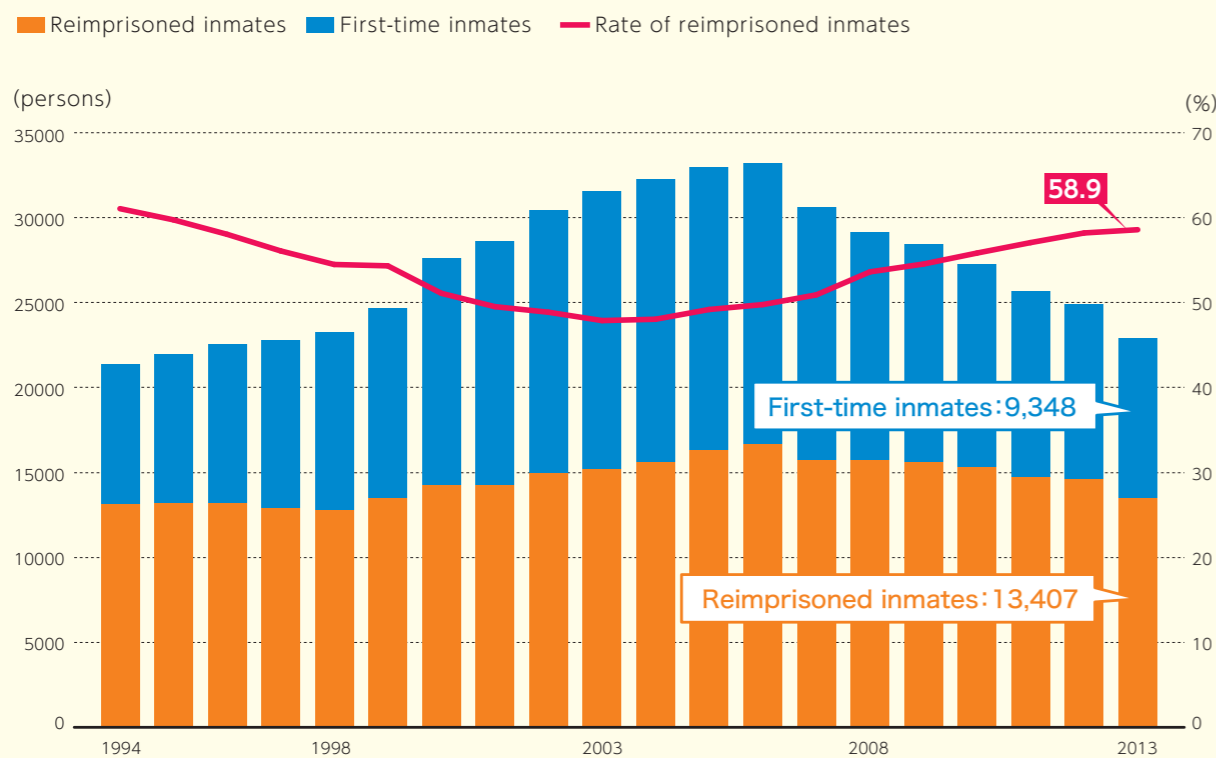
recognized decreased, therefore, improvement can be seen in the public security of Japan.

However, while survey results show that about 60 percent of crimes are conducted by about 30 percent of repeated offenders, the rate of offenders returning to prison has been increasing since 2004, and the rate has become about 60 percent in 2013.

Taking the above facts in consideration, the question of how we would prevent the repetition of crimes and delinquencies (= the prevention of re-offending) is a major challenge for the reduction in the number of crimes as well as for the construction of a society where people can live safely in peace.



The Number of Reimprisoned Inmates Among Imprisoned Inmates/Changes in the Rate of Reimprisoned Inmates (1994-2013)



(Note 1) Annual Report of Statistics on Correction

(Note 2) "First-time inmates" refer to inmates imprisoned to penal institutions for the first time and "reimprisoned inmates" refer to inmates who had previously been imprisoned to penal institutions.

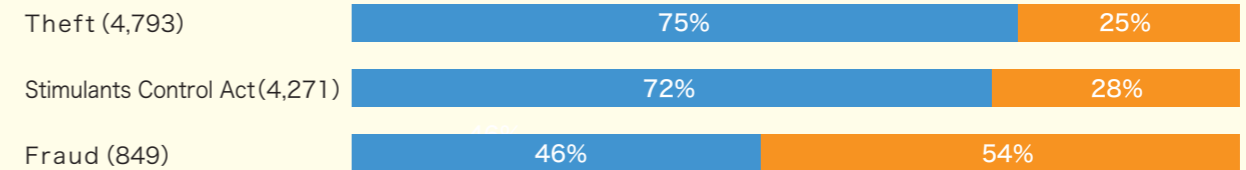
## Why Crimes and Delinquencies are Repeated

Those who commit "theft" and those who are charged with the "violation of the Stimulant Drugs Control Act" tend to re-offend which results in a high rate of offenders who go back to prison. As for women, the re-offending rate of "theft" and

the "violation of the Stimulant Drugs Control Act" goes up to about 90 percent, therefore, the tendency of re-offending with the same crime is high.

Rate of Inmates Reimprisoned for the Same Crime (by type of offense) (2013)

### ①Total



### ②Female



(Note 1) Annual Report of Statistics on Correction

(Note 2) "Reimprisoned inmates" refer to inmates who had previously been imprisoned to penal institutions.

(Note 3) ( ) is the actual number of inmates.

Then why are crimes and delinquencies repeated?

Various approaches have been made from the perspectives of psychology and sociology etc. for the causes of crimes, however, those who are released from prison generally have the following problems:

- 1) individual problems such as drug dependency are serious;
- 2) connections with families and local communities have become diluted resulting in isolation

As a result of these problems, they have difficulty in acquiring occupation necessary to live as independent members of the society or finding places to live with peace of mind. For example, about 70 percent of inmates who become imprisoned by re-offenses were out of work at the time of re-offending. Also, about 6,400 inmates are released

from prison every year with no place to go back, and among those, one out of three inmates go back to prison by re-offending within two years.

To hold them back from repeating crimes or delinquencies, it is necessary to provide effective guidance or approach to overcome problems of each person, or implement efforts to secure "occupation" or a "place to belong" necessary to become independent in a society.

## Comprehensive Measures for the Prevention of Re-offending

At the Ministerial Meeting Concerning Measures Against Crime in July 2012, the "Comprehensive Measures for the Prevention of Re-Offending" that stipulated the mid- to long-term efforts of the government against re-offending prevention was established.

In the strategy, a numerical target to "decrease the rate of

inmates who become reimprisoned within two years of release from prison by more than 20 percent in ten years" was set for the first time as the Government's efforts for re-offending prevention. Please read the following page for details.



## Enhancement of Guidance and Support According to Each Offender's Characteristics

There are various factors for committing crimes or turning to delinquency, however, to prevent re-offending, it is necessary to take effective approach to each problem as well as to give guidance and support to overcome their problems.

Therefore, prisons, juvenile training schools and probation offices are seeking to enhance effective and seamless treatment based on empirical studies and bases according to each offender's characteristics.

### ●Guidance Provided at Prisons and Probation Offices

At Prisons, for inmates who have difficulty in rehabilitation or smooth return to society because of having certain reasons such as drug dependency, the following programs are conducted:

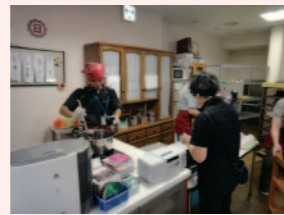
- ◆Guidance to Overcome Drug Dependency
- ◆Guidance to Stay Away from Organized Crime Groups
- ◆Guidance for Re-Offending Prevention from Sexual Offenses
- ◆Education Adopting the Perspectives of Victims
- ◆Guidance for Traffic Safety
- ◆Guidance for Job Assistance



Workgroup at a Prison

At probation offices, in addition to specialized treatment such as treatment programs for sexual offenders or drug-related criminals, etc. efforts for social contribution activities etc. have been implemented.

### Examples of social contribution activities



Preparation assistance for serving lunch at a welfare facility



Cleanup activity at a dry riverbed

## Ensuring a Place to Belong in the Community

For inmates who can ask their relatives for help, adjustments have been undertaken so that they can be supported by their relatives after release.

Meanwhile, the repetition of criminal behavior leads to estrangement. They become isolated since there is no one to support them, therefore, for those who do not have places to go back, efforts are being made to provide them with places to stay for a time such as relief and rehabilitation facilities (see page 37).

Also, for inmates who have difficulty in leading independent lives such as the elderly or disabled, improvements have been made on the systems in cooperation with prisons /probation offices and local public authorities so that they can receive appropriate welfare services even after their release.



A room of a relief and rehabilitation facility

### ●Functional Enhancement of Relief and Rehabilitation Facilities and Securement of Various Places to Stay

To enhance treatment for inmates who have difficulty in leading independent lives such as the elderly or disabled or those who are drug dependent, officials with professional qualifications in welfare and psychology fields are placed. Acceptance mechanisms at relief and rehabilitation facilities are being enhanced, and from FY 2011, efforts are being made to secure various places to accept them taking advantage of welfare hotels (self-support homes) which are managed by incorporated non-profit organizations etc.



Education at a relief and rehabilitation facility

## Creating a "Place to Belong" and "Opportunity" in the Community

### Ensuring Occupation to Lead an Independent Life

When re-offending rates of those who have occupation and those who do not have occupation are compared, the re-offending rate of those who are out of work is four times as high compared to the rate of those who are in work. If the unemployed can go into work, they can not only gain steady incomes but also be expected to establish interpersonal relationships through work which will then lead to great opportunities to overcome as independent members of the society.

However, difficult situations remain for those who have committed crimes or turned to delinquency to obtain work due to their qualifications and previous criminal records.

The Ministry of Justice is engaging in job assistance in cooperation with not only prisons and probation offices but also with various organizations in the community as well as private citizens such as cooperative employers, etc.



Division of Care Welfare

### ●Vocational Training that Meets the Needs of the Society

At prisons or juvenile training schools, vocational training that will lead to employment in types of businesses with high social needs such as construction industries and care welfare industries is conducted.

Also, in addition to the acquisition of technique and skills, the facilities give guidance to enable them to acquire manners and abilities needed for work such as manners as members of a society or communication abilities in the workplace.

### ●Efforts in the Community

Companies that employ those released from prison by understanding their conditions are called "cooperative employers" (see page 38).

The Ministry of Justice is enhancing measures for economic assistance toward "cooperative employers" as well as promoting the foundations etc. of support systems where companies can continuously and safely employ released inmates.



Cooperative employer

➔ The Ministry of Justice is seeking companies that are willing to become "cooperative employers."

### Employment Information for Inmates

To match the job offer of companies which wish to employ released inmates and the job seeking of those inmates, new efforts have been advanced in that companies can post job offers at certain correctional institutions through job-placement offices.

## Declaration "No Return to Crime, No Facilitation of a Return to Crime" (Toward a Bright Society by Everyone Supporting Rehabilitation)

To realize "Japan the Safest Country in the World," where crimes are not repeated, above all where no new victim is created as well as where the citizens can live safely in peace, it is indispensable to create social environment where everyone can accept those who committed crimes or turned to delinquency once again in natural manners without rejecting and isolating them as responsible members of the society (RE-ENTRY).

For the realization of such society, the declaration "No Return to Crime, No Facilitation of a Return to Crime" was approved at the Ministerial Meeting Concerning Measures Against Crime held in December 2014.

In the declaration, the following targets are articulated to secure "occupation" and a "place to belong," which are the keys to prevent re-offending, by 2020:

**1** triple the number of companies which are willing to employ those who have committed crimes or turned to delinquency by understanding their conditions

**2** reduce the number of those who return to society from prisons without no place to go back by more than 30 percent.

The declaration explicitly asks for the efforts of the country and support from the citizens by setting the above two numerical goals.

The prevention of re-offending is not an easy aim, however, this is an issue which we should never give up.

The Ministry of Justice will face this issue squarely and will continue to tackle and advance the problem by gaining understanding and cooperation of the citizens as much as possible for the realization of "Japan the Safest Country in the World."

For further information on the prevention of re-offending

再犯防止対策

検索

Click

On the homepage for measures for the prevention of re-offending, various kinds of information on re-offending prevention such as the "Comprehensive Measures for the Prevention of Re-Offending" or the "Declaration: 'No Return to Crime, No Facilitation of a Return to Crime'" are broadly introduced.

The contents will be updated as needed. We look forward to your visit.

## Efforts to Secure Safety and Security

### The Strategy to Make "Japan the Safest Country in the World"

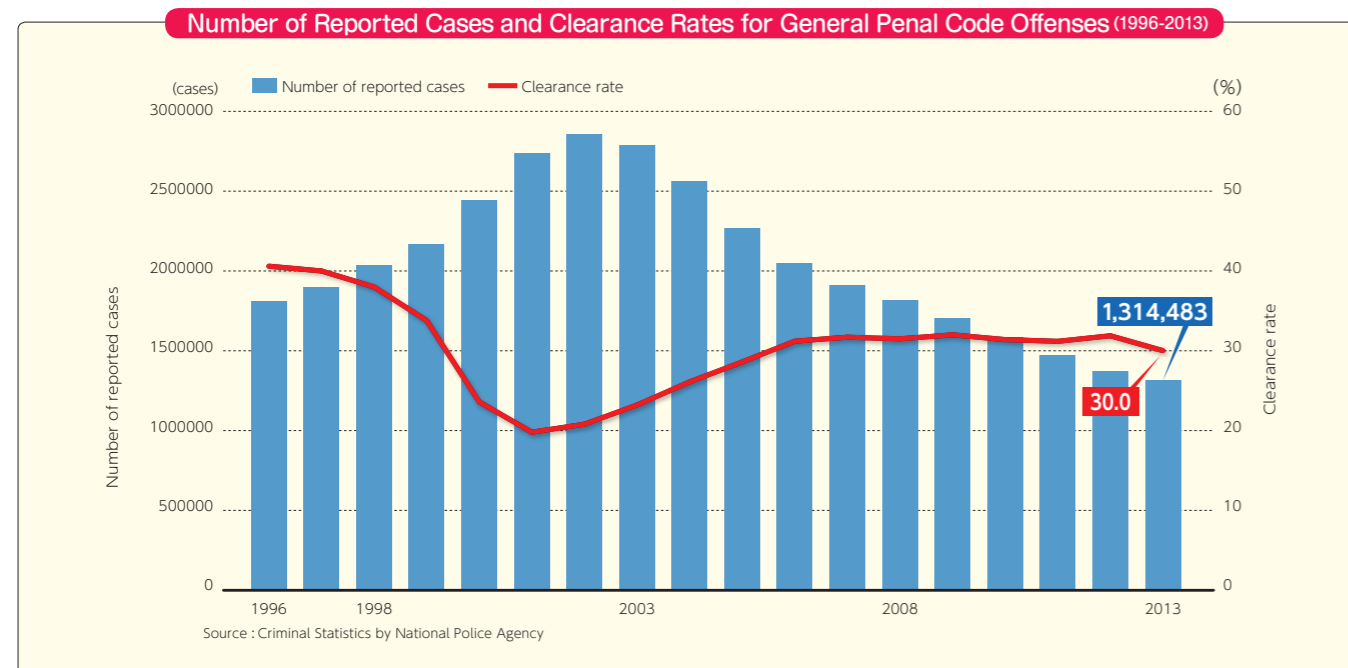
In the past, Japan boasted its well-maintained public peace, but in 2002, the number of general penal code offenses that were identified by the authorities increased up to about 2,850,000 cases, the worst number in postwar history. Meanwhile, the clearance rate dropped drastically and remained at a very low level, which made the deterioration of public safety an issue of grave concern to the nation.

Under such circumstances, the Government established the Ministerial Meeting Concerning Measures Against Crime in 2003, which formulated in 2003 and 2008 "The Action Plan for the Realization of a Society Resistant to Crime"; the Government has actively been promoting comprehensive measures for making the whole society resistant to crimes by taking countermeasures against crimes and by improving the social environment in which criminal activities are difficult to occur.

As a result of such measures, some improvements were

made in that the number of general penal code offenses that were identified by the authorities decreased by more than half compared to the worst level after World War II. The public opinion poll conducted in July 2012 by the Cabinet Office, however, revealed that the concerns about public safety were still high. In addition, in view of new threats such as cybercrimes and international terrorism, as well as the Tokyo 2020 Olympic and Paralympic Games, it is necessary to further reduce crimes, and at the same time, to strain to foster the sense of trust among the people about public safety. For this reason, in December 2013, "The Strategy to Make 'Japan the Safest Country in the World'" compiled at the Ministerial Meeting Concerning Measures Against Crime, was approved in a Cabinet meeting.

Based on this strategy, the Ministry of Justice is taking measures for the prevention of re-offending (see pages 13 to 16) and making various efforts such as those described below.



### The Bill for Partial Amendment to the Penal Code and Other Related Laws

Given the current situation of cybercrimes, other crimes associated with the advancement of information processing, and crimes obstructing compulsory execution, The Bill for Partial Amendments to the Penal Code and Other Related Laws was submitted to the ordinary Diet session in 2011; its purpose was to

ensure appropriate responses to these crimes and to cope with the advancement of information processing. The most part of the penal provisions of the Code was enforced on July 14 of the same year, and those for procedures were enforced on June 22, 2012.

### Cooperation Between the Investigative Authorities of Foreign Countries and Japan

In order to deal effectively with the frequently occurring atrocious crimes committed by foreign nationals and the increase in the number of transnational crimes, it is necessary to gather evidence from abroad more effectively and to enhance cooperation between the investigative authorities of foreign countries and Japan.

As part of such enhancement of cooperation, the Japanese Government concluded the Treaty between Japan and the United States of America on Mutual Legal Assistance in Criminal Matters (entered into force on July 21, 2006), the Treaty between Japan and the Republic of Korea on Mutual Legal Assistance in

Criminal Matters (entered into force on January 26, 2007), the Treaty between Japan and the People's Republic of China on Mutual Legal Assistance in Criminal Matters (entered into force on November 23, 2008), the Agreement between Japan and the Hong Kong Special Administrative Region of the People's Republic of China on Mutual Legal Assistance in Criminal Matters (entered into force on September 24, 2009), the Agreement between Japan and the European Union on Mutual Legal Assistance in Criminal Matters (entered into force on January 2, 2011) and the Treaty

between Japan and the Russian Federation on Mutual Legal Assistance in Criminal Matters (entered into force on February 11, 2011). These treaties and agreements have made it possible to send and receive requests for collection of evidence directly between the Ministry of Justice or other competent authorities of Japan and the judicial authorities of respective countries or region, not through diplomatic channels, enabling expedition of procedures. The Ministry of Justice is planning to strengthen cooperation with other countries as well in the future.

### Measures at the Border

In order to protect people's lives and safety, it is highly important to prevent those who intend to enter Japan for illicit purposes, such as terrorists and criminals who disguise themselves as tourists, from entering the country at the border. To ensure that such illegal entrants are identified, the Immigration Bureau conducts strict and effective immigration examinations through the methods described below.

#### ● Immigration Examinations Using Personal Identification Information (Fingerprints and Facial Photographs)

Based on such information, the bureau is striving to prevent the entry of terrorists or those who intend to illegally enter the country with forged or altered passports hiding their records of deportation.

#### ● Utilization of Information on Lost or Stolen Passports Provided by the International Criminal Police Organization (ICPO)

In order to prevent terrorists etc. who impersonate others from entering the country using lost or stolen passports, immigration examinations are carried out utilizing ICPO's database on lost or stolen passports.

#### ● Utilization of APIS (Advance Passenger Information System)

The bureau is striving to identify terrorists etc. by obtaining passenger information in advance regarding aircrafts and vessels entering Japan and closely checking them against the terrorist blacklist.



Immigration examinations using personal identification information

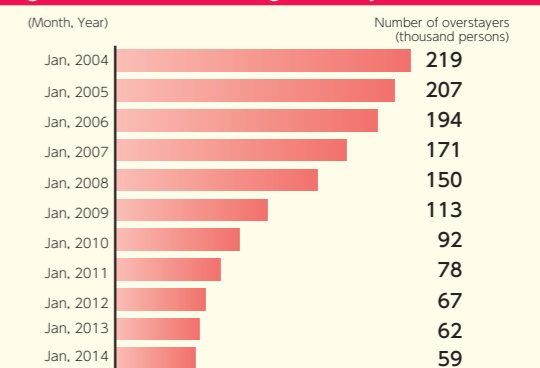
### Measures Against Illegal or Fraudulent Foreign Residents

Along with measures at the border, it is also important to reduce the number of foreigners who are now residing illegally in Japan for the restoration of security. The Immigration Bureau is striving to reduce the number of illegal foreign residents by reinforcing the detection of illegal residents, performing safe and reliable forced repatriation, and implementing public relations activities for prevention of illegal employment.

In addition, the existence of fraudulent foreign residents, who work illegally disguising themselves as legal residents, has recently become a problem; they falsify their identities as well as the purpose of their activities and obtain residence permission by using falsified or altered documents. Thus, the bureau will promote the analysis of information on foreign residents whose information can be obtained from the new residence management system introduced in July 2012. Through the analysis the bureau will endeavor to build a society where there is no illegal foreign resident--made possible by assembling pictures about foreign

residents and by taking active measures against fraudulent foreign residents by accurately performing procedures to revoke their status of residence.

#### Changes in the Number of Foreign Overstayers (Jan. 2004-Jan. 2014)



### Penal Institutions

Even though the overall number of inmates falls below the capacity, female penal institutions are still overcrowded. Also, many inmates who require great time and effort for treatment compared to general inmates, such as elderly inmates, are imprisoned. As a result, the workload of the personnel is increasing.

Under such circumstances, efforts are being made to renovate old facilities, and at the same time, the security systems are being

improved and reinforced, so that escapes and other incidents can never occur. In addition, efforts are being made to further improve the capabilities of the personnel for the execution of duties so that they are able to respond to different types of inmates. In order to create a new option for transfer of sentenced foreign persons to the personnel, the processes have been advanced toward the conclusion of bilateral treaties on the transfer of sentenced persons with Brazil, Iran, and other countries.

## Offenders Rehabilitation

Considering that there are many probationers/parolees who have difficulty in returning to society due to their old age and unemployment, it is very important to make efforts to help them with their rehabilitation and to prevent them from repeating offenses. For this reason, a framework to offer guidance and

support in the society is being reinforced in cooperation with regional organizations and groups. The measures provide necessary assistance on securing advisers and bases for human life including housing and occupation.

## Public Security Intelligence Agency

In view of the Tokyo 2020 Olympic and Paralympic Games, creating a terrorism-resistant society is required. In the light of the prevention of terrorism, among others, the Public Security Intelligence Agency further intensifies cooperation with domestic and foreign agencies concerned, and at the same time, endeavors to collect and analyze intelligence to find out the presence of any individuals, bodies, or organizations suspected of involvement in terrorism as well as to reveal their moves.

The Public Security Intelligence Agency also makes every endeavor to collect and analyze relevant intelligence on the issues of abducted Japanese nationals and nuclear/missile developments conducted by North Korea, as well as of the proliferation of weapons of mass destruction and other activities detrimental to Japan.

As to Aum Shinrikyo, the group has split into two groups because of differences in how they perceive the intention of Shoko Asahara, also known as Chizuo Matsumoto, and in action policies to realize the goal of each group; the mainstream group goes by the name of "Aleph" and the group by Fuminori Joju goes by the name of "Hikarinowa" both of which have been active. These days, the groups have expanded activities by vigorously attracting a large number of new followers. The on-site inspections on the mainstream group have revealed that photos of public security intelligence officers are skewered with knife-like objects and placed near the altar. Even after 20 years since the subway sarin gas attack, the cult still retains its dangerous and antisocial nature, expanding its influence. The Public Security Intelligence Agency is fairly and strictly implementing surveillance and shedding light on their activities in an effort to secure public security and to ease the feelings of fears and anxiety of concerned local residents.



"Review and Prospects of Internal and External Situations" (2015 Edition)



"Summary of International Terrorism" (2014 Edition)

The Public Security Intelligence Agency publishes the "Review and Prospects of Internal and External Situations" which compiles the domestic and international situations, and the "Summary of International Terrorism" which compiles the movement of international terrorism every year. You can see both documents (for the "Summary of International Terrorism," the document on the website is an edited version) on the Public Security Intelligence Agency website (<http://www.moj.go.jp/psia/>).

## Support for Crime Victims

### The Basic Act on Crime Victims and the Basic Plan for Crime Victims

#### ●The Basic Act on Crime Victims

The Basic Act on Crime Victims was enforced in April 2005. The Act intends to comprehensively and systematically promote policies for crime victims and their family members (victims of crime and victims of acts similar to crime that adversely affect the body and mind of victims as well as their families or the bereaved in order to protect their rights and interests.

#### ●The Basic Plan for Crime Victims

Because the target period of the "Basic Plan for Crime Victims" approved in the Cabinet meeting in December 2005 has ended based on the Basic Act on Crime Victims at the end of FY 2010, the "Second Basic Plan for Crime Victims" (hereinafter referred to as the "Second Basic Plan") was approved in the Cabinet meeting in March 2011. The Ministry of Justice is promoting various support measures in consideration of the Second Basic Plan and other plans.

## Concrete Support Measures

#### ●Procedure for Payment Based on the Recovery of the Property of Crime Victims

Under the "Act on Recovery Payment to be Paid from Assets Generated from Crime," it is now possible, under certain conditions, to confiscate such property taken by offenders from crime victims through property offenses and to use the confiscated property for the recovery of damages suffered by the crime victims of relevant cases.

#### ●Victim Participation System

The victims etc. of crimes such as murder or injury may, when they so wish and with the court's permission attend the trial dates and engage in activities such as questioning of the defendant under certain requirements.

#### ●Travel Expenses Payment System for Victim Participants

To reduce the economic burden of victim participants under the victim participation system, a system has been established whereby the government pays travel expenses, daily allowances, and accommodation charges to victim participants who appear on the trial dates, etc.

#### ●State-Appointed Attorney for Victim Participants

A victim participant can request the court to appoint a participating victim's attorney on assistance, under certain requirements; the fees are covered by the state.

#### ●Restitution Order

A criminal court, making use of the outcome of the criminal proceedings, is able to briefly and quickly examine and decide on a claim for damages that the victims etc. of crimes such as murder or injury may file against the defendant.

#### ●Observation of Hearing by Victims, etc.

A victim of a serious case such as homicide etc. can observe the proceedings on the date of the hearing of a case of a Juvenile.

#### ●Hearing of Victims' Opinions in Parole Examinations and Communication of Victims' Sentiments to Probationers

"Hearing of Victims' Opinions in Parole Examinations" is a system to hear criminal victims' opinions during parole examinations by Regional Parole Boards.

"Communication of Victims' Sentiments to Probationers" is a system to hear the sentiments of the victims and to communicate such feelings to offenders on probation.

#### ●Victim Notification System

The public prosecutors office notifies crime victims of information related to their cases, including the determinations on whether or not the offenders should be prosecuted, the outcomes of the trials, and the dates of offenders' release. In collaboration with related organizations, the office also notifies victims of information on offenders upon victims' request, such as the treatment circumstances of the offenders after the final decision in criminal trials and of the offenders under protective measures.

## The Japan Legal Support Center (Houterasu)

The Japan Legal Support Center (Houterasu) nominates candidates as court-appointed attorneys for the victims, does the administrative work of notifying the court, provides travel expenses etc. for victim participants, offers various types of information to support crime victims and their families, and introduces attorneys-at-law who have experience and understanding of victim assistance.



A call center

## Ensuring that the Results of the Justice System Reforms Take Root

The justice system is expected to play even larger role in the 21st century due to various social changes, including change from an "ex-ante regulation and coordination society" to an "ex-post check and aide society." Therefore, it is necessary to continue to strengthen the functions of legal services and to establish a new legal system which is readily accessible to the general public.

For the realization of a closer, faster, and more reliable justice system for the public, the Ministry has been implementing reforms, placing the following three pillars as fundamental principles: "construction of a justice system which meets the expectations of the people," "reform of the judicial community to support the justice system," and "establishment of the foundations of justice among

the general public" (participation of the general public in the justice system).

A total of 24 Acts relating to the reform of the judicial system were enacted in the three years from 2002 to 2004, and those Acts have been steadily implemented.

After the above mentioned reforms, the achievements of the reform need to take root, so that the justice system can fully exercise its functions and the public can share the fruits of the reform.

Being in charge of the justice system, the Ministry of Justice is ready to take appropriate measures to fulfill requirements in the coming new age giving due regard to the aims of the reform of the judicial system.

### Government Efforts

July 1999	Establishment of the Justice System Reform Council (JSRC) Within the Cabinet
June 2001	Submission of the Recommendations of the JSRC to the Cabinet
December 2001	Establishment of the Office for Promotion of Justice System Reform (OPJSR) Within the Cabinet (time limit for establishment : November 2004)
March 2002	Cabinet Approval of the Plan for Promotion of Justice System Reform
December 2004	Establishment of the Promotion Office of Justice System Reform Within the Cabinet Secretariat

## The Three Pillars of the Reform

### Construction of a Justice System Which Meets the Expectations of the People

#### ● Establishment of the Japan Legal Support Center (Houterasu)

The center aims to create a society in which the general public can acquire information and services necessary to settle disputes based on laws anywhere in Japan.

#### ● Enhancement of Alternative Dispute Resolution (ADR)

ADR that can settle disputes flexibly by respecting the voluntary will of the parties involved shall be enhanced and the function of adjudication shall further be enhanced as well.

#### ● Improvement and Acceleration of Criminal Trials

Punitive authority shall be exercised more appropriately and expeditiously through the introduction of the pretrial arrangement proceeding and state-appointed counsel.

#### ● Translation of Japanese Laws

Translation of Japanese laws shall be promoted from the perspective of facilitating cross-border transactions and promoting foreign direct investment.

### Reform of the Judicial Community

#### ● Reform of a System to Nurture the Legal Profession

The aim is to nurture the legal profession through law school, the national bar examination and legal training with law school playing a central role.

#### ● The Increase in the Number of Legal Professionals

The aim is to increase the number of legal professionals by nurturing quality and plenty of professionals.

### Establishment of the Foundations of Justice Among the General Public

#### ● Lay Judge System – "Saiban-in System"

The system in which the general public participate in criminal trials (commenced: May 21, 2009).

#### ● Promotion of Law-Related Education

The government strives to promote law-related education so that the general public understand the significance of law and judicial process as well as acquire a legal frame of mind thereby supporting free and just society.

## Promotion of Systems for Comprehensive Legal Support

### Comprehensive Legal Support Plan

Many people regard justice to be far removed from their daily lives. This viewpoint probably arises from the fact that information helpful to the solution of legal disputes is not easily obtainable (problem of having little information) and people have difficulty in consulting professionals such as attorneys-at-law because there are few to be found around them (problem caused by little

opportunity in justice) or because financial reasons prevent them from employing the professionals (economic problem). Such being the case, the Government has decided to carry out the Comprehensive Legal Support Plan with a view to fundamentally solving these problems.

### The Japan Legal Support Center (Houterasu)

The Japan Legal Support Center (Houterasu), which commenced operations in October 2006, is a corporation playing a central role in the Comprehensive Legal Support Plan. The aim of the center is to accomplish "justice close at hand," eliminating the problems mentioned above through cooperation with the national government, local governments, local bar associations and other related organizations by carrying out operations such as information services, civil legal aid or legal services in the areas with limited judicial services. The popular name of "Houterasu"

contains its belief that it can "shed light on confused minds of those who are suffering from troubles by providing a path to settlement based on the law" and "be a place like a sunny terrace where everyone can relax." The Ministry of Justice has been making various efforts to promote the systems for comprehensive legal support.



## Reinforcement and Revitalization of Alternative Dispute Resolution

### Act on Promotion of Use of Alternative Dispute Resolution

The Act on Promotion of Use of Alternative Dispute Resolution was enforced on April 1, 2007 as a part of justice system reform.

To promote the use of alternative dispute resolution process (procedures for the resolution of a civil dispute between parties who seek, with the involvement of a fair third party, a resolution without using legal procedures), the government takes on the responsibility for providing information, and the Ministry of Justice gives approval to private business services which take on operations for conciliation.

The Ministry of Justice will continue to undertake various efforts to ensure that procedures for conciliation etc. taken by private

businesses certified by the Minister of Justice (certified dispute resolution business operators) will be used extensively as an accessible means of resolving disputes.



<http://www.moj.go.jp/KANBOU/ADR/index.html>



## Promotion of Translation of Japanese Laws

The Ministry of Justice is working to translate Japanese laws into foreign languages and to make them available online, and English translations of more than 370 laws have been made available on the Japanese Law Translation website, which was created specifically for that purpose. With the goal of uniformity in the translation of Japanese laws, the Ministry of Justice has compiled the Standard Legal Terms Dictionary as a guideline, with bilingual entries for legal terms in both Japanese and English.

In the future, as well, the Ministry hopes to continue publishing

revised editions of the dictionary and information on English translations of the law in subsequent additions to this website.

● The Japanese Law Translation website  
<http://www.japaneselawtranslation.go.jp>



## Establishing a New Criminal Justice System that Goes with the Times

With regard to the criminal justice system, a variety of reforms, including the introduction of the Saiban-in (lay judge) system, have been advanced as part of the reform of the judicial system. On the other hand, discussions on the reform have highlighted some problems, such as the ways of procedures for investigation and trial adaptable to the new era, still remaining as the agenda to be examined in the future.

In these situations, some questions have been raised on the criminal justice system that investigations and trials may be too dependent on interrogations and confession statements. In order for the system to fully achieve the goal of ensuring the safe and secure livelihood of the people, it is necessary to examine diverse issues and to build a new criminal justice system, based on such suggestions.

In May 2011, for the purpose of establishing a new criminal justice system that goes with the times, the Minister of Justice called on the Legislative Council of the Ministry of Justice to deliberate how to develop the substantive criminal law and procedural law relating to criminal cases, including the review of the modality for investigation and trial that are too dependent on interrogations and confession statements, and the introduction of a system to keep a record of interrogations of suspects by means of audio and video recording.

The Council delivered two principles –the moderation and the diversification of evidence-gathering as well as the improvement of trial procedure– and the report was submitted to the Minister in September 2014. The report raised nine items necessary for the new criminal justice system: i) introducing the audiovisual recording system of interrogations, ii) introducing the prosecutorial agreement system for cooperation in investigations and trials, and testimonial immunity system, iii) rationalizing and streamlining the interception of electronic communication, iv) introducing guiding provision regarding the judgment of confinement, v) improving legal assistance by defense counsels, vi) broadening information disclosure system, vii) enhancing the protective measures for protecting victims and witnesses, viii) introducing measures to secure the authenticity of evidence presented to courts, and ix) introducing measures to simplify and accelerate trials when defendants admit their guilt. The council recommends all the items be incorporated into the present criminal justice system.

The Ministry of Justice will develop a set of processes for the development of legal systems based on this report.

## Enrichment and Development of Law-Related Education

### Law-Related Education

Law-related education aims to enable citizens who are not legal professionals to understand laws, the judicial system, and the

values that underlie them.

### The Importance of Law-Related Education

Following the reforms in various fields and deregulation in Japan, it has become more crucial to prevent disputes, and to solve them in a fair way based on law, once they occur.

Furthermore, as is symbolized by the saiban-in system (see page 24), it is essential for every citizen to take an active role in the judicial system so that it is supported nationally. This has made law-related education, which aims to give citizens a deeper understanding of laws and the judicial system, more important.

The Courses of Study, the national curriculum standard,

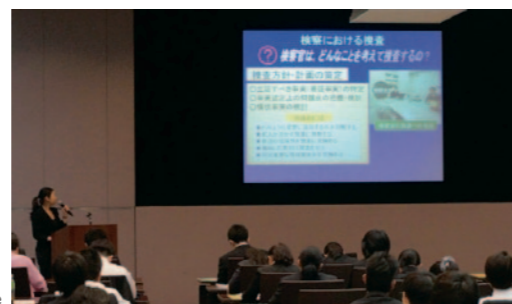
provides that students study about the basic concept of laws, the significance of public involvement in judicial proceedings, and the importance of contract.

Considering the importance of law-related education, the Ministry of Justice is working on its improvement and development. The Ministry will keep on with its efforts to improve the contents of law-related education, with the cooperation of the Ministry of Education, Culture, Sports, Science and Technology, and other relevant organizations.

### The Law-Related Education Promotion Council

The Law-Related Education Promotion Council established by the Ministry of Justice aims to enhance the opportunities to learn about laws and the judicial system and to promote law-related education in school, through its activities such as developing teaching materials for law-related education.

The Ministry of Justice will continue its efforts to involve citizens, including those who take part in education.



How law-related education class is conducted by staff members of the Ministry of Justice

### The mascot for law-related education “Hourisu-kun”

The mascot for law-related education was chosen through a popularity vote. “Hourisu-kun” will play an active role to make law-related education seem more familiar to the general public. Why don’t you join and enjoy law-related education class with “Hourisu-kun” ?



## Saiban-in System

The saiban-in system that commenced on May 21, 2009 is a system in which the saiban-in who have been selected from the general public participate in the criminal trials for serious cases.

The saiban-in, with professional judges, determine whether the defendant is guilty or not and the sentence where guilty.

With this system, the justice system will be more familiar to the people.

The Ministry of Justice has been implementing public relations activities on the system so that the people will be able to deepen their understanding.

### Appointment Procedure

#### Around November

Persons who have been selected by lot as next year’s candidates for saiban-in will be notified of their selection.  
※At this stage the candidates do not need to appear in the court.

#### About six weeks before the trial

The candidates who have been further selected by lot for each trial will be notified of the date for appearance by the service of the writ of summons.

#### The day of the appointment procedure

Six saiban-in will be appointed through the appointment procedure at the court.

### Duty of saiban-in

#### Trial

Saiban-in hear the witness testimony and examine the evidence.

#### Deliberations

Saiban-in and professional judges deliberate and determine together whether the defendant is guilty or not and the sentence where guilty.

#### Judgment

The presiding judge renders the judgment.



A courtroom for saiban-in trials



A room for deliberations

For more information about the system, please refer to our website:

[http://www.moj.go.jp/keiji1/saibanin\\_index.html](http://www.moj.go.jp/keiji1/saibanin_index.html)



## Legal Affairs Bureau

### Affairs of the Legal Affairs Bureau

The Legal Affairs Bureau is responsible for among other things, the civil administrative affairs, such as registration, family register, nationality and deposit to protect the property and identity matters of the people, the litigation affairs including litigation activities what are found to be related to the interests of the State and the human rights affairs for the protection of fundamental human rights as one of the local organizations of the Ministry of Justice.

**For example** real estate registration when you purchase real estate, commercial registration when you set up a company, deposit when you are denied the receipt of apartment rent, family register when there is a change in the identity matter, such as birth, marriage and death.  
The Legal Affairs Bureau is responsible for familiar and important affairs to the nationals.



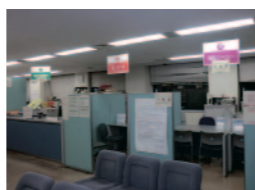
Tokyo Legal Affairs Bureau

### Organizations of the Legal Affairs Bureau

The organizations of Legal Affairs Bureau is composed of "Legal Affairs Bureaus" (8 stations) and "District Legal Affairs Bureaus" (42 stations). The Legal Affairs Bureau is responsible for each block that is divided into eight blocks nationwide. The "District Legal Affairs Bureau" (42 stations) has been placed under the Legal Affairs Bureau. The District Legal Affairs Bureau is generally responsible for regions where prefectures are the units.

Moreover, Branch District Legal Affairs Bureaus and Branch Offices have been placed under the Legal Affairs Bureaus and District Legal Affairs Bureaus.

The Legal Affairs Bureaus, District Legal Affairs Bureaus and Branch District Legal Affairs Bureaus are responsible for registration, family register, nationality, deposit, litigation, and human rights affairs. Branch Offices are mainly responsible for registration.



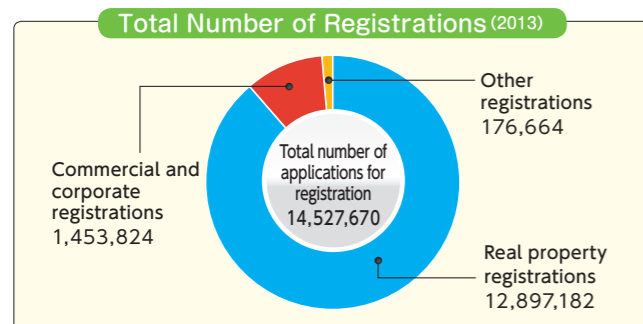
State of the Legal Affairs Bureau

## Institution for Marking Your Rights

### Registration (Real Property, Commercial, etc.)

#### Protection of Our Properties –The Real Property Registration System–

The Real Property Registration is a system which records the actual condition of our important property, including the location and area of the land and buildings, the name and address of the owner and the rights involved in the book of the public called "registry" and notifies this "registry" in order to contribute to smooth and safe dealings.



#### ● If you don't register...

**Q** After many years of saving, I purchased my home. But later, someone who claims to be the owner of the house appeared. When I checked the registry, I found out that the name of the proprietor was the person who claimed to be the owner. According to my investigation, after I purchased the house, the seller sold the house to him at a higher price. Isn't the owner of the building me since I bought the building earlier?

**A** Unfortunately, you will not be able to claim ownership. Even if you purchased the house earlier, since your house is not registered, you will not be able to claim that to the third parties. In order to avoid such trouble, it is important to carry out registration procedures as soon as possible after the completion of a transaction.

#### Defining the Divisions of Land –Development of Registry Office Equipping Map–

In order to clarify the section of the registered land, the registry office is intended to equip a map called "Registry Office Equipping Map" created based on the results of high survey system. However, the maintenance of registry office equipping map is not sufficient, since there are also many registry offices which are equipped with old maps that were created in the Meiji

era. Professional personnel with advanced knowledge and many years of experience in the registry office promote the creation of Registry Office Equipping Map around the country.



Old Map



Registry Office Equipping Map

#### ● Economic activities and registry office equipping map

When redevelopment of land around Roppongi Hills was conducted, it took a lot of time and money to define the boundary because there was only an old map. In order to prevent such a situation, a highly accurate registry office equipping map is needed. The development of registry office equipping maps supports the smooth economic activities.

#### Solving the Boundary Disputes –Parcel Boundary Demarcation–

"Parcel Boundary Demarcation" is a system in which registrars for parcel boundary demarcation (the officials of the Legal Affairs Bureau) who are experts on the abutments of land, demarcate the registered lands based on the applications from the parties concerned.

After conducting a variety of research, including field research and survey, the original parcel boundary is stipulated based on the registration, and the registrar clarifies the parcel boundary.

When the issues surrounding the parcel boundary of land has occurred, it is possible

to achieve resolution of the problem by taking advantage of this system, without filing a litigation.

#### ● What is "parcel boundary"?

The parcel boundary is a line that was defined as the scope of the land at the time of registration. The parcel boundary can not be changed by the agreement between the owners.



Enlightenment poster about Parcel Boundary Demarcation

#### Commercial and Corporate Registration

Companies play an indispensable role in the economic activities of our country, but they can only acquire their juridical personality, which is necessary in order to hold legal rights and obligations to carry out such economic activities, through commercial registration. Thus, commercial registration is an important system as a basis of the economic activities of companies in order to ensure the safety and smoothness of transactions. The Companies Act (which contains provisions to make corporate management more effective and flexible, to ensure that corporate management is kept open and in economic health and to amend the classifications of companies from the point of view of users) was enforced on May 1, 2006.

#### The Act on General Incorporated Associations and General Incorporated Foundations

Based on this Act, associations which are not for profit are able to acquire a juridical personality simply through registration without the need for permission from the competent government agency. This system of juridical persons has had a great effect on social and economic activities because associations which are not for profit have easily been able to acquire a juridical personality, and registration has played a significant role as the basis for the system. (enforced on December 1, 2008)

#### Efforts in the Registration Work

In addition to the above-mentioned development of legal systems, to establish a registration paperwork system appropriate to the advanced information society, enhancement of personnel structure of the personnel engaged in clerical registration; establishment of a paperwork system, such as mechanization and rationalization of office work; optimization of the placement of the registration office; and improvement of government buildings, etc. are pursued.

Also, in order to comply with the needs of an IT society, registry

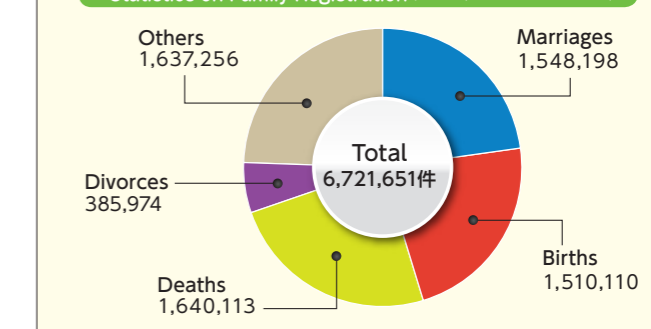
information providing services through which one's registration information can be verified on the Internet and the electronic certification system based on the commercial registry have been introduced. Furthermore, registration application of real property, commerce and company, transfer of chattels, transfer of receivables and adult guardianship are available online. The online application systems of registration of real estate, companies, movable property assignments, claim assignments and adult guardianship are available.

#### Family Registration

Family registration is the system that notarizes the kinship of individuals from birth until death. The registration is made for every Japanese national and is the only public document to certify that he or she has Japanese nationality. Family registration work is handled by each city, town or village, but the State (Director of the Legal Affairs Bureau or the District Legal Affairs Bureau) gives advice, suggestions or directions to ensure that the work of registration are performed in a smooth, proper and uniform manner throughout the whole country.

The law that was enforced on December 1, 1994 to partially amend the Census Registration Act has enabled city, town or village offices designated by the Minister of Justice to deal with family registration work using computers, and as of December 31, 2014, a total of 1,860

#### Statistics on Family Registration (from Apr. 2013 to Mar. 2014)



(98.10%) cities, towns and villages use computers to handle the work. Meanwhile, the law that was enforced on May 1, 2008 to partially amend the Census Registration Act revised the conventional rule for the disclosure of family registration; restrictions were put on the cases where the third person can request for the issuance

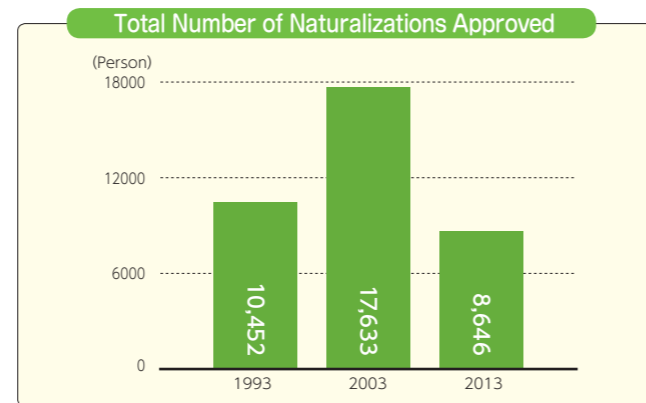
of the copy of family register etc. In addition, the amended law stipulates that identification must be shown when the applicant notifies his or her information for registration in order to prevent false registrations through false notification.

## Nationality Administration

Nationality is the qualification of an individual to be a national of a particular country. The Ministry of Justice performs various functions related to Japanese nationality such as the following:

- 1 work related to naturalization when a foreign national wishes to acquire Japanese nationality
- 2 work related to acquisition of Japanese nationality through notification
- 3 work related to expatriation of Japanese nationality through notification
- 4 work related to the choice of nationality by a person who has dual nationality
- 5 work related to recognition of Japanese nationality
- 6 consultation about nationality

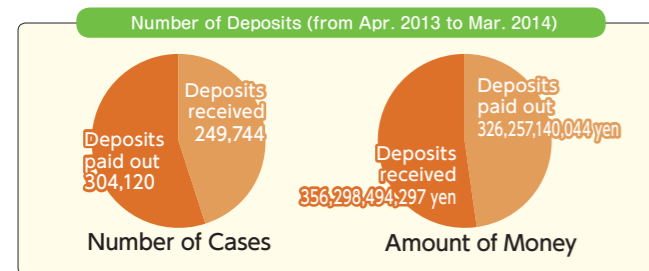
Meanwhile, the amended Nationality Act entered into force on January 1, 2009. The amended act has changed the conditions for acquiring Japanese nationality, under the provision of the third article of the Nationality Act, and established penal regulations.



## Deposit (Kyotaku) Administration

Deposit is a system designed to accomplish a certain legal objective by having a person entrust a sum of money or negotiable securities with a deposit office (legal affairs bureau or district legal affairs bureau) to guarantee the performance of his or her obligation and ultimately by having the other party who is entitled to that property acquire the money from the deposit office.

An online deposit application system has been implemented in response to an IT society. In addition, deposit for a continuing case can be easily made by presenting a deposit card, and a large number of deposits can be applied at the same time by using a dedicated application system tool.



### Deposit Administrator

The deposit administrators (officials of the Legal Affairs Bureau) who take charge of affairs at deposit offices are expected to have highly sophisticated legal knowledge, since deposit affairs are diverse including deposit for liquidation, pledge of damage in court, enforcement, the guarantee of business and candidacy; the related laws and regulations are also diverse.

## Notary System

Notarization is a system under which a notary, a State agent whose functions are to officially certify legal matters related to the life of a private person such as the conclusion of a contract, certifies matters as prescribed by law, by such means as preparing deeds. This system is designed to protect private rights but also to prevent disputes over civil matters from arising in the future. In this sense, it is a "preventive justice" system. In other words, this system has been designed to avoid future trouble

or dispute over a contract by having a legal specialist (notary) participate in the preparation of the contract in advance and check the legality and the validity of the contact.

In addition, as for the notary system, electric notary system which enables the attestation of private documents, authorization of fixed dates, and the preservation and certification of electronic information has been introduced and has been in use since January 2002.

### Notary

The functions of a notary under the Notary Law are, upon the request of a party or client, (1) to prepare notarial deeds for legal acts or facts related to private rights, (2) to attest a private deed and (3) to attest the articles of incorporation of a business corporation and, among the duties assigned to them by laws other than the Notary Law, a notary handles the preparation of wills, the work of affixing an enforcement sentence to a notarial deed,

preparation of a protest to a bill or cheque and attaching a fixed date of preparation which has evidential value.

The Ministry of Justice performs work concerning the notary system and the Minister of Justice (through the Directors of Legal Affairs Bureaus and District Legal Affairs Bureaus) appoints the notaries.

As of April 2015, about 500 notaries are working in about 300 notary offices throughout the country.

### Notarial Deed

A notarial deed means a deed prepared by a notary regarding the facts related to rights and obligations in accordance with the Notary Law and other laws. A notarial deed is prepared upon the request of the party or client, and it has a strong probative value in civil suits. Moreover, in the case where the object of a claim is the payment of a certain amount of money or a certain quantity

of quid pro quos/valuable instruments, if the obligor expresses the will that he or she does not object to enforcement of the claim based on the deed, the validity of the execution of the deed is recognized. The original of a notarial deed is kept in custody by the notary office lest it should be lost or falsified.



## Improvement of Basic Laws on Civil Matters



The world such as a living environment etc. is changing rapidly. Will laws be reviewed?



There are various fundamental laws on civil affairs: the Civil Code, the Commercial Code, the Companies Act, and the Code of Civil Procedure; they stipulate the basic rules for people's daily lives and economic transactions, the family system, and the judicial proceedings. Recently in Japan, socioeconomic circumstances have been changing significantly, and public awareness has greatly diversified. The Ministry of

Justice is conducting necessary examinations and reviews to make the fundamental laws on civil affairs responsive to those changes and suited to the current era. The ministry also delivers its views on law bills governed by other ministries and agencies on whether they are consistent with the fundamental laws from a standpoint of governing the fundamental laws on civil affairs.



### Civil Code

Amendments to the fundamental laws have been made as follows: partial amendment to the Civil Code to introduce a new adult guardianship system in 1999; partial amendment to the Act on Building Unit Ownership (Act for Sectional Ownership, etc. of Building) to ensure appropriate management of buildings and to facilitate rebuilding in 2002; partial amendment to the Civil Code to review the security interest system in 2003; partial amendment to the Act on Special Provisions, etc. of the Civil Code Concerning the Perfection Requirements for the Assignment of Movables and Claims (Act on Special Provisions, etc. of the Civil Code Concerning the Perfection Requirements for the Assignment of Movables and Claims) to facilitate smooth procurement of capital by corporations as well as partial amendment to the Civil Code to review the guarantee system, etc. in 2004; partial amendment

to the Civil Code to review the provisions regarding custody in terms of preventing child abuse in 2011; and partial amendment to the Civil Code to equalize portions between a child born in wedlock and a child born out of wedlock in 2013 in response to the Supreme Court's decision on September 4, 2013, concluding that the difference is unconstitutional.

In addition, two laws were established: the Trust Act to modernize the trust law system in 2006; and the Electronically Recorded Monetary Claims Act to set up an electronically recorded monetary claims system in view of ensuring the safety and liquidity of transactions involving monetary claims in 2007.

The Ministry of Justice is strenuously examining the Civil Code to conduct an overall review of provisions pertaining to contracts.

### Commercial Code

In 2005, the Companies Act, the substance of which is to conduct a systematic and radical overhaul of the system, was enacted as the culmination of the repeated amendment about the rules and regulations of businesses. In 2014, the Companies Act was amended for the purpose of strengthening corporate governance, etc.

Meanwhile, the Insurance Act which substance is to conduct an overall review of the rules for insurance contract was enacted in 2008. The Ministry of Justice is deliberating to revise the provisions on transport and maritime transaction in the Commercial Code.

### Civil Procedural Laws

With regard to civil procedural laws, the work to modernize old laws had been pushed forward sequentially, and such longstanding work for modernization is considered to have been completed by the enactment of the following laws: the Civil Execution Act in 1979, the Civil Provisional Remedies Act in 1989, the Code of Civil Procedure in 1996, the Civil Rehabilitation Act in 1999, the Corporate Reorganization Act in 2002, the Personal Status Litigation Act in 2003, the Bankruptcy Act in 2004, and the Non-Contentious Cases Procedures Act and the Family Affairs Cases Procedures Act in 2011.

During this process, amendments have also been made as follows: partial amendment to the Civil Rehabilitation Act to establish the procedures for personal rehabilitation in 2000, partial amendment to the Code of Civil Procedure to enhance and accelerate the procedures for civil trials and partial amendment to the Civil Execution Act to ensure more effective practice of rights in 2003, partial amendment to the Code of Civil Procedure and other laws to make the procedures more available to the public in 2004, partial amendment to the Code of Civil Procedure to enable to adopt a video link system in examination of witnesses

and examination of parties in 2007, and partial amendment to the Code of Civil Procedure and other laws to establish the provisions for international jurisdiction in 2011. Along with the amendments, the Act on Recognition of and Assistance for Foreign Insolvency Proceedings was enacted in 2000 and the Act on the Civil Jurisdiction of Japan with respect to a Foreign State, etc. was enacted in 2009, respectively. Thus, partial amendments and enactment of new laws have been implemented as needed.

Also in 2013, the Act on Implementation of the Convention on the Civil Aspects of International Child Abduction was enacted in association with conclusion of the Hague Convention by the government of Japan.

The Ministry of Justice is deliberating to develop the provisions on international jurisdiction concerning personal status litigation cases and domestic relation cases.

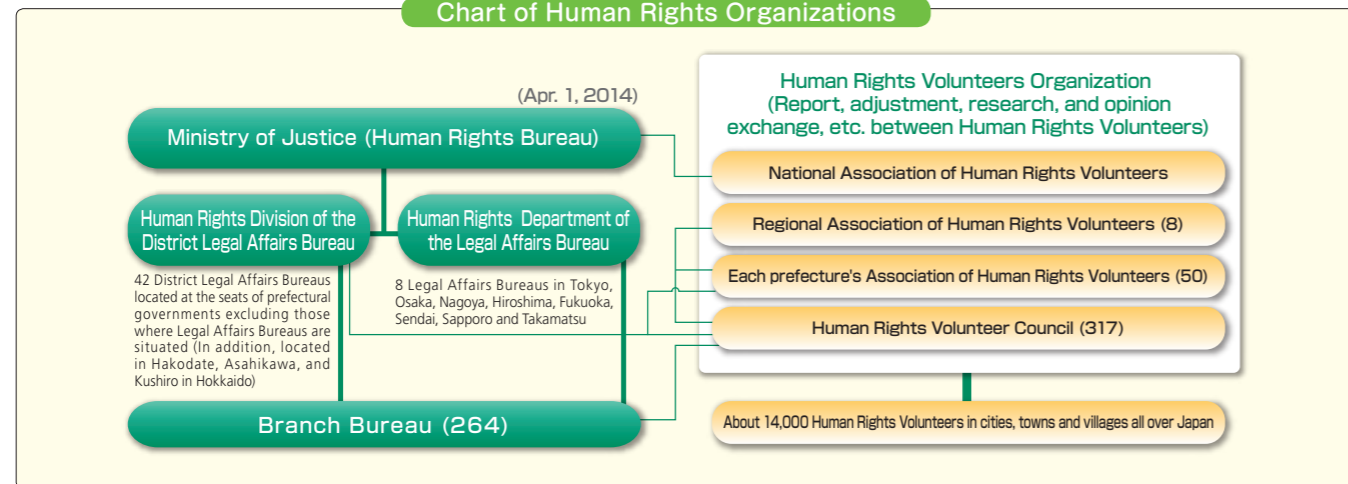
### Private International Law

In 2006, the Act on General Rules for Application of Laws was enacted to make overall reviews on the rules for private

international law and harmonize them with the rules of other countries.

## Protection of Human Rights (Human Rights Counseling, Investigation and Remedies, Human Rights Promotion, etc.)

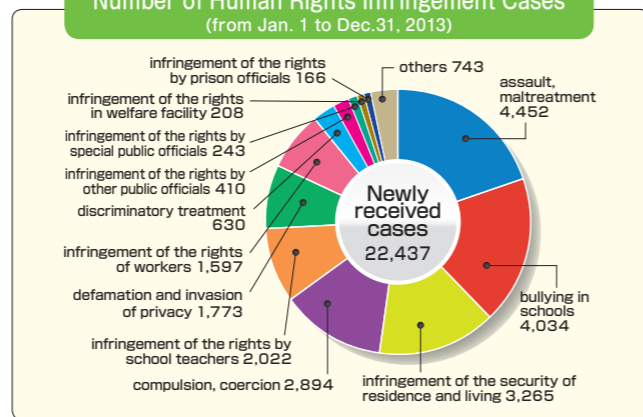
Chart of Human Rights Organizations



### Investigation and Remedies for Human Rights Infringement Cases

There are various Human Rights Infringement Cases (cases where human rights infringements are suspected): assault and maltreatment against women, children, the elderly, etc.; bullying at schools; compulsion and coercion of sexual harassment, "power harassment" and stalking behavior; and defamation and invasion of privacy on the Internet. Pertaining to these human rights infringement cases, to remedy and prevent damage, the organizations provide assistance to victims (e.g. introduction of competent authorities or other organizations, giving legal advice, etc.), adjust relations of the parties involved as well as give "instructions" or make "recommendations" to the other end when infringement of human rights is identified.

Number of Human Rights Infringement Cases (from Jan. 1 to Dec.31, 2013)



### Human Rights Promotion

Human rights promotion activities are one of the most important duties of the Human Rights Organs. The aims of promotion activities are that the necessity and importance of respecting human rights are understood by the people and the idea of respecting human rights is spread among the people.

#### Promotion Activities

Promotion activities are widely carried out for the general public

through various means. Generally, the Human Rights Organs annually set a priority theme, and according to the theme, activities are conducted by means of holding symposiums, lectures, movie events; organizing various events; and utilizing mass media such as TVs, Radios and the Internet.



"Parent and Child Symposium" on Hansen's Disease

#### Promotion Activities Aimed at Children

##### (The National Human Rights Essay Contest for Junior High School Students)

The National Human Rights Essay Contest for Junior High School Students is a promotion activity for the purpose of enabling junior high school students to deepen their understanding of the importance and necessity of respecting human rights and to acquire richer awareness of human rights through writing essays on human rights issues.

##### (Human Rights Class)

The Human Rights Class is a promotion activity aiming to deepen a feeling of compassion and to learn the preciousness of life among children by creating opportunities to think about bullying,

and so on. The classes are aimed mainly at elementary school children, with Human Rights Volunteers across the country playing a central role.

##### (The Human Rights Flower Campaign)

The Human Rights Flower Campaign is a promotion activity carried out mainly for elementary school students.

In the campaign, children are given flower seeds or bulbs and grow them by cooperating together. Through the experience, they realize the preciousness of life, nurture a warm-hearted spirit and learn tenderness and compassion.



The Human Rights Flower Campaign

### Human Rights Counseling

Human Rights Counseling is available for all kinds of human rights problems, and counselors give advice depending on the content. When human rights infringements are suspected, the Human Rights Organs initiate investigation in accordance with the consuler's disposition. The counseling services are free of charge, easy to use and strictly confidential.

#### Human Rights Counseling Offices

Human Rights Counseling Offices are permanently-installed at Legal Affairs Bureaus, District Legal Affairs Bureaus and their branches across the nation; interview-style counseling, phone counseling and Internet counseling are available. In addition, counseling services with interpreters at Human Rights Counseling Offices for Foreign Nationals are available at Legal Affairs Bureaus and District Legal Affairs Bureaus in Tokyo, Osaka and Nagoya, etc.

#### Children's Rights SOS Letter-Cards

Legal Affairs Bureaus and District Legal Affairs Bureaus are actively responding to consultations by children through "Children's Rights SOS Letter-Cards" (letter paper with a pre-stamped envelope). They are distributed to elementary and junior high school students nationwide as part of efforts for solving children's human-rights problems (e.g. bullying and corporal punishment at school and abuse of children at home).



Children's Rights SOS Letter-Cards (for junior high school students)

### Counseling Services

	<b>Human Rights Hotline</b> <b>0570-003-110</b> (with a nationwide number)		<b>PC</b> <a href="http://www.moj.go.jp/JINKEN/jinken113.html">http://www.moj.go.jp/JINKEN/jinken113.html</a>
	<b>Children's Rights Hotline</b> <b>0120-007-110</b> (with a nationwide toll-free number)		インターネット人権相談 <input type="button" value="検索"/> <input type="button" value="Click"/>
	<b>Women's Rights Hotline</b> <b>0570-070-810</b> (with a nationwide number)		<b>Mobile</b> <a href="https://www.jinken.go.jp/soudan/mobile/001.html">https://www.jinken.go.jp/soudan/mobile/001.html</a>

### Human Rights Volunteers

Human Rights Volunteers are counseling partners in your town. They are selected from private citizens recommended by mayors of municipalities and appointed by the Minister of Justice. The system of Human Rights Volunteers was introduced in 1948 based on the concept that the Government and private citizens should work side by side to protect human rights of local inhabitants.

About 14,000 Human Rights Volunteers (about 6,000 of them are female) are placed in municipalities (including wards of Tokyo) across the country, handling human rights problems including Human Rights Promotion Activities and Human Rights Counseling in cooperation with officers of the Legal Affairs Bureaus and the District Legal Affairs Bureaus.

### The Basic Plan for Promotion of Human Rights Education and Encouragement

In accordance with the Act for Promotion of Human Rights Education and Encouragement (Act No. 147 of 2000), the Basic Plan for Promotion of Human Rights Education and Encouragement, which suggested fundamental ways of promoting human rights education and enlightenment as well as efforts for various human rights issues, was approved in the Cabinet meeting

in March 2002. The issue of abduction by North Korean authorities was added to the list of human rights issues in the Cabinet meeting in April 2011. The Japanese government is promoting comprehensive and systematic measures on human rights education and enlightenment.



## Legal Services

### Attorneys-at-law

An attorney-at-law is a legal expert who is entrusted with the mission of protecting the fundamental human rights of people and achieving social justice. The duties of an attorney-at-law, upon request of others, shall be to engage in acts relating to lawsuits; cases not involving litigation; objections, appeals and other petitions against administrative agencies; and other general legal services.

Attorneys-at-law come under the supervision of the Japan Federation of Bar Associations and local bar associations to which they belong and do not come under the supervision of any administrative agency of the government.

### Attorney Certification System

In order to obtain the qualification of an attorney-at-law, a person is required to complete the legal apprentice training course after passing the national bar examination in principle.

As an exception, the qualification of an attorney-at-law is given through the Attorney Certification System, approved by the Minister of Justice, to those who have acquired a certain level of actual legal business experience in corporate enterprises after passing the national bar examination.

The Ministry of Justice is responsible for work concerning the certification of qualifications for attorney-at-law.

### Gaikokuho-Jimu-Bengoshi

The Gaikokuho-Jimu-Bengoshi (Gaiben) system is designed to permit persons qualified as lawyers in foreign states to handle specific legal business in Japan as a Gaiben, without taking any qualification examination anew.

To become "Gaiben", the qualified foreign lawyers must be approved by the Minister of Justice in accordance with the "Act

on Special Measures Concerning the Handling of Legal Services by Foreign Lawyers," also they must be registered on the Roll of Registered Foreign Lawyers kept by the Japan Federation of Bar Associations.

The Ministry of Justice is responsible for work concerning the approval of qualifications for Gaiben.

### Claim Management and Collection Companies (Servicers)

As an exception to the Attorney Act, in order to promote the disposal of non-performing loans and thereby contribute to the sound development of the national economy, the Act on Special Measures Concerning the Claims Servicing Business (Servicer Act; Act No. 126 of 1998) was enforced on February 1, 1999.

Servicers licensed by the Minister of Justice are allowed to

manage and collect specified monetary claims provided for by the Servicer Act.

The Ministry of Justice is responsible for examining and screening these servicers on giving approval and license as well as for supervising them to ensure appropriate operation by conducting on-site inspections etc.

### Certified Dispute Resolution Business Operators

The Act on Promotion of Use of Alternative Dispute Resolution, enforced on April 1, 2007, has introduced a system in which the Minister of Justice certifies private dispute resolution services (conciliation and intercession services performed by private businesses on a civil dispute), when recognized as proper, satisfying the statutory criteria and requirements.

Certified dispute resolution business operators (private businesses certified by the Minister of Justice) are engaged in resolving disputes, utilizing their professional knowledge and experiences, in order to accurately meet the diverse needs of the people.

The number of certified dispute resolution business operators increased from 10 in FY 2007 when the system was launched to

over 130 in FY 2014. The fields of disputes handled have become more diversified and the accessibility to the system has been further improved.

The Ministry of Justice is responsible for work concerning the certification of private dispute resolution services.



### Judicial Scriveners

Judicial scriveners are legal experts who contribute to protecting rights and benefits of the people; they engage in registration procedures of immovable property and commercial/corporation on behalf of the client as well as in preparation of documents for the court. Since 2003, judicial scriveners, certified by the Minister of Justice after completing the designated training course, have been able to engage in civil procedures on behalf of clients at

summary courts. Furthermore, since 2006, they have been able to undertake proceedings as representatives in identifying registered ground sections within a certain range.

The Civil Affairs Bureau of the Ministry of Justice is responsible for the judicial scriveners system.

### Land and House Investigators

The land and house investigators contribute to the clarification of rights of the people related to real estates. They take charge of necessary investigation, survey, and application procedures on registering real estates on behalf of a client. From 2006, the land and house investigators, approved by the Minister of Justice by completing a certain training course to act as agents in proceedings to identify registered ground sections, are able

to undertake proceedings for solving civil disputes that originate from unclear registered ground sections; the dispute resolution business operators who engage in the proceedings must be designated by the Minister of Justice and the operations are to be carried out jointly with attorneys-at-law.

The Civil Affairs Bureau of the Ministry of Justice is responsible for the land and house investigators system.

## Implementation of Comprehensive Legal Support by the Japan Legal Support Center

### What is the Comprehensive Legal Support Plan?

The Comprehensive Legal Support Act was approved at the 2004 ordinary Diet session. The Act is based on the Comprehensive Legal Support Plan, which is designed to provide all citizens in Japan with necessary information and services for legal solutions to disputes both on civil and on criminal affairs so that the justice system may be more accessible to the citizens.

### Japan Legal Support Center (Houterasu)

The Japan Legal Support Center (Houterasu), established within the framework of an independent administrative agency, forms the core of the Comprehensive Legal Support Plan. The Ministry of Justice takes charge of the corporate body.

The Houterasu, with the purpose of promptly and properly implementing operations related to comprehensive legal support, was established in April 2006 and commenced its operations in October of the same year.

### Outline of the Operations of the Japan Legal Support Center (Houterasu)

The principal operations of Japan Legal Support Center (Houterasu) consist of the following five (5) services as prescribed in Article 30, Paragraph 1 of the Act:

- 1 Information Services
- 2 Civil Legal Aid
- 3 Legal Aid for Criminal Defense
- 4 Measures for Areas with Limited Legal Services
- 5 Support for Victims of Crime

Another service area for the Houterasu is coordinating and

encouraging the cooperation of authorities and organizations that have operations related to the five (5) core services. Moreover, the Houterasu may also provide services entrusted by the national government, local governments, non-profit corporations and other organizations, to the extent it does not impair the Houterasu's delivery of its core services (Article 30, Paragraph 2 of the Act). In addition, since April 2012, the Houterasu has been providing legal aid to survivors and victims of the Great East Japan Earthquake.



## Flow of Criminal Cases Committed by Adults

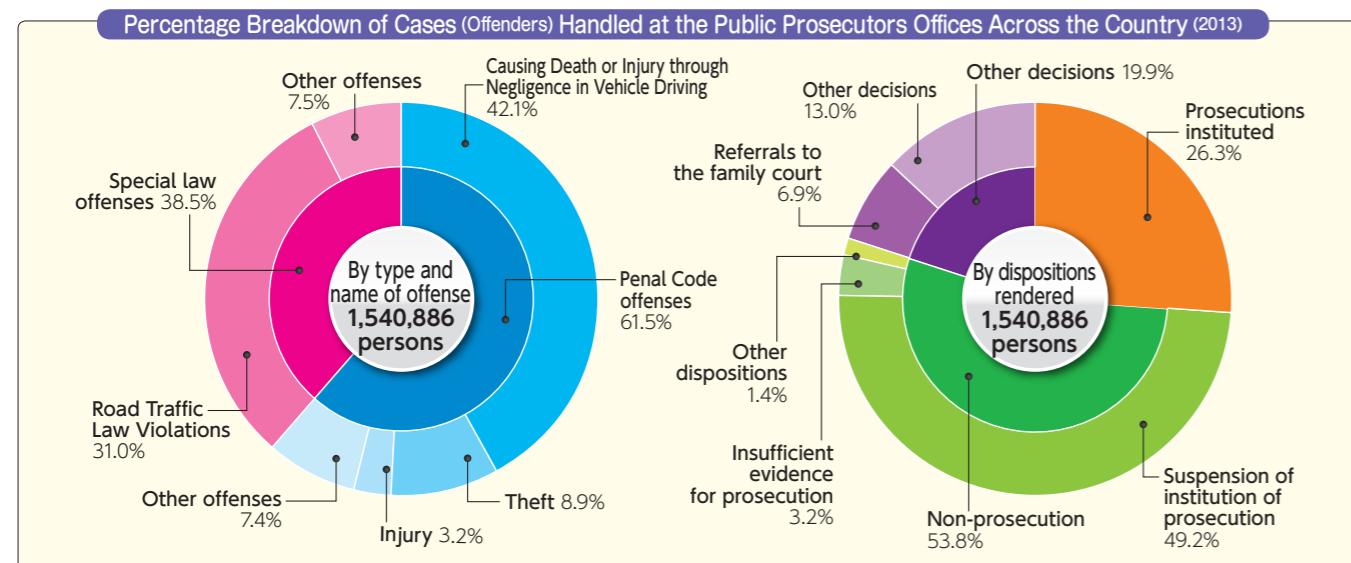
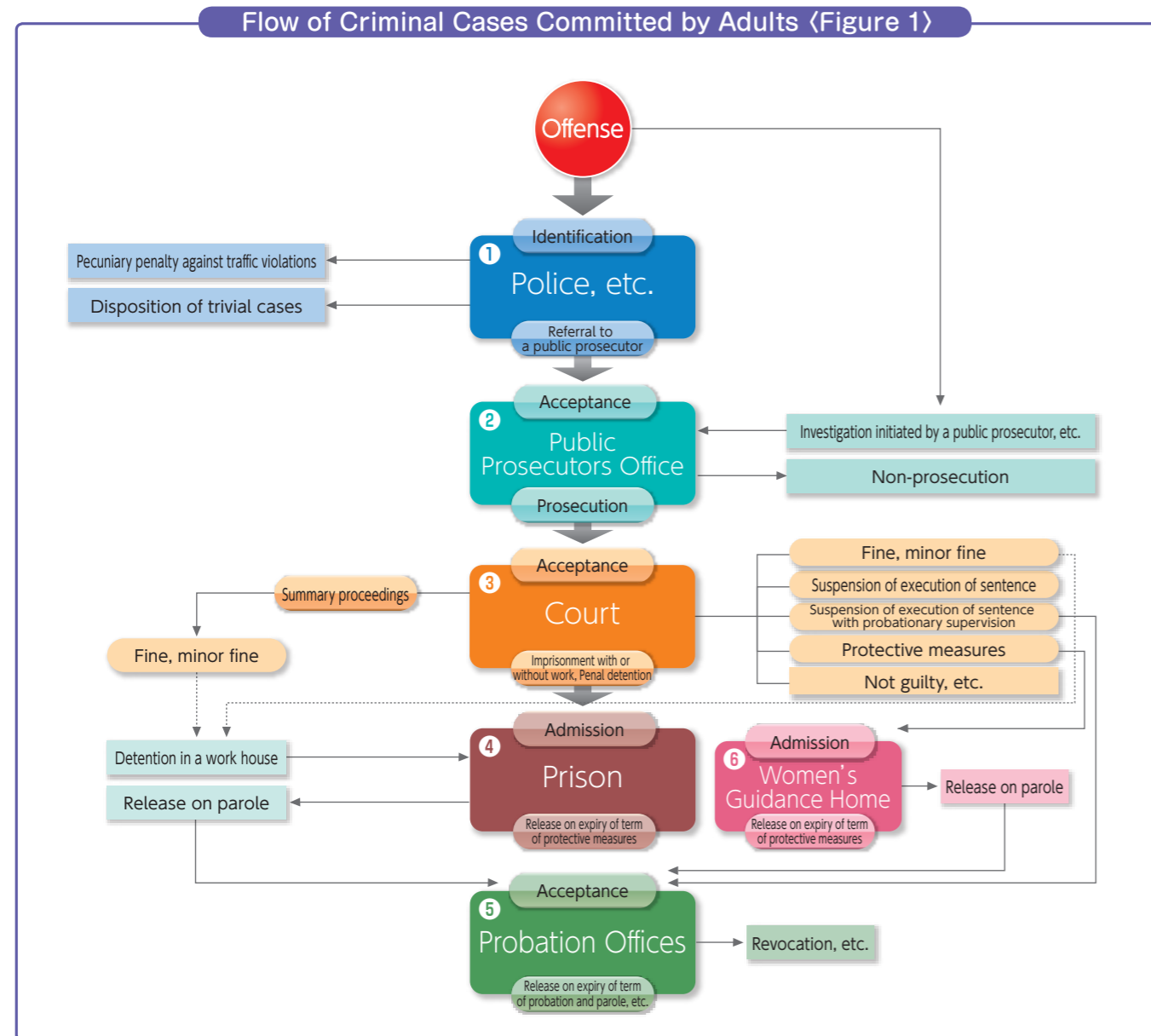


Figure 1 shows the flow of criminal offenses committed by adults.

### 1 Police etc.

All cases in which the police etc. arrests suspects and conducts necessary investigations are transferred to public prosecutors, in principle.

### 2 Public Prosecutors Office

Public prosecutors conduct necessary investigations on the cases transferred from the police and determine whether or not to indict the accused based on the law and evidence. At times, they themselves detect criminal cases or conduct investigations on the cases which have been charged or accused.

### 3 Court

The courts hold hearings at public trials, and when they recognize the accused as guilty, the courts hand down the sentence such as death penalty, penal servitude, imprisonment or fine. In the case of penal servitude or imprisonment for three years or less, the prison term may be suspended due to extenuating circumstances, and probation may be given during the period of suspended sentence.

In the case of a relatively minor offense, the court may decide to examine the case through summary proceedings as long as the accused has no objection.

### 4 Prison

After the accused is convicted, the punishment will be administered under the direction of public prosecutors. As a general rule, punishment, including imprisonment, with or without prison work, or detention is enforced at penal institutions like prisons. Penal institutions help inmates to reform themselves and to re-integrate into community through correctional treatments.

Those who are incapable of paying the full amount of penalty or fine will be detained in a workhouse attached to a penal institution.

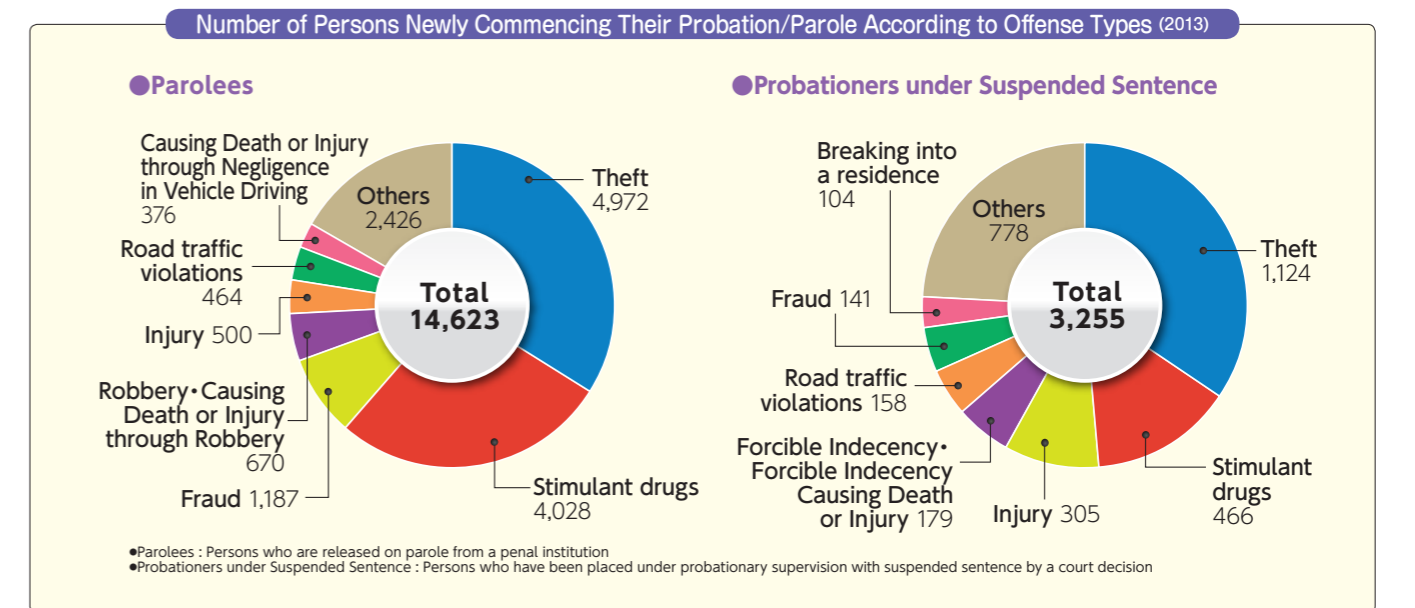
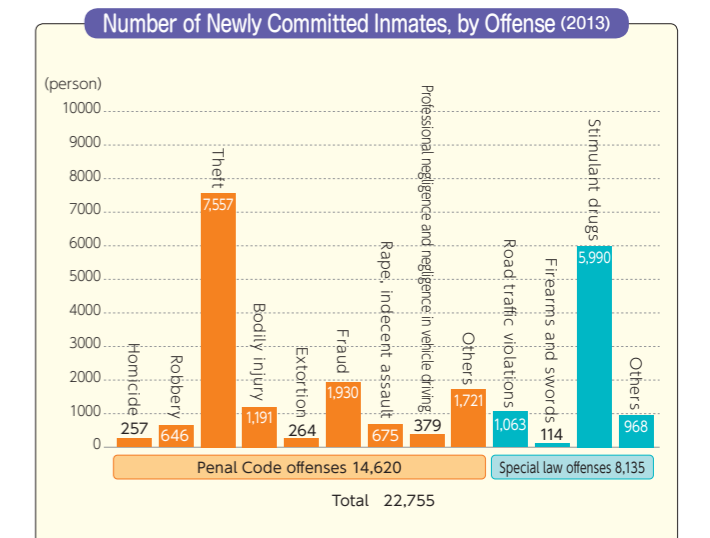
### 5 Probation Offices

Inmates may be allowed to be released on parole in accordance with the decision by the regional parole board even before the expiration of their term, and parolees are placed under supervision while they are on parole. Also, those who have been given a suspended sentence on the condition of probation are placed under probationary supervision during the period of suspension, after the sentence has been settled.

These parolees/probationers receive guidance and assistance from the probation officers of probation offices and volunteer probation officers and pursue rehabilitation and a smooth return to society.

### 6 Women's Guidance Home

Adult females who have been taken into custody for violating the Anti-Prostitution Act are detained in women's guidance homes and will be placed on probation when they are granted parole release.



# Handling Juvenile Crimes and Delinquencies

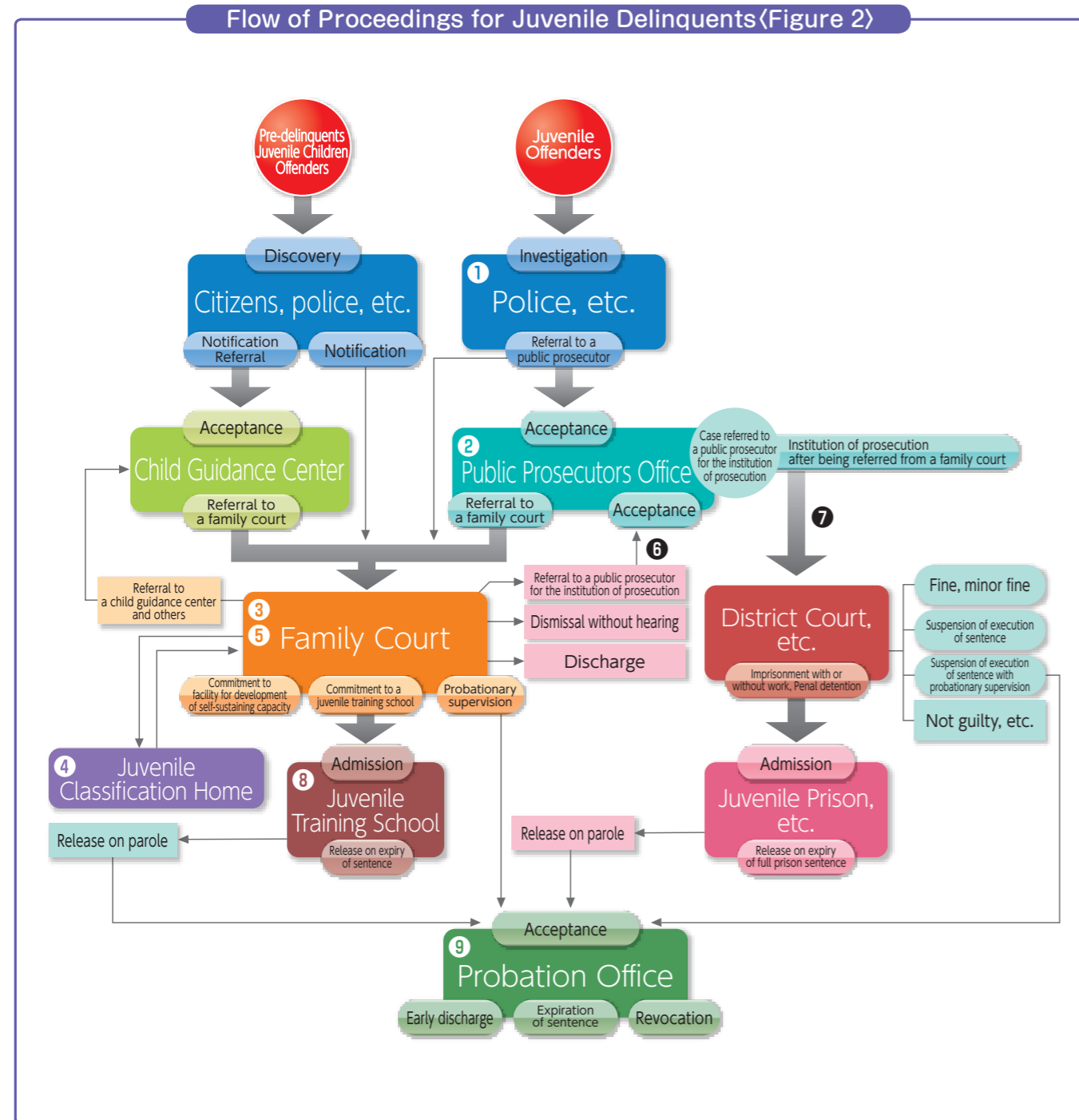


Figure 2 shows the flow of proceedings for juvenile delinquents.

**1 Police etc.**  
When juvenile suspects are arrested by the police the cases are transferred to public prosecutors, in principle, after investigations are completed.

**2 Public Prosecutors Office**  
When public prosecutors suspect juveniles of committing crimes, or have good reasons to leave them to the decision of the family court on pre-delinquency (a state in which juvenile delinquents have behavioral problems which may lead to crimes yet stopping short of committing crimes, but highly necessary to be taken into custody), the relevant cases will be transferred to the family court after investigations are completed.

**3 Family Court**  
A family court orders investigators to conduct investigations on relevant juveniles, including their dispositions and family backgrounds, and/or send them to a juvenile classification home for assessment.

**4 Juvenile Classification Home**  
A Juvenile classification home conducts assessment of juveniles based on the expertise of medicine, pedagogy, etc. and submits the results to a family court.

**5 Family Court**  
When a family court considers that a juvenile has no reason to undergo adjudication procedures or that it is not suitable to put him/her to adjudication procedures based on the result of the investigation of his/her dossier etc., the court decides dismissal without hearing. When the court finds it reasonable to take adjudication procedures, it develops the closed-door process for adjudication.  
If deemed unnecessary to place the juvenile into protective custody as a result of adjudication process based on the investigations and assessment by above-mentioned 3 and 4 respectively, the court declares the juvenile not-to-be discharged. However, if deemed reasonable to place him/her into protective custody, the court decides to place him/her on probation or send him/her to a juvenile training school.  
Meanwhile, if the presence of a public prosecutor is necessary for the identification of delinquency in a major crime, a public prosecutor also participates in a hearing under the decision of the family court.

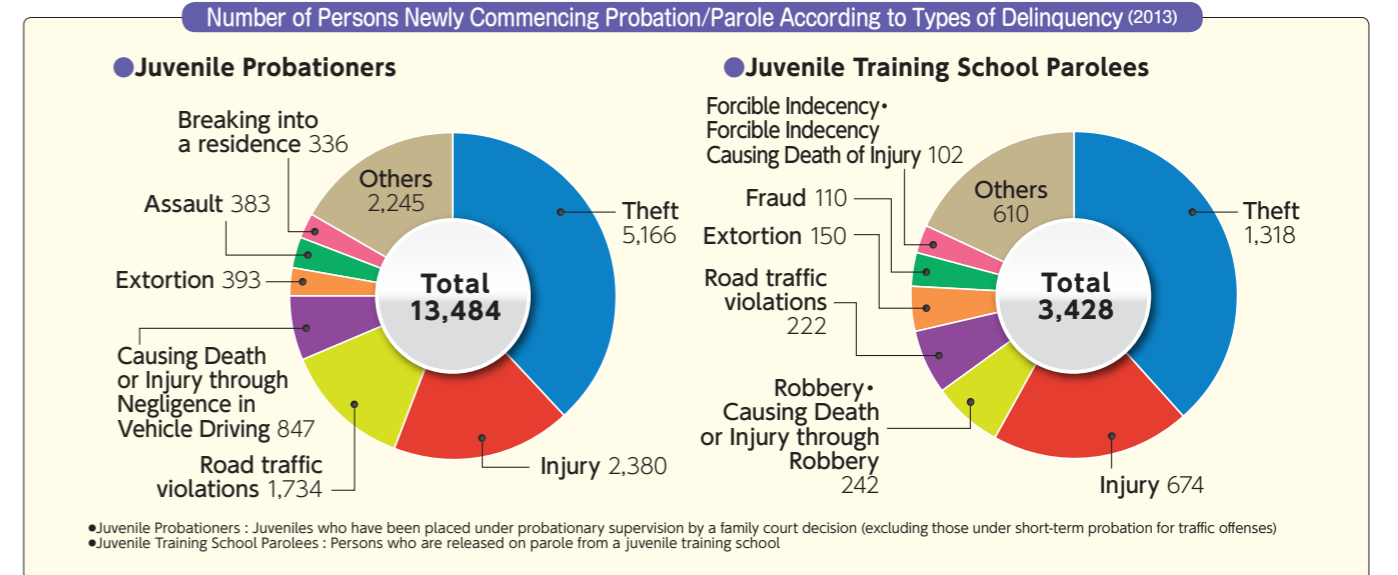
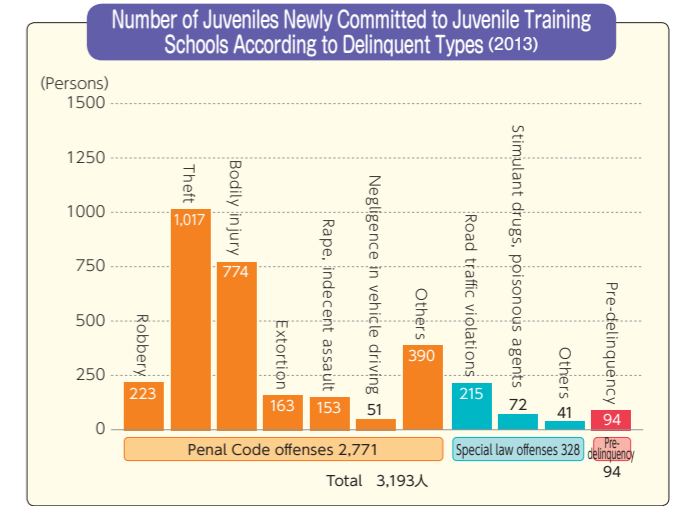
## 6, 7 Sending of Juveniles to Public Prosecutors and Indictment

When a family court finds it reasonable to impose criminal punishment on those who have committed a crime that deserves the death penalty, penal servitude or imprisonment, the court sends the case to public prosecutors.  
When juveniles aged sixteen or older are accused of killing their victims intentionally, the cases are sent to public prosecutors, in principle, and the prosecutors who have accepted the cases must indict them.

**8 Juvenile Training School**  
Juveniles who are sent to a juvenile training school are placed to either primary, middle, special or medical juvenile training school, where they seek rehabilitation by receiving correctional education etc. Juveniles who are handed a family court judgment to be sent to a juvenile training school are admitted to any of primary, middle, special or medical juvenile training school, where they are supposed to receive correctional education, etc. to reform themselves.

\*After the enforcement of the new law, the types of juvenile training schools will change as follows: primary and middle juvenile training schools will become TYPE-I juvenile training school, special juvenile training school will become TYPE-II juvenile training school and medical juvenile training school will become TYPE-III juvenile training school, respectively.

**9 Probation Office**  
Those who are decided by a family court to be placed on probation, or those who are provisionally permitted to be released from a juvenile training school are to receive guidance and assistance from probation officers and volunteer probation officers; they are to pursue rehabilitation and a smooth return to society.



**Community volunteers supporting correctional facilities**

Correctional facilities are supported by community volunteers, such as volunteer visitors and chaplains.  
Volunteer visitors are those who help reformation and rehabilitation as well as smooth re-entry into society of inmates through counseling and guidance sessions, and music instruction, etc.  
Chaplains provide religious guidance upon requests from inmates according to their religious beliefs in order to ensure the freedom of religion.

Community volunteer

## What is the Rehabilitation of Offenders?

This is a system designed to give guidance and assistance to those who have committed crimes or those who have turned to juvenile delinquency so that they can become sound members

of the society while spending normal social lives; the system is carried out in cooperation with the nation and the volunteers.

### Regional Parole Boards

The regional parole boards are located in the eight regions across the country, with respect to each jurisdictional areas of the high courts. The major functions of the board are to make

decisions on parole of inmates of prisons or juvenile training schools and revocation of parole when parolees fail to observe the parole conditions.

### Probation Offices

There are 50 probation offices throughout the country, which are located in each jurisdictional areas of the district courts. Their major functions are to conduct probationary supervision over those juveniles placed under supervision by the decision of the family courts, those

released on parole from prisons or juvenile training schools and also those who are on probation with suspension of sentence. The probation offices are also engaged in activities to promote community-based campaigns to prevent crime and delinquency.

### Probation Officers

Probation officers are full-time government officials of the Ministry of Justice who are assigned to either the Secretariat of the Regional Parole Board or to the Probation Office. Having professional knowledge of psychology, pedagogy or sociology, they engage in the work of rehabilitating those who have committed

crimes or have turned to juvenile delinquency, giving them guidance and assistance in everyday life, in collaboration with volunteer probation officers. They also take charge of the work relating to the prevention of crime and delinquency.

### Volunteer Probation Officers

Volunteer probation officers are private citizens commissioned by the Minister of Justice with the work of rehabilitating offenders, and there are about 50,000 officers across the country. As they are familiar with the situations and customs of their community, they are able to give effective guidance and aid to those who have committed crimes and acts of delinquency within a normal social life, together with probation officers, and in addition, they are engaged in promotion activities in their community to prevent crime and delinquency.

Volunteer probation officers have the status of part-time government officers, but they are not paid salaries, except for the expenses of their activities.

#### ● Badge of Volunteer Probation Officers

The badge is designed by the late Sagenji Yoshida, Professor Emeritus at the Tokyo University of the Arts. It consists of 18 chrysanthemum petals with a sunflower and the rising sun; the circle of its contour represents harmony among people and the red cloth represents the hearts and passion of people.



### Offenders Rehabilitation Facilities

Of all the persons who have been placed under parole/probationary supervision or released from prison, offenders rehabilitation facilities accommodate those who have no proper place to live, give them living guidance and vocational training so that they are able to live independently at the earliest possible date. There are 103 such facilities in the country, mainly operated by juridical persons for the offenders' rehabilitation services, which are private foundations approved by the Minister of Justice to run the services in order to facilitate the rehabilitation of offenders.



Exterior of an Offenders Rehabilitation Facility

### Women's Association for Rehabilitation Aid

The Women's Association for Rehabilitation Aid is an organization composed of volunteers who cooperate in community activities from the viewpoint of women for crime prevention and also for the rehabilitation of those who have committed crimes and acts of delinquency, with a view to establish a brighter society free from crime and delinquency.

There are about 170,000 volunteer members across the country. They are not only engaged in the educational activities

for prevention of crime and delinquency, but also in a wide range of activities rooted in the community such as the following: activities for sound upbringing of youth; child-support activities; rehabilitation support in offenders rehabilitation facilities; cooperation for social participation activities of juveniles on probation; and visits to prisons and juvenile training schools providing encouragement.

### BBS Association

BBS stands for the "Big Brothers and Sisters Movement" organized by young volunteers who make friends with and give assistance to delinquents and pre-delinquents to help them attain sound growth. These young volunteers, just as close being like their older brothers or sisters, keep in touch with the juveniles

in various situations (called the "Tomodachi(Friend)-Project") and help them solve their problems and to become self-reliant. In addition, BBS members carry out activities for crime prevention striving for the realization of a crime-free society. About 4,500 members are engaged in the activities.

### Cooperative Employers

"Cooperative Employers" are those who willingly offer employment to offenders despite their past records and cooperate in the offenders' rehabilitation. These employers provide stable jobs with full understanding of the feelings of

offenders which leads to a tremendous contribution. There are about 12,600 such employers across the country who cooperate in this field.

#### ● Why Not Join Offenders Rehabilitation Volunteers?

To ensure that those who have committed a crime rehabilitate themselves as law-abiding members of society, the efforts made only by the government cannot achieve satisfactory outcomes. Activities of offenders rehabilitation volunteers, including the Women's Association for Rehabilitation Aid, BBS (Big Brothers and Sisters Movement) Association, and Cooperative Employers have been of a great help.

### National Center for Offenders Rehabilitation

The National Center for Offenders Rehabilitation is established and operated to provide parolees from the penal institution or the juvenile training school, etc. who cannot be coordinated necessary social surroundings for their smoother reintegration by their relatives or private-sector offenders rehabilitation facilities, with lodging at state-established facilities where probation officers directly provide them with intensive supervision and generous employment assistance, thereby encourage their rehabilitation and prevent them from committing further offense.

Among these facilities, the organization that performs selective, specialized treatment in society in accord with the relevant specific problem is called the "National Center for Offenders Rehabilitation," while another organization that provides vocational training primarily in agriculture is called the "National Center for Offenders Job Training and Employment Support".

The "National Center for Offenders Rehabilitation" is established and operated in Kitakyushu and Fukushima City, while the "National Center for Offenders Job Training" is established and operated in Hokkaido (Numata-cho) and Ibaraki (Hitachinaka City), respectively.



The National Center for Offenders Rehabilitation in Fukuoka (Kitakyushu City)



The National Center for Offenders Job Training and Employment Support in Hokkaido (Numata-cho, Uryu-gun)

### Measures for Crime Victims as Part of Offenders Rehabilitation

The following four measures are being taken: "Hearing of Victims' Opinions in Parole Examinations" to hear opinions of crime victims as to the parole of offenders; "Communication of Victims' Sentiments to Probationers" to communicate crime victims' sentiments to offenders on probation; "Victim Notification System" to notify crime victims of the treatment status of the offenders; and "Counselling

and Support" to give crime victims advice and support.

In taking these measures, dedicated officers (officers taking care of crime victims and volunteer probation officers taking care of crime victims) are assigned to each probation office.

### Implementation of Treatment for Persons Who Have Caused Serious Incidents on the Grounds of Insanity or Diminished Capacity

The medical care and treatment system for those who are mentally unsound is adopted in accordance with the Act on Medical Care and Treatment for Persons Who Have Caused Serious Incidents on the Grounds of Insanity or Diminished Capacity, which was enforced in July 2005. This is a kind of treatment system to facilitate the rehabilitation of those who have caused serious incidents, such as murder or arson, on the grounds of insanity, etc.

According to the system, persons who have received a decision on hospitalization at a regional court must enter a mental hospital designated by the Minister of Health, Labour and Welfare (designated public mental hospital) and undergo special medical care. During hospitalization, probation offices adjust inpatients' living conditions

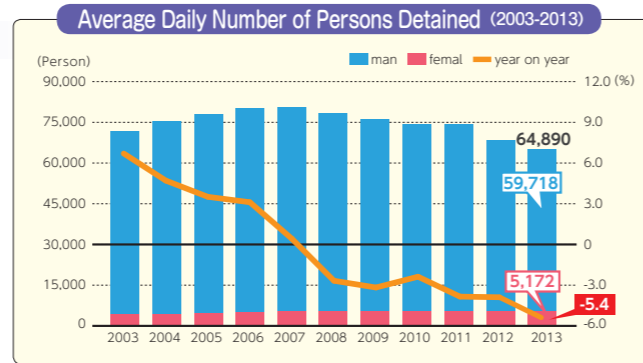
which they will go into after discharge. Persons who have received a decision on outpatient treatment or a discharge decision from the mental hospital at the regional court must attend a mental hospital designated by the Minister of Health, Labour and Welfare (designated public mental hospital) generally for three years, during which time they are under mental health supervision by the probation offices.

The rehabilitation coordinators, who are qualified as psychiatric social worker, public health nurse, etc., and those who have necessary knowledge and experience for the rehabilitation of those patients, are professional staff members at the probation offices. They are engaged in not only outpatient treatment but also in coordination of community-based treatment for outpatients among related agencies.

## Smooth Enforcement of Act on Penal Detention Facilities and Treatment of Inmates and Detainees

### In Penal Institutions Such as Prisons and Detention Houses

The population of inmates in penal institutions in whole has not exceeded their capacity, however the population in female institutions has remained in an overcrowding/high incarceration situation. In addition, there are a number of inmates who require much time and effort in their treatment compared with general inmates, such as elderly inmates; under such circumstances, the burden on penal institution staff has been increasing.



### At the Ministry of Justice

The Ministry of Justice conducts adequate treatment of inmates with respect for their human rights based on the "Act on Penal Detention Facilities and Treatment of Inmates and Detainees" which is the act enacted by totally revising the Prison Law. Furthermore, to support the adequate treatment of inmates, the Ministry is making every effort to improve facilities and human resources, as well as to facilitate clerical rationalization and mechanization.

In addition, taking into consideration the experiences of foreign countries, the Ministry of Justice manages some penal institutions through joint operation between the public and private sectors using the PFI (Private Finance Initiative) which utilizes private capital, ingenuity and know-how. In those penal institutions, the Ministry is trying to enrich and develop correctional treatment by incorporating programs such as the Training Program for Guide Dog Puppies for the Blind, which has never been realized in prisons, in cooperation with the Japan Guide Dog Association (a public

interest incorporated foundation).

The Ministry of Justice will tackle the smooth implementation of the Act on Penal Detention Facilities and Treatment of Inmates and Detainees with persistent effort to contribute to the realization of safe society where the people can live with peace of mind.

#### Logo of the Correction Bureau

The yellow letter C represents "Change (reformation and transformation)" the red letter C represents "Challenge (attempt and passion for reformation)" and the blue letter C represents "Cooperate (collaboration with citizens)". The green letter S piercing through the three Cs represents a resolution to become "something" that is supported by society through contribution to society (SOCIETY).



## Enhancement of Assessments of Juveniles and Community Support Activities by Juvenile Classification Homes

Juvenile classification homes are working to enhance their ability of assessment on juveniles for re-offending prevention by developing and introducing a new assessment method, "Ministry of Justice Case Assessment Tool (MJCA)" in order to grasp the possibility of re-offending and educational needs of each juvenile.

The homes are also working to enhance the treatment for re-offending prevention by conducting assessment of juveniles under protective measures in response to requests from juvenile training schools, probation offices, etc.

Furthermore, the home provides counseling and consultation services to juveniles and their families on various youth problems

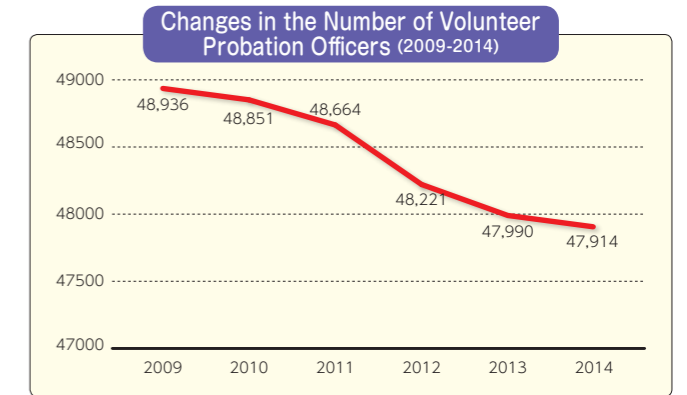
(delinquency, misbehavior, family upbringing problems, troubles in a workplace or at school, problems with friends, etc.). Moreover, the staff of the home provides explanation about various topics such as delinquency, child-rearing, or educational and instructional methods for youth at workshops or lectures held by schools or youth related organizations.

If you are seeking help, please feel free to contact the nearby juvenile classification home.

## Stable Securing of Volunteer Probation Officers

### Current Situation of the Volunteer Probation Officer System

Volunteer probation officers are volunteers who support rehabilitation of those released from prison in the community and who play the most important role in Japanese offenders rehabilitation system. Reflecting the growing awareness towards re-offending prevention of recent years, people's expectations for and interest in volunteer probation officers are increasing more than ever. On the other hand, the number of volunteer probation officers has been decreasing for five consecutive years since 2009 (47,914 persons as of January 1, 2014), partly due to the influence of changes in social situations such as dilution of human relationships in the community. Seeking stable securing of volunteer probation officers for years to come is a major challenge for the system.



## PICK UP! Further Improvement of Juvenile Correction



**Q** Recently, I frequently hear about juvenile crimes on the news. Have you been taking any measures?

**A** The Ministry of Justice has been strengthening efforts toward the prevention of re-offending by changing laws.



### Establishment of New Juvenile Training Schools Act and Juvenile Classification Homes Act

In accordance with "A Proposal of the Expert Committee Considering Juvenile Corrections" in 2010, "Integrated Measures for Repeated Crime Prevention" in 2012, and "The Strategy to Make 'Japan the Safest Country in the World'" in 2013, etc., the new Juvenile Training Schools Act and the

Juvenile Classification Homes Act were established on June 4, 2014. Under these Acts, the Ministry will progress 1) the improvement of treatment toward re-offending prevention, 2) the implementation of appropriate treatment and 3) the promotion of open management of facilities.

### Improvement of Correctional Education, etc. in Juvenile Training Schools

Juvenile training schools have developed and introduced correctional education programs for juveniles who have turned to drug-related or sexual delinquency, and improved the education etc. from victims' point of view. The correctional education is appropriately implemented in accordance with the problematical aspects and the development level of the mind and body of each juvenile. The schools will continue to develop and implement various education programs according to

the characteristics of juveniles.

Furthermore, as one of the measures for re-offending prevention, the schools will work to enhance the support of juveniles' rehabilitation into society, such as job assistance which aims to crystallize their future life planning, the improvement of examination guidance for a Certificate for Students Achieving the Proficiency Level of Upper Secondary School Graduates as well as educational support.

### Efforts of the Ministry of Justice

In light of these circumstances, the "Study Group on Improving Infrastructure of the Volunteer Probation Officer System" was launched in March 2011, with the goal of reinforcing the infrastructure of the volunteer probation officer system that would lead to the future. The study group consists of the active volunteer probation officers and academic experts. Over a year of a wide range of discussions, the group submitted, in March 2012, a report summarizing the outcomes of their discussions to the Rehabilitation Bureau of the Ministry of Justice. The report contains specific recommendations on how the infrastructure of the volunteer probation officer system should be improved, from the following wide-ranging perspectives: (1) securing of candidates as volunteer probation officers and fostering of volunteer probation officers; (2) improvement of the activity environment of volunteer probation officers in line with changes in society; (3) strengthening of collaboration with the community; (4) active roles of volunteer probation officer organizations; and (5) reconstruction of the offenders rehabilitation structure in disaster-affected areas.

The Ministry of Justice has taken the above-mentioned recommendations of the study group as heartfelt voices from volunteer probation officers, therefore, striving to put their recommendations into practice.

For example, the Ministry has started to administer the compensation system for physical damage suffered by volunteer probation officers in FY 2012, as well as has taken measures to enable all local volunteer probation officers associations to hold the "Study Group on Candidates as Volunteer Probation Officers" designed to secure persons suited for volunteer probation officers from a wide group of people since FY 2013. There are a total of 345 "Offenders Rehabilitation Support Centers" nationwide as of FY 2014; the centers are the base of activity for volunteer probation officers and will be improved and expanded toward the future.

Moreover, the Ministry of Justice is making efforts to reduce the burdens of volunteer probation officers' activities; widely disseminate the helpfulness of the officers' activities in order to increase the attractiveness and challenge; and to obtain understanding and cooperation of local residents and the relevant authorities and organizations.

The volunteer probation officer organizations and the national government will work together towards the stable securement of volunteer probation officers, so that Japan can sustain its world-class volunteer probation system for years to come.

# 06 Immigration Control (Immigration Bureau of Japan)

## PICK UP! Measures for Smooth and Proper Immigration Examinations



**Q** The number of foreign tourists is expected to grow amidst ongoing globalization. Have you been taking any measures on immigration examination?

**A** With regard to the implementation of smooth and proper immigration examinations, the Immigration Policy Discussion Panel, which is one of the private advisory groups of the Minister of Justice, submitted a report to the Minister in May 2013 entitled "Future Ideal Course of Immigration Control Administration in an Era Welcoming 25,000,000 Visitors to Japan" in which such proposals as the streamlining of immigration examinations for newly entering foreign nationals through the use of automated gates were made. In addition, as to the government as a whole, the Action Program for Realization of a Tourism-Oriented Country was approved by the Ministerial Council for Promotion of a Tourism-Oriented Country in June 2013, and this Action Program called for a

system to be established so as to ensure accelerated and facilitated procedures at the time of cruise ships calling at port, and to enable those foreign nationals who are deemed to be low risk in terms of immigration control to be designated as "trusted travelers" and be allowed to use the automated gates. Moreover, the Japan Revitalization Strategy was approved by the Cabinet in the same month, and since the achievement of accelerated and facilitated procedures at the time of the entry examinations for large cruise ships was called for in order to realize a tourism-oriented country, these measures of the government were passed to the Action Program for Realization of a Tourism-Oriented Country 2014, and the Japan Revitalization Strategy revised in 2014.



### Principal Measures

In order to contribute to the realization of a tourism-oriented country, it is necessary to implement both smooth immigration examinations for trouble-free foreign nationals and strict examinations for foreign nationals with such motives as working illegally in Japan.

Efforts have been made to reduce the waiting time for examinations by assigning "booth concierges" to the examination areas in the airports, and to promote the use of automated gates by more people for smooth examinations; in FY 2014, the number of automated gates across the country was increased from 40 to 70. In addition, immigration officers were sent out to companies, passport offices and other places in order to provide "mobile registration for use of the automated gates" so as to register applicants as users of the automated gates, and publicity measures were proactively conducted with the cooperation of the airport companies and other companies.

Furthermore, with regard to streamlining the departure and return examinations of Japanese nationals, since return examinations utilizing facial recognition technology, which do not require pre-registration in the use of the automated gates, were considered to be effective, test trials of facial recognition technology were conducted at Narita Airport and Haneda Airport during August and September of 2014. Subsequently, in

November of the same year, a report on the test trials was submitted to the Ministry of Justice by the Committee for Evaluation of Facial Recognition Technology in the Immigration Examinations, the committee composed of outside experts. In the report, although there were still some points requiring consideration, it was deemed that "facial recognition technology



Photo of Immigration Examinations Onboard a Cruise Ship



Registration for use of the automated gates

has been evaluated as being sufficiently feasible for use in the departure and return examinations for Japanese nationals" and in the future, studies are to be promptly conducted with regard to implementing facial recognition technology in the departure and return examinations of Japanese nationals.

As for streamlining the cruise ship examinations and expanding the scope of foreign nationals eligible to use the automated gates, in accordance with the passing of the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act in June 2014, which includes the introduction of a system of landing permission for cruise ship tourists and the use of automated gates by trusted travelers, it has become possible for foreign passengers of cruise ships designated by the Minister of Justice to be permitted landing through simplified procedures, and foreign nationals who are deemed to be trusted travelers posing little risk in terms of immigration control and those who frequently enter Japan have become eligible users of the automated gates.

Meanwhile, in regard to the system of landing permission for cruise ship tourists, the system is in force from January 1, 2015, and a new framework making trusted travelers eligible to use the automated gates is due to be enforced within a timeframe of two years and six months calculating from the date of promulgation of the Act.

## Points-Based Preferential Immigration Treatment for Highly Skilled Foreign Professionals

### Objectives and Outline of the System

In order to promote entry of highly skilled foreign professionals, a points-based system that provides highly skilled foreign professionals with preferential immigration treatment was introduced on May 7, 2012.

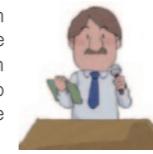
The activities of highly skilled foreign professionals are classified into three categories: "advanced academic research activities," "advanced specialized/technical activities" and "advanced

business management activities". According to the characteristic features of each category, points are set to each item, such as "academic background," "professional career," "annual salary," "research performance" and the like. If the total points reach 70, the foreign nationals will be recognized as "highly skilled foreign professionals".

### The three categories of activities conducted by highly-skilled foreign professionals

#### Advanced academic research activities

Activities of engaging in research, research guidance or education based on a contract entered into with a public or private organization in Japan.



#### Advanced specialized/technical activities

Activities of engaging in work requiring specialized knowledge or skills in the field of natural sciences or humanities based on a contract entered into with a public or private organization in Japan.



#### Advanced business management activities

Activities of engaging in the operation or management of a business organization in Japan.



### Details of the Preferential Treatment

The following preferential immigration treatment is to be granted to foreign nationals recognized as "Highly Skilled

Professional(i)" as a result of the points evaluation.

#### 1 Permission for Multiple Activities During the Stay in Japan

Usually, a foreign national is only allowed to engage in the activities permitted under a single status of residence. However, a highly-skilled foreign professional may engage in activities covered by multiple statuses of residence, such as simultaneously engaging in research activities at a university and in the management of a business organization related thereto.



#### 2 Grant of the "5-Year" Period of Stay

The legally permitted maximum period of stay (5 years) is granted uniformly to highly-skilled foreign professionals.



#### 3 Relaxation of Requirements for Grant of the Permission for Permanent Residence Concerning the Period of Stay in Japan

In principle, a foreign national needs to stay in Japan for more than 10 consecutive years in order to obtain permission for permanent residence. However, foreign nationals who have engaged in activities as highly-skilled foreign professionals for approximately 5 years are eligible to obtain permission for permanent residence.



#### 4 Permission for the Spouse of the Highly-Skilled Foreign Professional to Work

When a foreign national staying in Japan under the status of residence of "Spouse" intends to engage in activities covered by statuses of residence for work, such as "Instructor," or "Engineer/Specialist in Humanities/International Services," he/she must satisfy certain requirements with regard to academic background, work experience, and the like, as well as obtain the relevant status of residence.



However, a spouse of a highly-skilled foreign professional may engage in these activities even if he/she does not have the required academic background or work experience, etc.

#### 5 Permission for Bringing the Parent(s) to Accompany the Highly-Skilled Foreign Professional to Japan

Under the current system, parents of foreign nationals staying in Japan under a status of residence for work are not allowed to enter and stay in Japan. However, the parent(s) of a highly-skilled foreign professional or his/her spouse is allowed to enter and stay in Japan subject to conditions detailed below:  
(i) where the parent(s) will take care of a child younger than 7 years of age of the highly-skilled foreign professional or his/her spouse; or  
(ii) where the parent(s) will take care of a pregnant highly-skilled foreign professional or a pregnant spouse of a highly-skilled foreign professional



#### 6 Permission for Domestic Workers to Accompany the Highly Skilled Foreign Professional to Japan

Only those foreign nationals who stay in Japan under statuses of residence such as "Business Manager" etc. may employ foreign domestic workers. However, a highly skilled foreign professional may bring foreign domestic workers to Japan subject to certain conditions.



#### 7 Preferential Processing of Entry and Residence Procedures

The entry and residence examinations for highly-skilled foreign professionals will be swiftly processed through preferential treatment.



The period of stay for those foreign nationals who had been residing in Japan with the status of residence of "Highly Skilled Professional (i)" for a period of three years or more and have transferred to the status of residence of "Highly Skilled Professional (ii)" is for an indefinite period, and the foreign national is able

not only to engage in the activities of (i) but also in almost all the activities permitted to statuses of residence with the purpose of employment, and moreover, is eligible for the preferential treatment listed in the above-mentioned 3 to 6.

## Immigration Control of Japanese and Foreign Nationals

On the basis of the Immigration Control and Refugee Recognition Act (hereinafter referred to as "the Immigration Control Act") etc., the Immigration Bureau provides for equitable control over the

entry into or departure from Japan of all persons.

### Departure and Landing (Returning) Inspections

Foreign nationals who intend to enter Japan are required to provide personal identification information (fingerprints and facial photographs), except for those who are exempt from this requirement, and must be interviewed by an immigration inspector. The immigration inspector conducts an examination to check whether the foreign national meets the conditions for landing such as whether the passport and visa held by the foreign national are valid, whether his/her activities to be conducted while in Japan are legitimate and come under a status of residence prescribed in the Appended Tables of the Immigration Control

Act, and for certain statuses of residence, the inspector checks whether the foreign national meets the criteria stipulated in the Ministerial Ordinance, and that the foreign national does not fall under the grounds for denial of landing; if the immigration inspector deems that these conditions have been met, the foreign national will be permitted to enter Japan. Foreign nationals who intend to depart from Japan must receive confirmation of departure from an immigration inspector. Immigration inspectors also confirm the fact about the departure and return of Japanese nationals.

#### Speedy Immigration Examination! "Automated Gate" --Convenient for Overseas Business or Sightseeing Trips

Do you know "automated gates" that enable you to go through immigration examination procedures speedily when you go on an overseas business or sightseeing trip? The automated gate system allows users to go through examination procedures automatically by identifying them by their passports and fingerprints. If you complete the user registration for automated gates before departure, you can go through landing and departure examination procedures smoothly using an automated gate even when the examination area is crowded with people. For further details, please check the Ministry of Justice website.



[http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri01\\_00111.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri01_00111.html)

#### Airports with Automated Gates

**Narita Airport, Haneda Airport, Chubu Airport and Kansai Airport**

(User registration is available at the above four airports, as well as at Tokyo Regional Immigration Bureau, Nagoya Regional Immigration Bureau and Osaka Regional Immigration Bureau.)



Automated Gate (Haneda Airport)

### Residency Management of Foreign Nationals

Foreign nationals residing in Japan are allowed to engage in activities based on their status of residence and period of stay decided when entering the country. If those foreign nationals intend to change their status of residence, extend the period of stay, or obtain permission to engage in activities other than those permitted under the status of residence previously granted or re-entry permission, they need to take necessary procedures at the Immigration Bureau. In granting permission for the activities of foreign nationals in Japan, the Immigration Bureau strives to ensure the proper residency management of foreign nationals by paying due consideration to the interests of the Japanese people and to the security of Japan.

In addition, from July 2012, a foreign national who is residing in

Japan for a mid- to long-term period is issued with a residence card at the time of receiving permission relating to residence such as landing permission, permission to change the status of residence or permission for extension of the period of stay. This residence card gives such details as the name, date of birth, sex, nationality or region, place of residence, status of residence and period of stay of the foreign national.

The alien registration system was abolished in July 2012 at the time of the implementation of the new residency management system. For further details, please check the Immigration Bureau website.

([http://www.immi-moj.go.jp/newimmiaact\\_1/en/index.html](http://www.immi-moj.go.jp/newimmiaact_1/en/index.html))



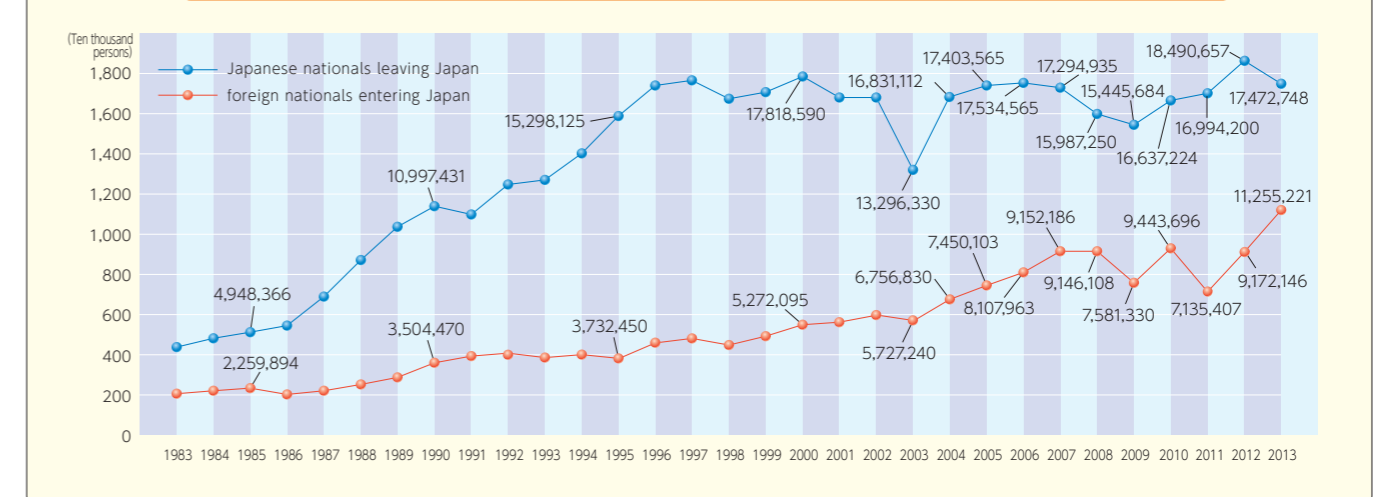
### Deportation

Some of the foreign nationals residing in Japan include those who are considered undesirable by Japanese society, such as those who have illegally entered or landed in the country, those who have obtained landing permission but are illegally staying after the expiration of the period of stay or are engaged in activities other than those permitted, or those who are imposed certain punishment. The Immigration Bureau handles the prescribed

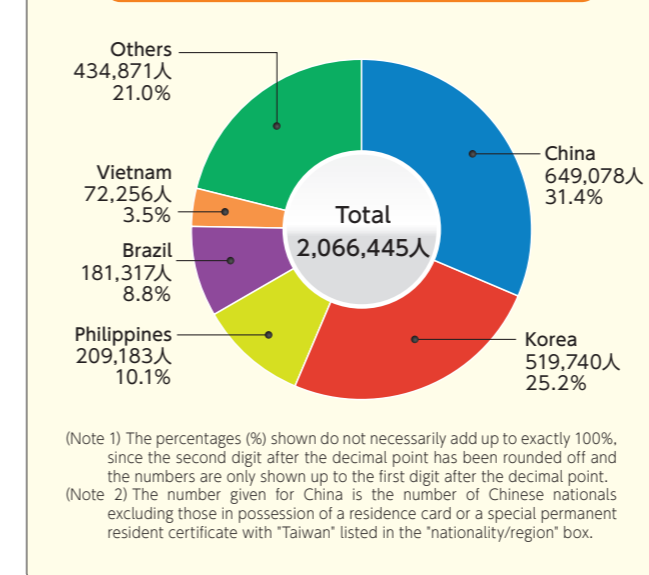
procedures from detection to investigation, and initiates deportation procedures in cases where a final decision has been made on deportation with regard to foreign nationals mentioned above.

Illegal overstayers who meet certain standards can leave the country following simple procedures under the departure order.

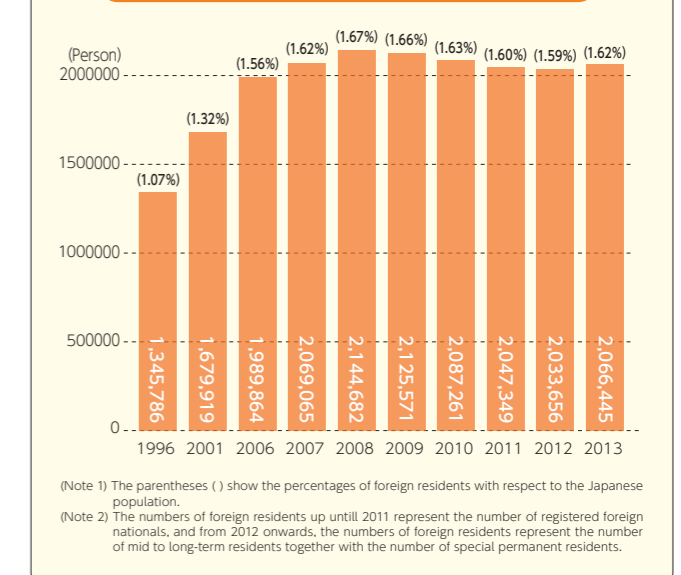
Changes in the Number of Foreign Nationals Entering Japan and Japanese Nationals Departing Japan



Number of Foreign Residents by Nationality/Region (as of the end of Dec. 2013)



Changes in the Number of Foreign Residents (as of the end of each year)



### Recognition of Refugees

Japan signed the Convention Relating to the Status of Refugees and the Protocol Relating to the Status of Refugees, and these arrangements became effective on January 1, 1982. Various protection measures, which were stipulated in the convention and protocol, were granted to refugees.

The Immigration Bureau handles administrative work concerning landing permission for temporary asylum, refugee status and the issuance of refugee travel documents.

# 07 Global Cooperation

## PICK UP! Propulsion of Global Cooperation



**Q** Is there anything that you do for the people around the world as the Ministry of Justice?

**A** We have been visiting developing countries in Asia etc. and providing assistance to improve their legal systems so that the people in those countries can live feeling reassured.



The Research and Training Institute of the Ministry of Justice conducts international cooperation activities in various ways, including the provision of legal technical assistance, to help establish and strengthen good governance based on the rule of law in developing countries. These activities contribute significantly not only to the sound progress in developing countries and regional stability, but also to the strengthening of measures against international crimes as well as the promotion of smooth economic activities in those countries, thereby enhancing the presence of Japan in the international community.

The Ministry of Justice has been contributing to the development of criminal justice policies and capacity building of criminal justice practitioners in developing countries, mainly in the Asia-Pacific region, through the activities of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), which is operated under the joint auspices of the Japanese government and the United Nations.

Moreover, the Ministry has provided, mainly through activities of the International Cooperation Department in cooperation with institutions concerned, legal technical assistance to Asian countries, such as Vietnam, Cambodia, etc. The department has provided assistance with a focus on the drafting and amending of fundamental legal codes, as well as the establishment of systems and institutions necessary for the operation of law and capacity building for legal practitioners.

At the "G8 Justice and Home Affairs Ministerial Meeting" held in Tokyo in June 2008, the Ministers reaffirmed the importance of providing capacity building assistance to countries requesting support in the criminal justice field.

The Ministers also affirmed the importance of justice sector technical assistance in developing judicial systems and basic laws and training for legal professionals.

The government of Japan also recognized the importance of legal technical assistance and the need for its strategic implementation, and as a consequence, the "Basic Policies on Legal Technical Assistance" (April 2009) was formulated. In May 2013, these policies were revised to set the additional objective of establishing a favorable investment climate for Japanese businesses abroad, while emphasizing the conventional strategy of strengthening the "all-Japan" support system, the system of cooperation between the government and private sectors. To pursue these policies, "The Japan Revitalization Strategy" (revised in 2014) and "Basic Policies for Economic and Fiscal Management and Reform 2014 (the so-called robust policies)" were decided by the Cabinet. The former policy dealt with the further promotion of "legal technical assistance" as a measure to establish institutional foundations which would support Japanese companies in their businesses abroad. Meanwhile, the latter policy emphasized "support for development of systems, including legal systems, in areas where Japan is strong," to assist Japanese companies in exploring global markets.

Taking into account the potential number of requests from developing countries for such legal technical assistance (including training programs for criminal justice and other legal practitioners), the Ministry of Justice is determined to continue and further enhance its international cooperation activities in collaboration with the relevant organizations, in order to help establish good governance based on the rule of law, especially in Asia.



The Eighth Regional Seminar on Good Governance for Southeast Asian Countries



Local Seminar in Laos (at the Ministry of Justice of Laos)

# 08 Uniformed and effectual Handling, for example court case related Japan

## PICK UP! Litigation



**Q** I have heard that litigation bureau has been set up. What does the bureau do in the first place?

**A** Litigation is the process of filing a motion with the court, making a claim, and/or bearing testimony on behalf of the national government. In litigation, the national government is the party (as plaintiff or defendant). The Ministry of Justice uniformly and appropriately handles these administrative work for lawsuits.



Lawsuits in which the national government is the party include an action for state compensation on the grounds of illegal activities of government employees who exercise public power or defects in installation and maintenance of public structures, civil lawsuits regarding management of government property, and administrative lawsuits to seek nullification or reversal of administrative punishment. The Ministry of Justice properly handles those lawsuits in cooperation with ministries and agencies which govern administrative work for lawsuits.

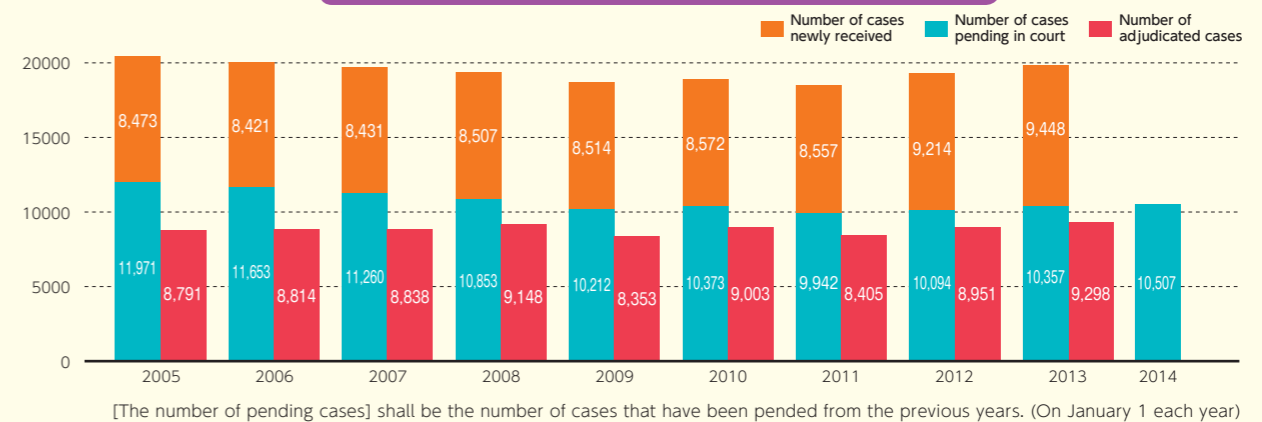
Among the lawsuits, there are many serious cases that may affect the basis of politics, diplomacy, public administration, and economics in the country and cases that may raise new social or legal questions. Complex and difficult cases have been submitted throughout the country. In particular, large-scale class action lawsuits, lawsuits of the state compensations associated with the accidents of the nuclear power plant; lawsuits concerning medicine and public health; environmental hygiene lawsuits concerning pollution; lawsuits that seek nullification of permission or punishment in relation to operations

of airports, dams, roads, nuclear power plants and related facilities or seek an injunction against operations; and lawsuits that demand compensation for damage caused during the World War II, have attracted remarkable attention from the society.

To properly make a claim and bear testimony about those lawsuits from the standpoint of the national government contributes to the realization of proper settlement based on the law and evidence. By making contributions to this end, the maintenance of suitable balance between the benefits of the entire nation and the rights and benefits of individuals is ensured and administrative principles is expected to be followed based on the law. The Ministry of Justice is striving for appropriate and prompt pursuit of lawsuits in order to meet people's expectations and demands for justice as an organization which plays a role in the judicial process.

Also, the litigation bureau is responsible for contributing to the appropriate settlement of legal matters, as well as preventing disputes by stating appropriate legal opinions from the perspective of the country as a whole.

Transition of the Number of Main Lawsuits (2005-2014)



Litigation Bureau posts the information of lawsuits of the national government on the Internet and publish summaries of the major pending lawsuits, major judgments, and so on.

■ Summaries of the Major Pending Lawsuits

[http://www.moj.go.jp/shoumu/shoumukouhou/shoumu01\\_00024.html](http://www.moj.go.jp/shoumu/shoumukouhou/shoumu01_00024.html)

■ The List of the Major Judgment

[http://www.moj.go.jp/shoumu/shoumukouhou/shoumu01\\_00023.html](http://www.moj.go.jp/shoumu/shoumukouhou/shoumu01_00023.html)

■ The Database of the Important Litigation Precedents

(the system that precedents contained in the "Monthly Litigations" which is the information publication made by the Litigation Bureau can be searched and browsed)

[http://www.shoumudatabase.moj.go.jp/search/html/shoumu/general/menu\\_general.html](http://www.shoumudatabase.moj.go.jp/search/html/shoumu/general/menu_general.html)





## Qualifying Examination

## National Bar Examination

The national bar examination is to judge whether those who wish to become judges, public prosecutors or attorneys-at-law have necessary knowledge and application ability. In 2006, the national bar examination was replaced by the new national bar examination that is linked with the education provided in law schools and training of legal apprentices.

The national bar examination can be taken by those who have completed law schools or passed the preliminary bar examination. However, a time limit is set for taking examinations; the candidates are expected to take examinations in a five-year period beginning on April 1 after being qualified.

The examination consists of a short-answer test (including multiple-choice questions) and an essay test. All candidates concurrently take both tests.

The successful candidates will be qualified to enter the legal

profession as judges, prosecutors and attorneys-at-law after being trained in the legal training center of the Supreme Court. (For details on the training, please contact the Designation Section, Personnel Department, Supreme Court.)

## Results of the National Bar Examination

Year	Candidates	Successful candidates	Average age of successful candidates	Successful percentage
2010	8,163	2,074(592)	29.1	25.41%
2011	8,765	2,063(478)	28.5	23.54%
2012	8,387	2,102(545)	28.5	25.06%
2013	7,653	2,049(477)	28.4	26.77%
2014	8,015	1,810(408)	28.2	22.58%

Figures in parentheses show the number of women out of the total on the left.

## Preliminary Bar Examination

The purpose of the preliminary bar examination is to judge whether a person who intends to take the national bar examination has enough knowledge, the ability to utilize such knowledge, and a basic grounding in legal practices equal to those who have completed a course at a law school. The preliminary bar examination consists of a short-answer test (including multiple-choice questions), an essay test, and an oral test. There is no qualification requirements for applicants.

## Results of the Preliminary Bar Examination

Year	Candidates	Successful candidates
2011	6,477	116(13)
2012	7,183	219(22)
2013	9,224	351(44)
2014	10,347	356(37)

Figures in parentheses show the number of women out of the total on the left.

- ▶ For further information, please contact the National Bar Examination Commission  
Address: The Ministry of Justice, 1-1-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8977 Tel: 03-3580-4111

## Examinations to Become Judicial Scriveners or Land and House Investigators

A judicial scrivener represents a clients and engages in the business concerning various procedures of registration (commercial or real estate registration) or deposition, and on receiving authorization from the Minister of Justice, also represents a client in trials in the summary court. Meanwhile, a land and house investigator takes charge of the business concerning investigation, survey, and application procedures needed for registration, among other things, real estate.

The examinations are national examinations, and they determine

whether candidates have the necessary knowledge and ability to enter into these professions; the exams are administered under the authority of the Minister of Justice. Both examinations consist of written and oral tests, and those who pass the written test are entitled to take the oral test, and on passing the oral test, they are deemed to have been qualified. The successful candidates are able to enter into the respective services after registration and admission procedures.

## Results of the National Examination for Judicial Scriveners

Year	Number of candidates for the National Examination for Judicial Scriveners	Number of successful candidates
2010	33,166	948
2011	31,228	879
2012	29,379	838
2013	27,400	796
2014	24,538	759

## Results of the National Examination for Land and House Investigators

Year	Number of candidates for the National Examination for Land and House Investigators	Number of successful candidates
2010	6,739	471
2011	6,310	390
2012	6,136	418
2013	6,017	412
2014	5,754	407

## Employment Examination for Services

The Ministry of Justice employs officials from among those who have passed the Examination for Comprehensive Service, Examination for General Service, the Employment Examination for the Ministry of Justice Specialized Staff (Human Sciences), Prison Officers' Employment Examination and Immigration Control Officers' Employment Examination.

## Examination for Comprehensive Service

- ▶ Contact: Personnel Division, Minister's Secretariat, Ministry of Justice

Those who are employed from the category of public administration, politics / international matters, law, economics, engineering and culture are generally assigned to various departments of the Ministry and engage in planning measures and policies. Those employed from human science category are assigned to local offices to make the most of their specialized knowledge.

## Examination for General Service (college graduates and high school graduates)

- ▶ Contact: General Affairs Section, Facilities Division, Minister's Secretariat (architecture, electric engineering and mechanical engineering) / Local offices which intend to employ officials (public administration)

Aside from those who are employed by the Facilities Division, Minister's Secretariat (architecture, electric engineering and mechanical engineering), those who are employed from the public administration category are generally assigned to the local offices outside the Ministry.

## Employment Examination for the Ministry of Justice Specialized Staff (Human Sciences)

## Correctional Psychology Profession

- ▶ Contact: Personnel Section, Regional Correction Headquarters

Correctional psychologists work mainly at juvenile classification homes or penal institutions as professional staff (MOJ technical official (psychology)) making use of their specialized knowledge and skills. They provide guidelines for treatment of detained juveniles etc. based on the analysis of the causes of delinquency or criminal acts through interviews and psychological tests, and carry out improvement guidance programs in penal institutions.



## Instructor of Ministry of Justice

- ▶ Contact: Personnel Section, Regional Correction Headquarters

Instructors of the Ministry of Justice work mainly at juvenile training schools or juvenile classification homes to develop the individuality and ability of juveniles and to ensure their smooth return to society based on the instructors' broad range of vision and expertise. To that end, they provide specialized education (correctional education), including lifestyle guidance and course education, and also conduct behavior observations. At prisons, the instructors are engaged in employment support instruction, course instructions, and so on.

## Probation Officers

- ▶ Contact: Regional Parole Boards

Probation officers work at probation offices and regional parole boards with the aim of preventing criminals and juvenile delinquents from repeating offenses; they also provide support on social rehabilitation. Specifically, they provide criminals and juvenile delinquents with instruction through interviews and treatment programs as well as job assistance, etc. based on specialized knowledge about psychology, pedagogy, welfare and sociology.

## Immigration Control Officers' Employment Examination

- ▶ Contact: General Affairs Division of the Regional Immigration Bureaus (Staff Division in the case of Tokyo Regional Immigration Bureau) Immigration Detention Centers

Immigration control officers are assigned to regional immigration bureaus, offices or branch offices, or to immigration detention centers. They perform tasks related to the detection of illegal immigrants or overstayers, investigation of violations and treatment and deportation of detainees.



## Prison Officers' Employment Examination

- ▶ Contact: Personnel Section, Regional Correction Headquarters

Prison officers are, in principle, assigned to prisons, juvenile prisons or detention houses. In prisons and juvenile prisons, the officers engage in various treatment programs for inmates to facilitate their rehabilitation and smooth resocialization.

The detention houses mainly confine those who are suspects or defenders in custody; meanwhile the officers prevent them from fleeing or attempting destruction of evidence as well as give consideration to ensure fair trial.



# 10 Visit

The Ministry of Justice Museum--Message Gallery inside the red-brick building of the Ministry consists of a room restored to its original appearance (formerly used as the dining room of the Justice Minister's official residence) which retains the atmosphere

of the Meiji era, and an adjacent room with brick walls. It exhibits various historical materials and data on the "modernization of the judiciary" and "architectural modernization" as well as information on promotion and publicity for the new justice system.



Scenery of Museum--Message Gallery



G. Boissonade, a French jurist, and a draft of the old Japanese Penal Code



Dining room of the old Justice Minister's official residence

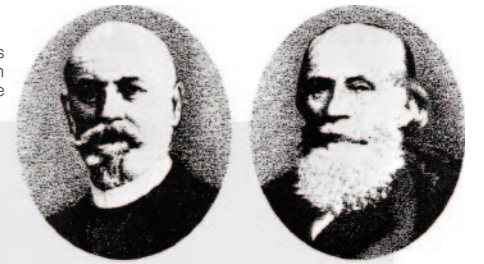
## Modernization of the Judiciary

The Museum exhibits materials concerning the activities of the old Ministry of Justice compiling basic legislation which required urgent enactment in the first half of the Meiji era, such as the laws concerning the organization of the judiciary and criminal laws, as well as records related to the service rendered by the foreign jurists invited to Japan. In addition, the Museum displays the historical records of some sensational cases in the Meiji era as well as those related to the administration of justice.

## Architectural Modernization

The red-brick building is the only building that still exists among all the buildings constructed as part of the Central Government Building Integration Project promoted by the Meiji Government. The Museum exhibits materials concerning the establishment of the building that has been designated as a cultural asset symbolizing the modernization of the Japanese architectural techniques, and also the project of remodeling and restoration to its old, original appearance.

German architects  
Left : W. Bockmann  
Right : H. Ende



Birth of the Red-Brick Building and the Architectural Techniques



The message gallery corner displays materials concerning major public relations themes to promote national understanding of the judicial system, the administration of the Ministry of Justice, etc. At present, materials relating to the Saiban-in (Lay Judge) System and the Japan Legal Support Center (Houterasu) are exhibited as topics concerning the new judicial system.



<b>Location</b>	Red-Brick Building of the Ministry of Justice, 1-1-1 Kasumigaseki, Chiyoda-ku, Tokyo
<b>Access</b>	10-minute walk from JR Yurakucho Station (Yamanote Line/Keihin-Tohoku Line) 1-minute walk from Tokyo Metro (Yurakucho Line) Sakuradamon Station 3-minute walk from Tokyo Metro (Marunouchi Line, Hibiya Line) Kasumigaseki Station 5-minute walk from Tokyo Metro (Chiyoda Line) Kasumigaseki Station 6-minute walk from Toei Subway (Mita Line) Hibiya Station
<b>Open</b>	From Monday to Friday/Free admission (Closed on Saturdays, Sundays, national holidays, the year-end and New Year holidays)
<b>Opening hours</b>	From 10:00 a.m. through 6:00 p.m. (No admission after 5:30 p.m.)
<b>Reservation</b>	Please make a reservation by phone or the Internet when arriving in a group of ten or more. Reservations will be accepted three months in advance. For reservations, please inform us of the name of your group (or the name of the representative), the time of your arrival, and the number of visitors.

● Ministry of Justice Museum Tel: 03-3592-7911 E-mail: renga1@moj.go.jp  
 ● Ministry of Justice Website "Welcome to the Ministry of Justice Museum--Message Gallery" (Japanese-only)  
[http://www.moj.go.jp/housei/tosho-tenji/housei06\\_00004.html](http://www.moj.go.jp/housei/tosho-tenji/housei06_00004.html)



# Let's Visit the Ministry of Justice!

## A Field Trip to the Ministry of Justice

The Ministry of Justice provides tours on requests from students like you so that you can deepen your understanding of the role of the Ministry.

The officials will explain what the Ministry does as well as answer

your questions. Also, we will take photos at a square called Sunken Square. You can also take a look around the Ministry of Justice Museum—Message Gallery which is located inside the red-brick building.



The red brick building seen from the sunken plaza



Photo of an official explaining the duties of the Ministry at the briefing room

## Let's Participate in the Event

### Tour of Kasumigaseki for Children



Photo with a blue police car and an immigration control officer



Photo of the popularity contest of mascots of the Ministry

The Ministry of Justice holds events for elementary and junior high school students during summer vacation so that the students can understand more about what the Ministry does. In FY 2014, the popularity contest of mascots of the Ministry was held. The students also enjoyed the experience of press conference at the briefing room.

### JAPAN LAW DAY FESTA ~Feel Law Close to You~ Host: Ministry of Justice/Supreme Public Prosecutors Office

Events are usually held on Japan Law Day (October 1) established to provide motivation for the general public to think about the role of law. The theme for last year was "Law-Related Education in the Red-Brick Building." Mock trials with the participants and professional lawyers in the same group were held. For children, law-related classes to learn the importance of rules were held.



Photo of "Let's Make Rules! ~Who shall Occupy the field?~" for elementary school children



Photo of the debate of the judge team at "Mock Trial with Professionals!"

#### Contact information for tours and events of the Ministry of Justice

Public Information Office, Ministry of Justice  
(Secretarial Division, Minister's Secretariat)

TEL:03-3580-4111 (2053)

Please check the latest information on the events on the Ministry of Justice website.



Ministry of Justice website



Let's Visit the Ministry of Justice! "Kids' Room"

# 11

## Main Weekly and Monthly Events of the Ministry of Justice

Jan

Feb

Mar

Apr

May

### ●CONSTITUTION WEEK (May 1-7)

Every year, one week from May 1 to 7 around "Constitution Day" on May 3 is designated as "Constitution Week". During the Week, various programs and events are designed to relate to the people, the spirit of the Constitution, the functions of the justice system and other related matters are conducted on a nationwide scale. Constitution Week is conducted under the joint auspices of the Ministry of Justice, the Supreme Court and the Japan Federation of Bar Associations.

### ●Constitution Week

### ●HUMAN RIGHTS VOLUNTEERS' DAY

In commemoration of the enforcement day of the Human Rights Volunteers Act (June 1, 1949), the 1st of June was named "Human Rights Volunteers' Day". Every year around this day, Human Rights Volunteers carry out nationwide activities by setting up special human rights consultation booth and conducting human rights promotion.



Poster "Human Rights Volunteers"

Jun

### ●Measures for Illegal Foreign Workers Campaign

### ●Human Rights Volunteers' Day

### ●Nationwide Children's Rights Hotline Promotion Week

Jul

### ●The Brighter Society Campaign

### ●THE BRIGHTER SOCIETY CAMPAIGN

~the power of community preventing crime and delinquency, assisting rehabilitation of offenders~  
The purpose of this nationwide campaign is to help people understand the importance of the prevention of crime and delinquency and rehabilitation of offenders so as to build, through their combined efforts in their respective positions, a brighter society that is free from crime and delinquency.



▲With the help of Mr. Shinji Tanimura, the flag Artist for The Brighter Society Campaign, we call for a better understanding and cooperation toward the campaign.

Around the month of July each year, highlights are a variety of activities rooted in local communities across the country, and they have called for the cooperation and understanding of the rehabilitation of offenders.

Sep

### ●Nationwide Promotion Week for Counseling on the Human Rights of the Elderly and the Disabled

Oct

### ●Japan Law Day

### ●Notarization Week

### ●Nationwide Legal Affairs Bureau Holiday Counseling

### ●NOTARIZATION WEEK October 1-7

Every year, one week from October 1 through 7 is designated as Notarization Week, and in order to publicize the notarial system, public information activities through the media such as newspapers and TV, the display of posters, the distribution of leaflets, the holding of lecture meetings and consultation services are extensively carried out in all parts of the country.

Nov

### ●Nationwide Women's Rights Hotline Promotion Week

Dec

### ●North Korea Human Rights Infringement Issue Awareness Week

### ●Human Rights Week

### ●JAPAN LAW DAY WEEK October 1-7

"Japan Law Day" originates from "Judicial Memorial Day (Shiho-kinenbi)" which was inaugurated on October 1, 1929 to commemorate enactment of the Jury Law on October 1 of the previous year, and on June 24, 1960, the Cabinet decided to designate the 1st of October every year as "Law Day".

Every year, the week starting on October 1, Japan Law Day, is designated as "Japan Law Day" Week. During the Week, various programs such as lectures, free legal counseling services and other related programs are organized all across the country in order to promote respect for law, protection of fundamental human rights and establishment of an orderly society through the rule of law. Japan Law Day Week is conducted under the joint auspices of the Ministry of Justice, the Supreme Court and the Japan Federation of Bar Associations.

### ●HUMAN RIGHTS WEEK

The United Nations General Assembly at its 5th session in 1950 invited Member States to adopt December 10 as "Human Rights Day" to commemorate December 10, 1948, on which the Universal Declaration of Human Rights was adopted by the General Assembly at its 3rd session, and to exert increasing efforts in this field. In Japan in 1949, the year following the adoption of the Declaration, the week ending on December 10 each year was designated as "Human Rights Week" and nationwide human rights promotion activities have been carried out since then.



Enlightenment on the Pitch



Poster "Human Rights Week"



"Fuku-chan" of Fukushima District Legal Affairs Bureau

"Napo" of Nagoya High Public Prosecutors Office



## ★ WHAT DOES THE MINISTRY OF JUSTICE DO? ★

The Ministry of Justice is working hard to create a comfortable society close to you.

For example, the Ministry of Justice makes basic rules so that everyone can live peacefully, provides education at prisons or juvenile training schools so that the persons who committed crimes will never do wrong, or helps them rehabilitate while leading a social life. Also, when human rights infringement such as bullying occurs, the Ministry conducts investigations so that bullying will never happen again. Furthermore, the Ministry examines Japanese or foreign nationals when they enter or depart from Japan, as well as conducts various kinds of work to build a livable society. Now, let's take a look at what the Ministry of Justice does!



## WORK GUIDE

### 1 Civil Affairs Bureau

The Civil Affairs Bureau conducts work pertinent to registration, family registration, nationality, deposit, notarization, etc. The Bureau also manages and operates the Legal Affairs Bureau and the District Legal Affairs Bureau, as well as draws up bills regarding basic civil laws such as the Civil Code, the Commercial Code and the Code of Civil Procedure, etc.

### 2 Criminal Affairs Bureau

The Criminal Affairs Bureau plans and drafts bills to inflict punishment on those who committed crimes, asks for cooperation to foreign countries or responds to request for cooperation from foreign countries to investigate cases as well as provides assistance for the activities of the Public Prosecutors Office.



"Toramii" of Mie Prison

### 3 Correction Bureau

The Correction Bureau is responsible for giving guidance or supervision to correctional institutions such as prisons or juvenile training schools so that the treatment (such as security, prison work, classification, assessment, education, medical treatment, hygiene, etc.) of inmates are properly executed. The Bureau is also responsible for conducting research and studies on new treatments.



### 4 Rehabilitation Bureau

The Rehabilitation Bureau is responsible for giving living guidance or livelihood support in cooperation with private citizens to juvenile delinquents who committed crimes to help them rehabilitate in local communities without letting them turn to delinquency again. The Bureau is also responsible for conducting crime prevention activities such as "The Brighter Society Campaign" as well as work pertinent to parole from prisons or juvenile training schools.

### 5 Human Rights Bureau

The Human Rights Bureau handles various human rights problems regarding discrimination, abuse, bullying, violation of privacy, etc. and conducts activities such as human rights counseling, investigation and remedies for human rights infringement cases as well as human rights promotion in cooperation with Human Rights Volunteers who are private citizens.



### 6 Litigation Bureau

The Litigation Bureau conducts work as "attorneys for the national government." The Bureau files a motion with the court, makes a claim and/or bears testimony on behalf of the national government in lawsuits where the government is the plaintiff or the defendant.

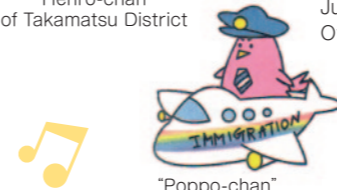


"Kyo-no-Shamei-kun" of Kyoto Probation Office

## Friends of the Ministry of Justice



"Henro-chan" of Takamatsu District



"Poppo-chan" of Fukuoka Regional Immigration Bureau



"Online Shiisa" of Naha District Legal Affairs Bureau



"Jakkun" of Nagasaki District Legal Affairs Bureau



"Katakuri-chan" of Asahikawa Prison



"Jin Jin" of Personnel Division of Minister's Secretariat, Ministry of Justice



"Akaruiine" of Osaka Probation Office



"Appuri" of Aomori District Public Prosecutors Office



"Shizu-chan" and "Oka-chan" of Shizuoka Prison



"KOBE Online-kun" of Kobe District Legal Affairs Bureau



"Saikan-kun" of Saitama Juvenile Classification Home

### 7 Immigration Bureau



"Toribu" of Tokyo Regional Immigration Bureau

The Immigration Bureau is responsible for work pertinent to examination when Japanese nationals or foreign nationals enter or depart from Japan, proceedings for foreigners staying in Japan, and deportation of illegally overstaying foreigners. The Bureau is also responsible for proceedings for refugee recognition when foreigners seek asylum in Japan for fear of persecution in their own countries.



### 8 Judicial System Department

The Judicial System Department conducts a wide range of work related to the judicial system, including the structure of the court, measures to make the court more accessible to the general public, how to settle disputes by means other than a trial, the lawyer system, and training of legal professionals. The Department also promotes efforts for enrichment and development of law-related education so that all citizens can gain a good understanding of the importance of laws and judicial process.

### 9 Research and Training Institute of the Ministry of Justice

The Research and Training Institute of the Ministry of Justice is responsible for compiling the outcomes of the studies and research on crimes in the "White Paper on Crime" as well as providing training for the officials of the Ministry of Justice. Also, the Institute helps to create laws for those countries where laws are not well prepared as well as provides international training for the prevention of crimes in cooperation with the United Nations.



### 10 Public Prosecutors Office

The Public Prosecutors Office investigates crimes in cooperation with the police and decides whether or not to bring indictments against criminals to the court, and when decided, the Office asks for proper punishment against criminals in the court.



"Saiban-Inko" of Fukuoka High Public Prosecutors Office

### 11 Public Security Examination Commission

The Public Security Examination Commission is responsible for fair examination and decisions from neutral viewpoints upon requests from the Director-General of the Public Security Intelligence Agency for control measures against subversive organizations which pose threats to the safety of the country and the citizens through violence.

### 12 Public Security Intelligence Agency

The Public Security Intelligence Agency conducts work to protect the safety of the country and the citizens from organizations which push their assertions with violence such as terrorist organizations. For example, the Agency is undertaking investigation into an organization called Aum Shinrikyo which committed indiscriminate mass murder in the past so that the similar incidents will never happen again.

# The Ministry of Justice in real life

The Immigration Bureau examines Japanese and foreign nationals whether they have any problems or not when they enter or depart from Japan. [Work Guide 7]

Welcome to Japan!

The Research and Training Institute conducts international work by helping the countries where laws are not well prepared create laws. [Work Guide 9]

The staff of the Ministry of Justice gives lessons, creates teaching materials, etc. to communicate the importance of law. [Work Guide 8]

Why do we need rules?

The mascot for the law-related education "Hourisu-kun"

The Public prosecutor investigates cases, express their opinions by submitting evidence to the court, etc. so that punishment is properly imposed. [Work Guide 10]

Public prosecutor

Judge

Defense counsel

Defendant

The mayor of the municipality registers information such as when the person was born, who the parents are, when the person got married, etc. under the family registration system. [Work Guide 1]

Information on the name of the company and its address, what kind of work the company does, etc. are published under the commercial registration system to safely conduct economic activities. [Work Guide 1]

In collaboration with local volunteers, we support persons who have committed crimes and juvenile delinquents for reintegration to society by providing consultation on daily issues as well as encouraging them to work on activities which can help society. [Work Guide 4]

The Correction Bureau manages facilities for rehabilitation (prisons, juvenile training schools, etc.) that confine those who have committed crimes or turned to juvenile delinquency. [Work Guide 3]

The Human Rights Bureau works for the importance of human rights and provides advice on discrimination, abuse and bullying. [Work Guide 6]

The Rehabilitation Bureau is seeking private employers who willingly hire offenders and provide cooperation so that the offenders can return to society. [Work Guide 4]

Human Rights Campaign Characters

Jin-KEN-Mamoru Kun & Jin-Ken-Ayumi Chan

A "rehabilitation penguin" "Hogo-chan"



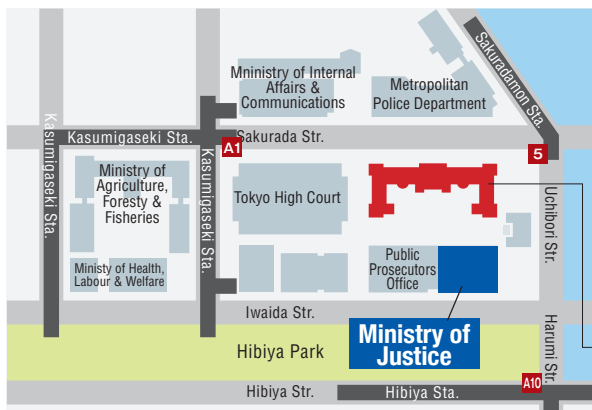
Full view of the Ministry of Justice (Central Government Office Complex No. 6-A and the Red-Brick Building)

## History of the Ministry of Justice Building

Central Government Office Complex No.6-A which houses the Ministry of Justice consist of 21 floors and 4 basement floors. The building is functionally divided into two zones: "The Ministry of Justice zone" on the north side and "The Public Prosecutors Offices zone" on the south side. The outer wall of the building is covered with dignified reddish granite from Canada that harmonizes well with the red-brick wall.

The building was completed on June 30, 1990 as the new Ministry of Justice building. During its construction, the preservation and restoration of the old Ministry of Justice building (the present red-brick building of the Central Government Office Complex No.6) was discussed, and it led to the conclusion that the building should be preserved and utilized-- "As the only remaining historical building among the Central Government Building Integration Project drawn up in the Meiji era, the retention of the building is essential for the setting of the Kasumigaseki district" As for the external appearance, it was restored to its original state.

The original red-brick building, designed by the two German architects W. Bockmann and H. Ende, was completed in December of 1895 (the 28th year of Meiji) after about seven years of construction to serve as the Ministry of Justice building. The roofs and floors of the building were destroyed by fire in March 1945 (the 20th year of Showa) during World War II, but the red-brick wall remained intact. When the structure was renovated through the restoration work conducted from 1948 (the 23rd year of Showa) to 1950 (the 25th year of Showa), some alterations were made in the materials and the shape of the roof. The present red-brick building has, however, been restored completely to its original appearance of 1895, and its exterior was designated as a national important cultural property on December 27, 1994.



### ACCESS TO THE MINISTRY OF JUSTICE

- 10-minute walk from JR Yurakucho Station (Yamanote Line/Keihin-Tohoku Line)
- 1-minute walk from Tokyo Metro (Yurakucho Line) Sakuradamon Station
- 3-minute walk from Tokyo Metro (Marunouchi Line, Hibiya Line) Kasumigaseki Station
- 5-minute walk from Tokyo Metro (Chiyoda Line) Kasumigaseki Station
- 6-minute walk from Toei Subway (Mita Line) Hibiya Station

**Red-Brick Building**



## MINISTRY OF JUSTICE

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