

WHITE PAPER  
ON CRIME  
2021

RESEARCH AND TRAINING INSTITUTE  
MINISTRY OF JUSTICE  
JAPAN



# NOTES

## [WHITE PAPER ON CRIME]

### I. Sources

#### 1 Original White Paper on Crime

This White Paper is a summary and translated version of the “White Paper on Crime” 2021 (the original version is written/described in Japanese), one of annual publications of the Ministry of Justice in Japan. The translations in this Paper are tentative and are to be considered solely as a reference. For more statistics and further details, refer to the original Japanese version.

#### 2 Data sources

Statistics, Tables, Figures and other information presented in the White Paper on Crime are specially provided by the respective bureaus/departments of the Ministry of Justice and the Immigration Services Agency, and are also obtained from various research or surveys conducted by relevant agencies, as well as the following official statistics:

- Criminal Statistics of the National Police Agency (Criminal Investigation Bureau, National Police Agency);
- Annual Report of Statistics on Prosecution (Judicial System Department, Minister’s Secretariat, Ministry of Justice);
- Annual Report of Judicial Statistics (General Secretariat, the Supreme Court);
- Annual Report of Statistics on Correction (Judicial System Department, Minister’s Secretariat, Ministry of Justice); and
- Annual Report of Statistics on Rehabilitation (Judicial System Department, Minister’s Secretariat, Ministry of Justice).

The statistical data sources up to May 14, 1972 do not include data for Okinawa Prefecture.

#### 3 Coverage of statistical materials

The data in this Paper are based on statistical materials that were available by the end of July 2021. Unless otherwise indicated, the most recent annual figures are of the year 2020. Any corrections made to the data offered or publicized by relevant agencies will be reflected in subsequent editions of this Paper if deemed necessary.

## [OFFENSES AND TERMS]

### I. Definitions of offenses

The offense names in this White Paper are used in accordance with the following meanings and the definitions in the sources, unless specified otherwise.

#### 1 Penal Code offenses

“**Penal Code offenses**” refer to those offenses prescribed by the Penal Code (Act No. 45 of 1907) and violations of the following laws, except offenses against the Penal Code that fall under 2 and 3 below:

- (i) Explosives Control Act (Cabinet Order No. 32 of 1884);
- (ii) Act Relating to Duels (Act No. 34 of 1889);
- (iii) Act on Punishment of Crimes Related to Stamps (Act No. 39 of 1909);
- (iv) Act on Punishment of Physical Violence and Others (Act No. 60 of 1926);
- (v) Act on Prevention and Punishment of Robbery and Theft (Act No. 9 of 1930);
- (vi) Act on Punishment of Unlawful Seizure of Aircraft (Act No. 68 of 1970);
- (vii) Act on Punishment of Crime to Cause Pollution Harmful for Human Health (Act No. 142 of 1970);
- (viii) Act on Punishment of Acts to Endanger Aviation (Act No. 87 of 1974);
- (ix) Act on Punishment of Compulsion and Other Related Acts Committed by Those Having Taken Hostages (Act No. 48 of 1978); and
- (x) Act on Punishment of Organized Crimes and Control of Crime Proceeds (Act No. 136 of 1999).

As a side note, each category of offenses includes the following variations as provided in the Penal Code:

- (i) attempt;
- (ii) preparation;
- (iii) inducement and accessoryship;
- (iv) offenses which aggravate the gravity of the punishment of the base offense (e.g., robbery causing death or injury);
- (v) offenses such as when the gravity of the punishment is aggravated or mitigated based on the types of social activities, purposes, status of an offender or other elements as prescribed in the Penal Code; and
- (vi) offenses that aggravate the punishment as prescribed in the Act on Prevention and Punishment of Robbery and Theft.

2 Dangerous driving causing death or injury

“**Dangerous driving causing death or injury**” refers to offenses provided in Article 2, Article 3, and Article 6, paragraphs (1) and (2) of the Act on Punishment of Acts Inflicting Death or Injury on Others by Driving a Motor Vehicle (Act No. 86 of 2013; herein after referred to as the “Act on Fatal/Injurious Driving” ) and offenses provided in Article 208-2 of the Penal Code prior to its amendment by Act No. 86 of 2013.

3 Negligent driving offenses causing death or injury

“**Negligent driving offenses causing death or injury**” refer to [1] offenses provided in Article 4, Article 5, and Article 6, paragraphs (3) and (4) of the Act on Fatal/Injurious Driving, offenses that cause death or injury through negligence in vehicle driving (offenses provided in Article 211, paragraph (2) of the Penal Code prior to its amendment by Act No. 86 of 2013) and [2] offenses causing death or injury through (gross) negligence in pursuit of social activities.

4 Special Acts offenses

“**Special Acts offenses**” refer to offenses other than those referred to in 1 to 3 above and include violations of Prefectural/Municipal Ordinances and Regulations.

- (1) “**Road traffic-related violations**” refer to violations of the Road Traffic Act (Act No. 105 of 1960) and Act on Assurance of Car Parking Spaces and Other Matters (Act No. 145 of 1962).
- (2) “**Violations of four traffic-related Acts**” refer to road traffic-related violations, and violations of the Road Transport Vehicle Act (Act No. 185 of 1951) and Automobile Liability Security Act (Act No. 97 of 1955).
- (3) “**Violations of traffic-related Acts**” refer to violations of four traffic-related Acts and violations of the Road Transportation Act (Act No. 183 of 1951), Road Act (Act No. 180 of 1952), National Highway Act (Act No. 79 of 1957), Parking Lot Act (Act No. 106 of 1957), Act on Special Measures Concerning Prevention of Traffic Accident Caused by Large-Sized Automobiles Carrying Earth, Sand and Others (Act No. 131 of 1967), Act on Special Measures Concerning Regulation of Taxi Services (Act No. 75 of 1970), Consigned Freight Forwarding Business Act (Act No. 82 of 1989), Motor Truck Transportation Business Act (Act No. 83 of 1989), Studded Tires Regulation Act (Act No. 55 of 1990), and Act on Regulation of Substitute Driving Service (Act No. 57 of 2001).

## II. Definitions of terms

### 1 Police

- (1) The number of “**reported cases**” refers to the number of cases occurrence of which became known to the police.
- (2) “**Crime rate**” refers to the number of reported cases per 100,000 population.
- (3) The number of “**cleared cases**” or “**cases cleared**” refers to the number of cases cleared by the police or other investigative authorities. The number is not limited to cases referred to public prosecutors but includes cases disposed by the police as trivial offenses and other dispositions.
- (4) “**Clearance rate**” refers to the percentage of cleared cases among the number of reported cases. Since the “cleared cases” include reported cases in the previous year, the “clearance rate” may exceed 100%.
- (5) The number of “**cleared persons**” or “**persons cleared**” refers to the number of persons cleared by the police or other investigative authorities. The same applies to juveniles, foreign nationals, etc.

### 2 Prosecution and courts

- (1) The number of “**persons received by public prosecutors**” refers to the number of suspects in cases directly detected or received by public prosecutors or referred from judicial police officers (including special judicial police officers of investigative agencies and internal inspectors of the National Tax Agency).
- (2) “**Prosecution rate**” refers to the percentage of persons prosecuted among the sum of the number of persons prosecuted and not prosecuted.
- (3) “**Court of first instance**” refers to ordinary trial procedures at district courts and summary courts and excludes summary proceedings.
- (4) “**Conclusive disposition**” refers to:
  - (i) when the data is from the Annual Report of Prosecution, disposition of a case by a prosecutor, excluding transfer of a case between Public Prosecutors Offices or disposition to suspend an investigation; and
  - (ii) where the data is from the Annual Report of Judicial Statistics or the General Secretariat of the Supreme Court, disposition of a case by a court, excluding transfer of a case between other courts (in Chapter 2 of Part 3, cases consolidated are not individually counted as disposed cases).

(5) “**Fully suspended execution rate**” refers to the percentage of persons granted full suspension of the execution of their sentences for imprisonment among the number of persons sentenced to imprisonment (with or without work) for a definite term.

3 Correction and rehabilitation

(1) “**Newly sentenced inmates**” refer to inmates newly admitted to penal institutions each year for reasons such as the execution of their finalized sentence.

(2) “**Reimprisoned inmate**” refers to a person who has been imprisoned before.

(3) “**Parole rate**” refers to the percentage of inmates released on parole among the total number of inmates released upon the completion of their term of imprisonment (with or without partial suspension of execution) and inmates released on parole.

(4) “**Probation rate**” refers to the percentage of persons granted (full or partial) suspension of the execution of their sentence of imprisonment and placed under supervision for a period of suspension among the total number of persons granted (full or partial) suspension of the execution of their sentence of imprisonment (with or without supervision).

4 Juvenile cases

(1) Juvenile

(i) “**Junior juvenile**” refers to a person aged 14 or 15;

(ii) “**Intermediate juvenile**” refers to a person aged 16 or 17; and

(iii) “**Senior juvenile**” refers to a person aged 18 or 19.

(2) Juvenile delinquent

(i) “**Juvenile offender**” refers to a juvenile who has committed a crime (aged 14 or older at the time of the crime);

(ii) “**Juvenile offender under 14**” refers to a juvenile under 14 years of age who has violated laws and regulations of a criminal nature; and

(iii) “**Pre-delinquent**” refers to a juvenile who is, in light of his/her personality or environment, likely to commit crimes or violate laws and regulations of a criminal nature in the future due to his/her propensity not to submit to legitimate supervision by a custodian or other reasons.

(3) “**Juveniles newly committed to juvenile training schools**” refer to juveniles newly committed to juvenile training schools by rulings to refer the juveniles to juvenile training schools.

## 5 Others

- (1) “**Rate per population**” refers to the rate of persons in a specific group per 100,000 persons of the population.
- (2) “**Percentage of female**” refers to the percentage of females among the total number of males and females.
- (3) “**Elderly**” or “**elderly person**” refers to persons aged 65 or older.
- (4) “**Visiting foreign nationals**” refer to foreign nationals staying in Japan except those staying under permanent residency, special permanent residency, or statuses related to the U.S. forces based in Japan, and those whose status is unclear.

If the data source is the Criminal Statistics of the National Police Agency, the term refers to foreign nationals staying in Japan except those staying under established residency (permanent residency, spouse or other dependency status of permanent residents and special permanent residency), or statuses related to the U.S. forces based in Japan, and those whose status is unclear.

- (5) “**Previous conviction**” refers to a previous conviction based on a finalized judgment.
- (6) “**Treatment**” refers to treatment of persons cleared for an offense in the subsequent stages of prosecution, court, correction and/or rehabilitation.
- (7) “**Full suspension of execution of sentence**” refers to the full suspension of execution of sentence provided in Article 25 of the Penal Code.
- (8) “**Partial suspension of execution of sentence**” refers to the partial suspension of execution of sentence provided in Article 27-2 of the Penal Code and Article 3 of the Act on Suspension of Execution of Part of the Sentence Rendered to a Person Who Has Committed a Drug-related Crime (Act No. 50 of 2013).

## [PRESENTATION IN THE WHITE PAPER]

### I. Numbering of figures and tables

The numbering of figures and tables is indicated in the order of Part, Chapter, and Section. For example, Fig. 2-4-1-3 refers to the third figure in Section 1 of Chapter 4 of Part 2. This English version of the White Paper on Crime 2021 does not necessarily correspond to the numbering of the figures and tables of the original Japanese White Paper on Crime 2021.



## **II. Presentation of values, etc.**

### 1 Presentation of tables:

- (1) “-” refers to zero in number or not applicable
- (2) “0” refers to a number that does not reach one when rounded off
- (3) “0.0” refers to a number that does not reach 0.1 when rounded off
- (4) “...” refers to data/statistical materials that are not available, or the case where the parameter is zero

### 2 Presentation of figures:

- (1) “0” refers to zero in number or not applicable
- (2) “0.0” refers to a number that does not reach 0.1 when rounded off

## **[OTHERS]**

### **I. Calculation**

The proportion and percentage, etc. are rounded off. Therefore, the sum of the proportions may not add up to 100.0.

The sum or difference of each proportion is calculated by first adding or subtracting values and then rounding off the resulting value. Thus, the value may not match the value calculated by first rounding off each value and then adding or subtracting the rounded off values.

For example, when calculating the difference between 12.76 and 7.53, first subtract 7.53 from 12.76 and then round off the value 5.23 to obtain the result of 5.2, rather than subtracting the rounded off value of 7.5 from the rounded off value of 12.8 (which yields 5.3).

### **II. Website**

This White Paper on Crime 2021 and its original Japanese version are available on the website of the Ministry of Justice of Japan.



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# PART 1

## Crime Trends



**Ministry of Justice Headquarters**

Source: Secretarial Division, Minister's Secretariat, Ministry of Justice

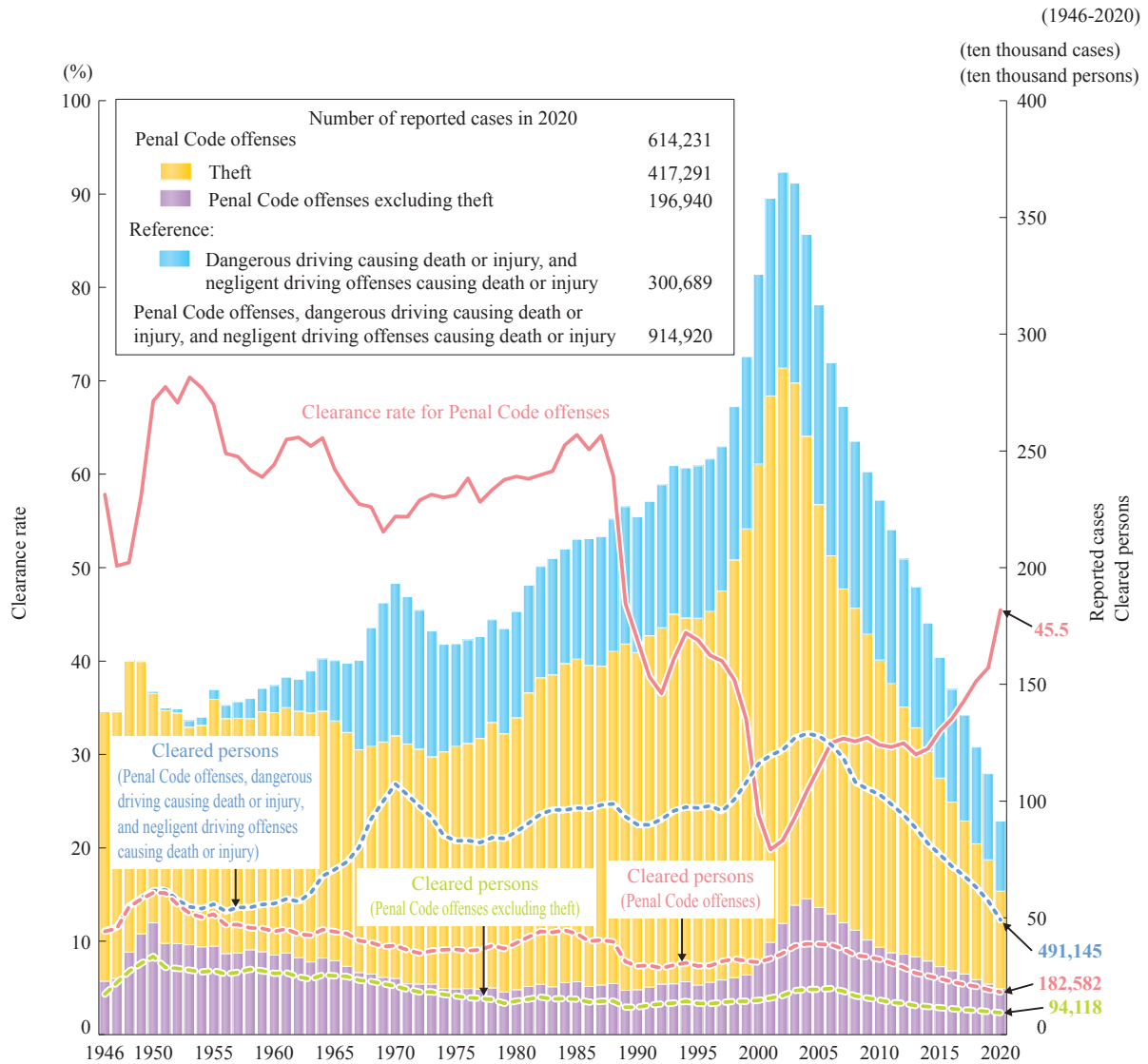


# Chapter 1 Penal Code Offenses

## Section 1 Overview

Fig. 1-1-1-1 shows the trend in the number of reported cases, cleared persons and clearance rate for Penal Code offenses since 1946.

**Fig. 1-1-1-1 Penal Code offenses: reported cases, cleared persons and clearance rate**



- Notes:
- The figures until 1955 include violations of laws and regulations of a criminal nature committed by juveniles under 14 years of age.
  - “Penal Code offenses” until 1965 do not include negligence in pursuit of social activities causing death or injury and gross negligence causing death or injury.
  - Dangerous driving causing death or injury was included in “Penal Code offenses” for the years 2002–2014. Since 2015, the offense has been included in “dangerous driving causing death or injury, and negligent driving offenses causing death or injury”.

Source: Criminal Statistics of the National Police Agency

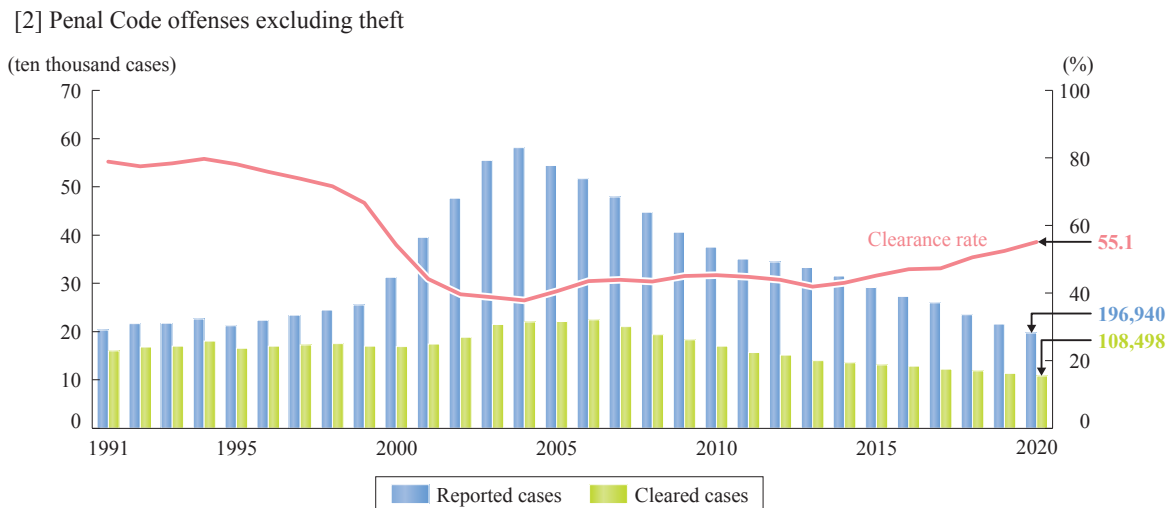
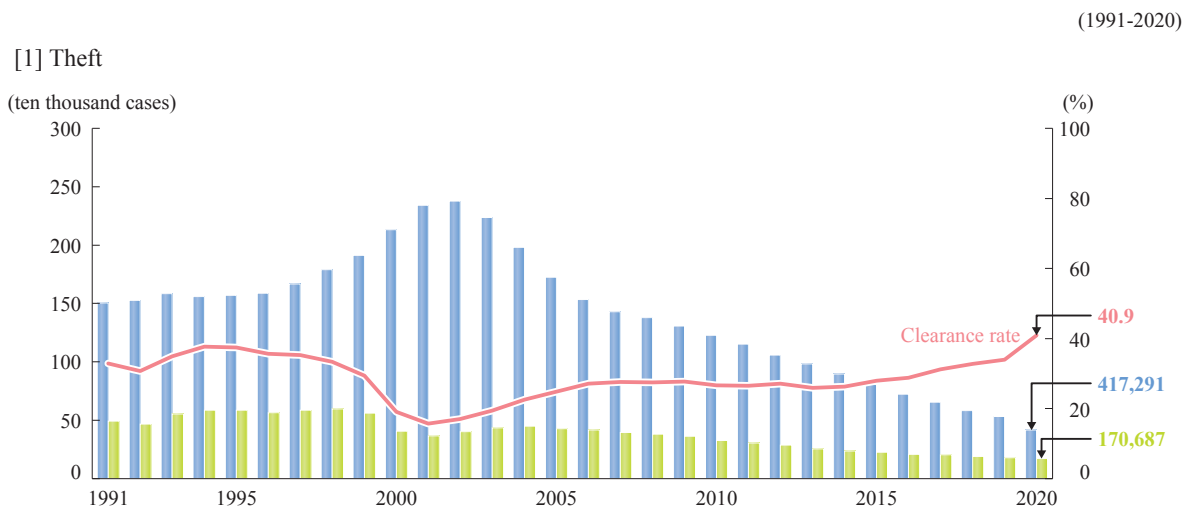
## Section 2 Penal Code Offenses by Category

### 1 Theft

Theft accounts for more than 70% of the reported cases for Penal Code offenses. **Fig. 1-1-2-1** [1] shows the trend in the number of reported/cleared cases and the clearance rate for theft.

**Fig. 1-1-2-1** [2] shows the trend in the number of reported/cleared cases and the clearance rate for Penal Code offenses excluding theft.

**Fig. 1-1-2-1 Penal Code offenses: reported/cleared cases and clearance rate (theft/ Penal Code offenses excluding theft)**



Note: "Penal Code offenses excluding theft" for the years 2002–2014 include dangerous driving causing death or injury.  
Source: Criminal Statistics of the National Police Agency

## 2 Rape and forcible indecency

The Act Partially Amending the Penal Code (Act No. 72 of 2017) came into effect in July 2017. The Act widened the definition of rape, so that it makes no distinction based on a victim’s sex, and includes anal and oral intercourse. The Act also raised the minimum of a statutory penalty, newly established indecency and rape by a person who has custody of a victim, and changed rape and forcible indecency into a crime indictable without a complaint.

Fig. 1-1-2-2 shows the trend in the number of reported/cleared cases and the clearance rate for rape (including quasi rape, and rape by a custodian after the above-mentioned amendment; the same applies hereinafter).

**Fig. 1-1-2-2 Rape: reported/cleared cases and clearance rate**

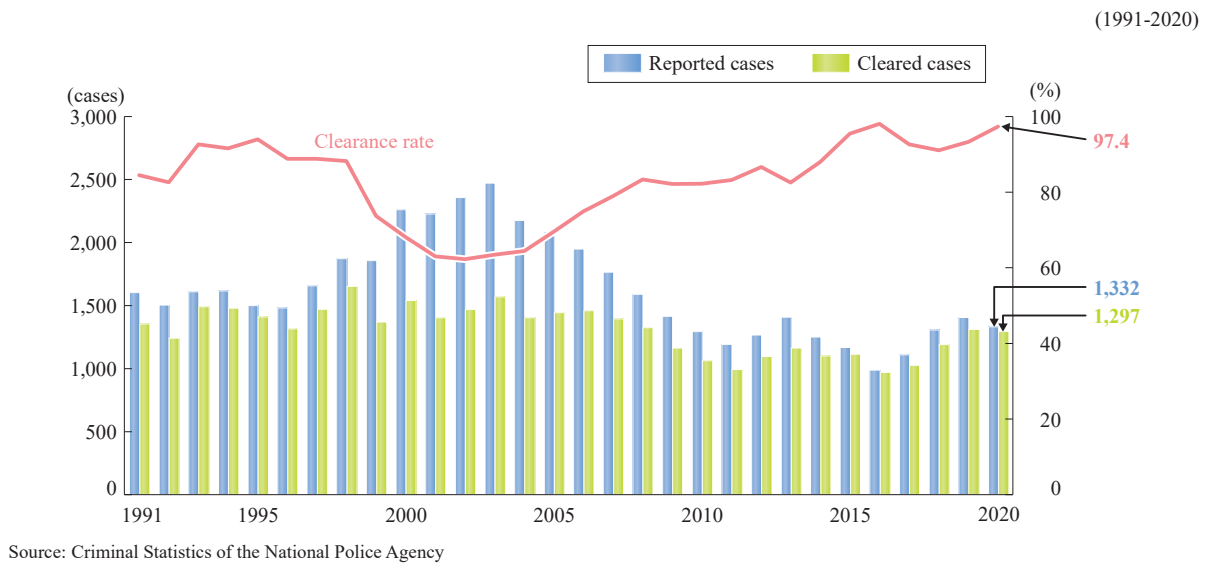
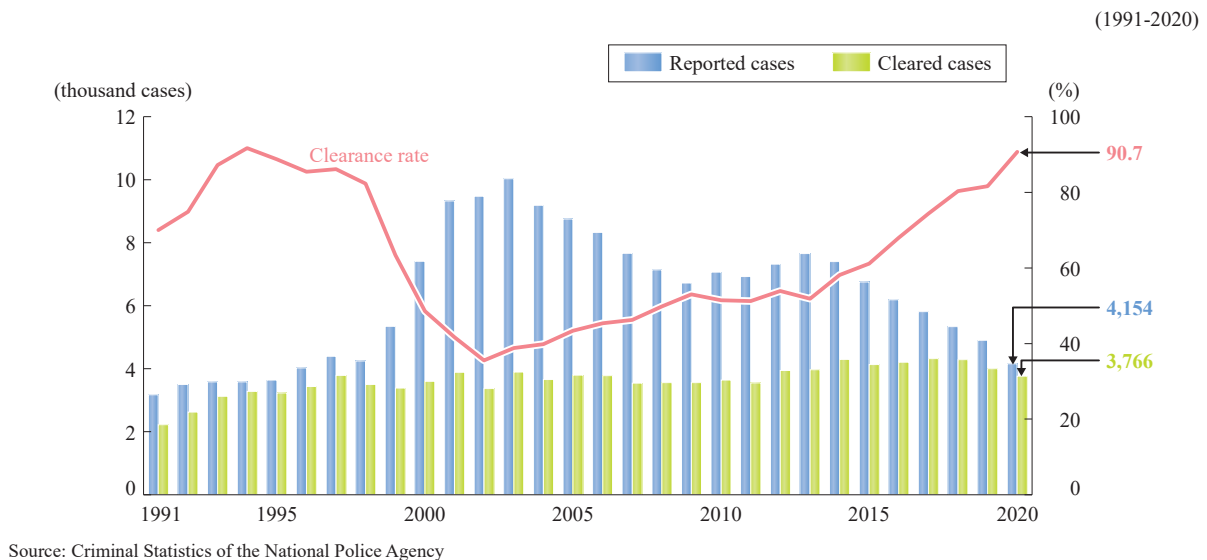


Fig. 1-1-2-3 shows the trend in the number of reported/cleared cases and the clearance rate for forcible indecency (including quasi forcible indecency and indecency by a custodian after the above-mentioned amendment; the same applies hereinafter).

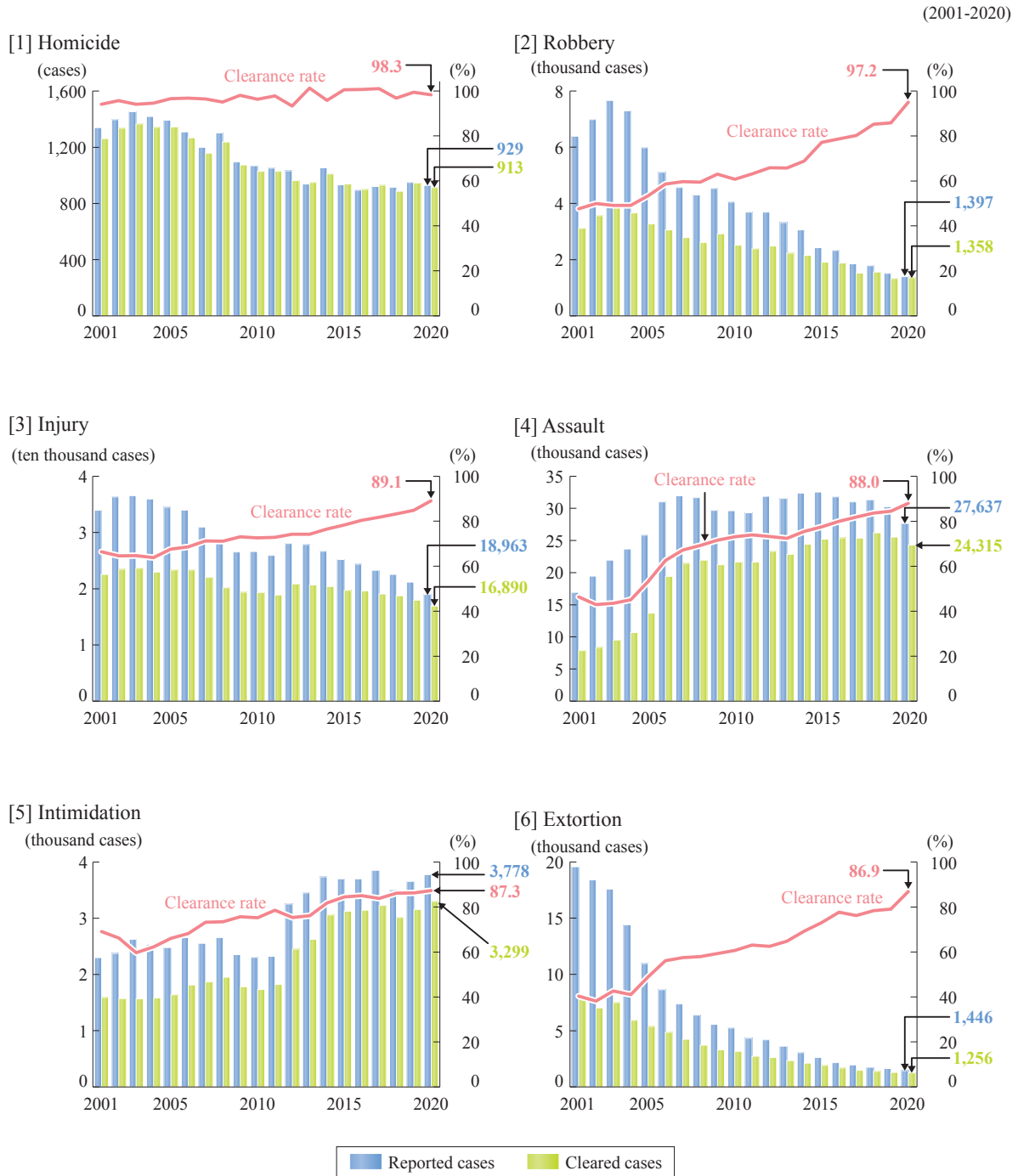
**Fig. 1-1-2-3 Forcible indecency: reported/cleared cases and clearance rate**



### 3 Other Penal Code offenses

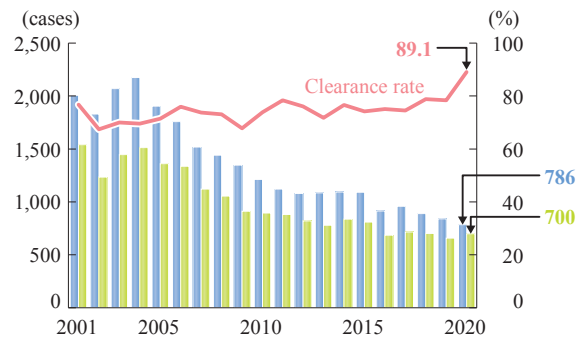
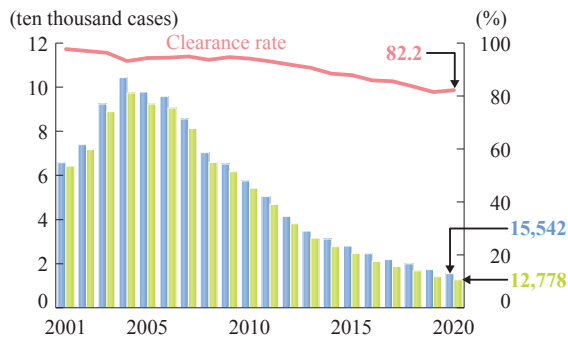
Fig. 1-1-2-4 shows the trend in the number of reported/cleared cases and the clearance rate for other major Penal Code offenses.

**Fig. 1-1-2-4 Penal Code offenses: reported/cleared cases and clearance rate (by type of offense)**

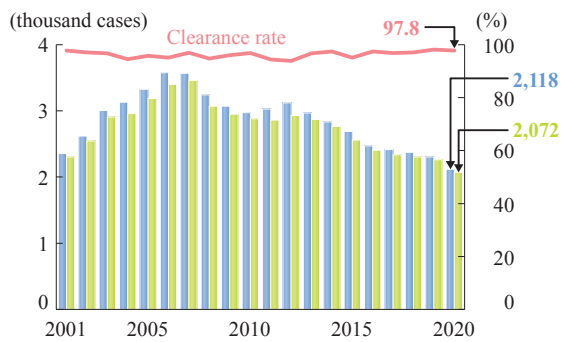




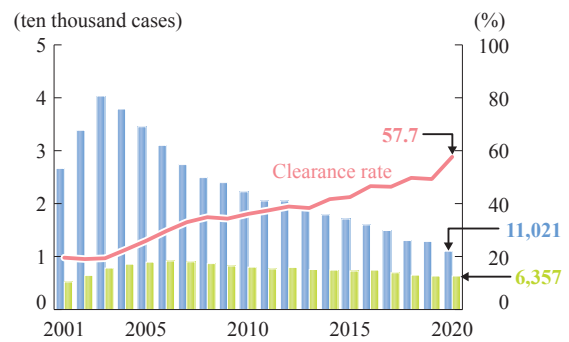
[7] Embezzlement (including embezzlement of lost property) [8] Arson



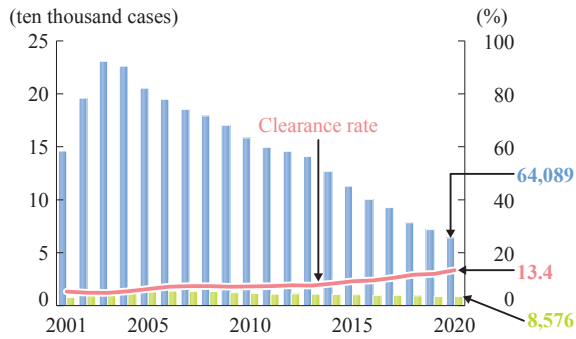
[9] Obstruction of performance of public duty



[10] Breaking into a residence



[11] Damage to property



Reported cases    Cleared cases

Note: Since “cleared cases” may include cases reported during the previous year, the “clearance rate” could exceed 100%.  
Source: Criminal Statistics of the National Police Agency

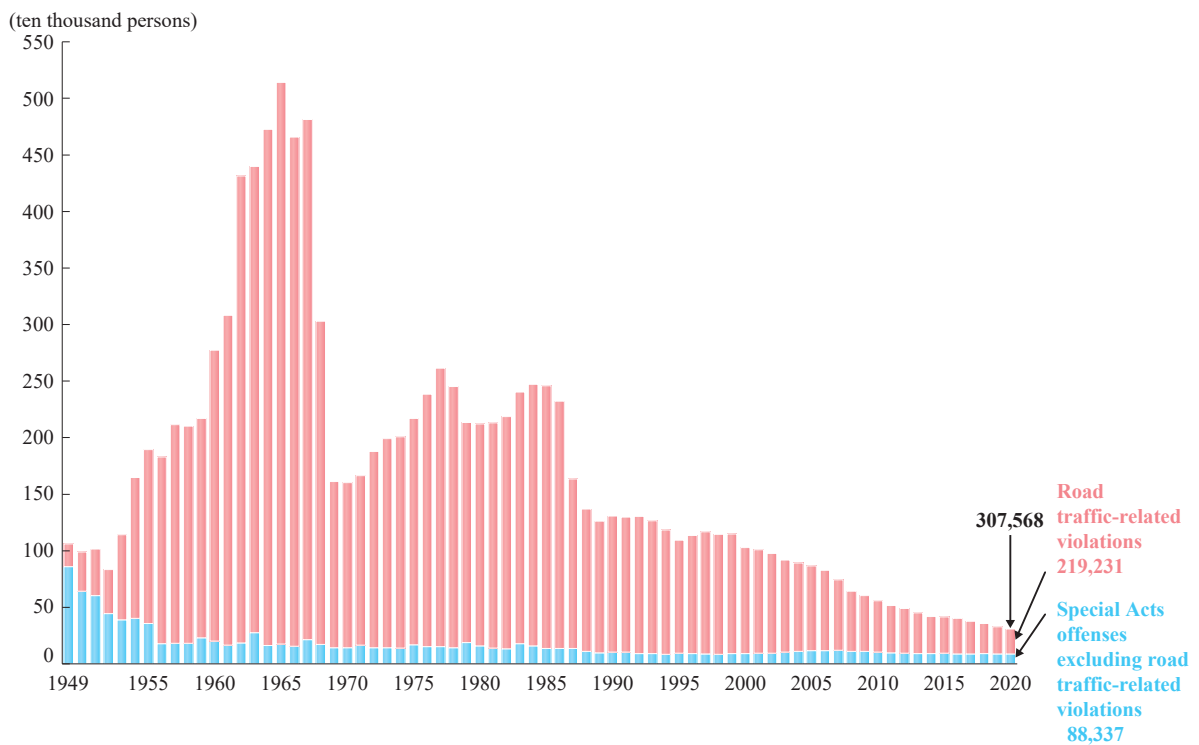
## Chapter 2 Special Acts Offenses

### Section 1 Overview

Fig. 1-2-1-1 shows the trend in the number of persons received by public prosecutors for Special Acts offenses since 1949.

**Fig. 1-2-1-1 Special Acts offenses: persons received by public prosecutors**

(1949-2020)



Source: Annual Report of Criminal Statistics  
Annual Report of Statistics on Prosecution

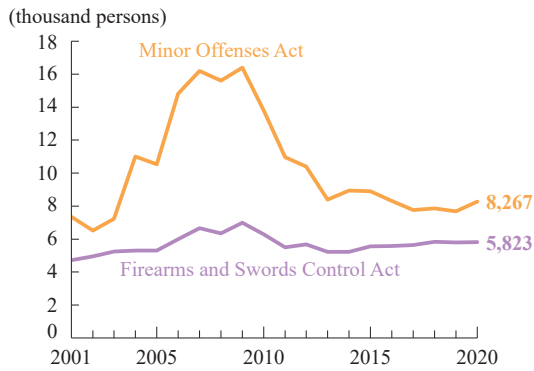
## Section 2 Special Acts Offenses by Category

Fig. 1-2-2-1 shows the trend in the number of persons received by public prosecutors for a violation of certain categories of Special Acts offenses. See also Part 4 for other offense categories (Ch. 1 on traffic offenses, Ch. 2 on drug offenses, Ch. 4 on financial/economic offenses and Ch. 5 on cybercrimes).

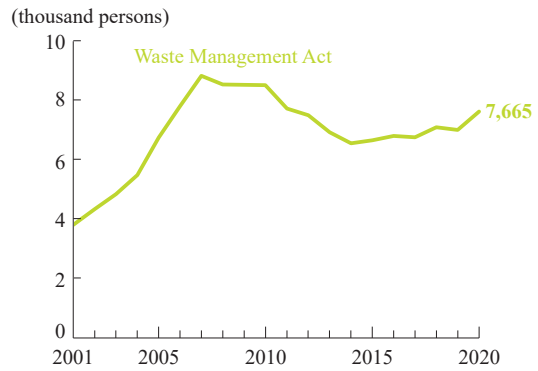
**Fig. 1-2-2-1 Major Special Acts offenses: persons received by public prosecutors**

(2001-2020)

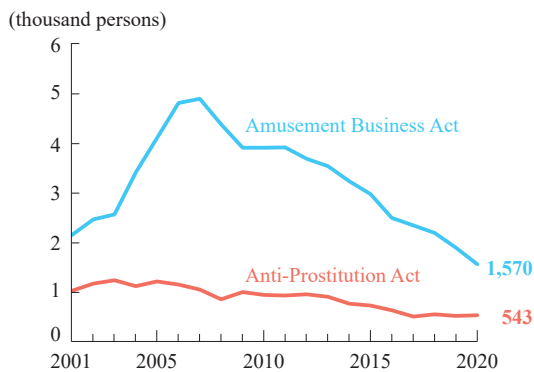
[1] Offenses related to security



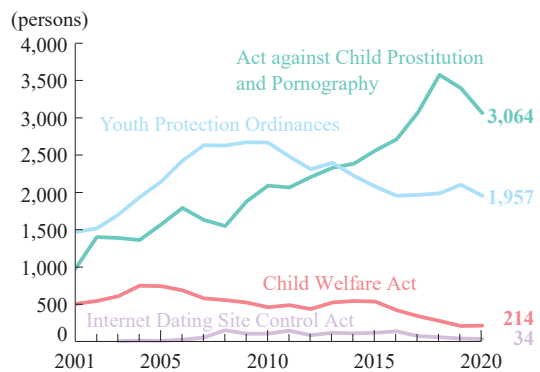
[2] Offenses related to environment



[3] Offenses related to public morals



[4] Act against Child Prostitution and Pornography, etc.



Source: Annual Report of Statistics on Prosecution



## PART 2

### Treatment of Offenders



#### **Living Guidance in a Halfway House**

Source: Rehabilitation Bureau, Ministry of Justice

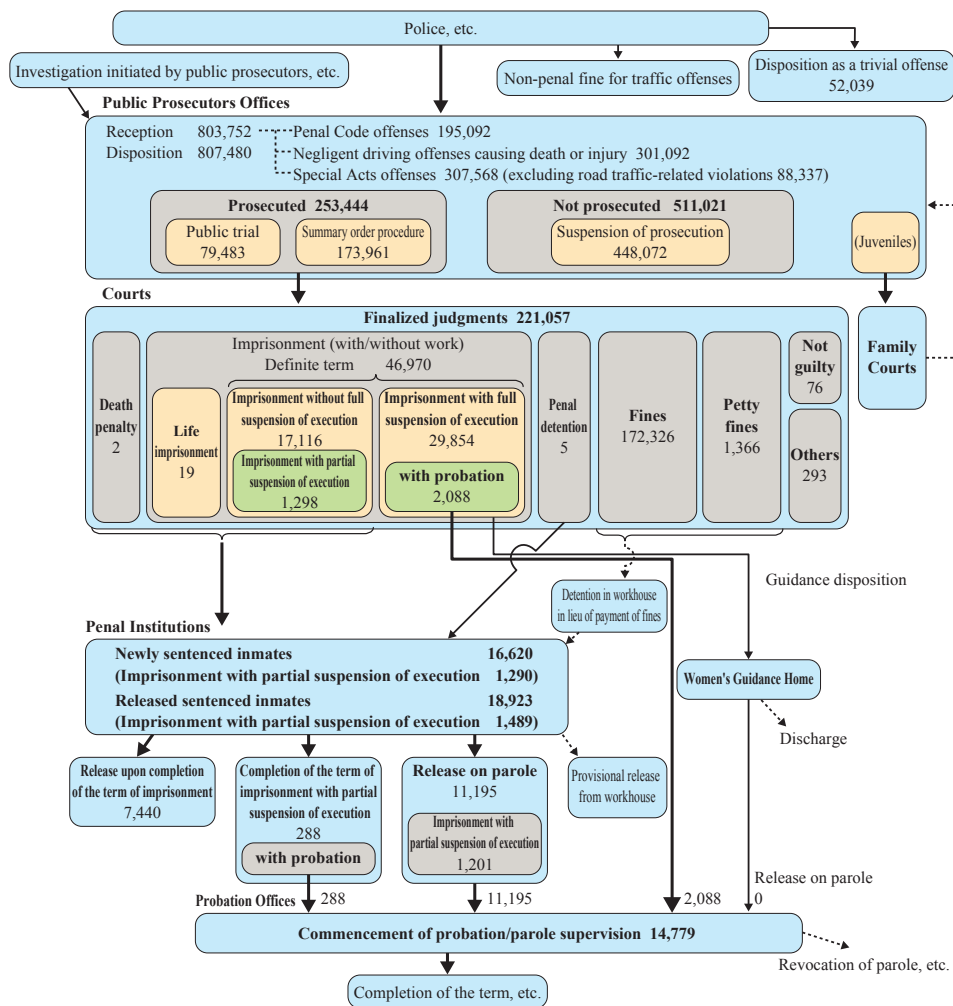


# Chapter 1 Overview

Persons cleared for offenses by the police or other special judicial police officials (officials of investigative agencies other than the police, who have specific jurisdiction; e.g., coast guard officers, narcotics agents, etc.) are treated in stages of prosecution, trial, institutional correction and rehabilitation services. Fig. 2-1-1 shows the number of persons treated in these stages in 2020.

**Fig. 2-1-1 Outline of treatment of offenders**

Numbers denote persons in 2020



- Notes:
- The figures indicate persons in 2020 and include juveniles.
  - “Disposition as a trivial offense” refers to dispositions for trivial offenses (offenses designated by public prosecutors, such as theft, assault and embezzlement including embezzlement of lost property) that judicial police officials do not refer to public prosecutors pursuant to the proviso stipulated by Article 246 of the Code of Criminal Procedure.
  - The figures in “Public Prosecutors Offices” count the total number of persons in cases received/disposed by public prosecutors offices, thus a person received/disposed twice for different cases is counted as two persons.
  - “Released sentenced inmates” consist of the number of persons who were released on parole, upon completion of their term of imprisonment with partial suspension of execution, and upon completion of their term of imprisonment.
  - The figure for “completion of term of imprisonment with partial suspension of execution” excludes persons whose parole had been revoked and were released again upon the completion of their term of imprisonment with partial suspension of execution before being committed to a penal institution.
  - “Commencement of probation/parole supervision” consists of the number of inmates released from a penal institution on parole, persons sentenced with partially or fully suspended imprisonment with probation and those released from a women’s guidance home on parole. The figure for “commencement of probation/parole supervision” may not be the exact sum of the above-mentioned persons because it is the cumulative total of persons in each case.
  - “Others” in “finalized judgments” consist of the number of instances of dismissal for judicial bar, dismissal of prosecution, jurisdictional incompetence and remission of punishment.

Source: Criminal Statistics of the National Police Agency  
Annual Report of Statistics on Prosecution  
Annual Report of Statistics on Correction  
Annual Report of Statistics on Rehabilitation  
The Rehabilitation Bureau, Ministry of Justice

## Chapter 2 Prosecution

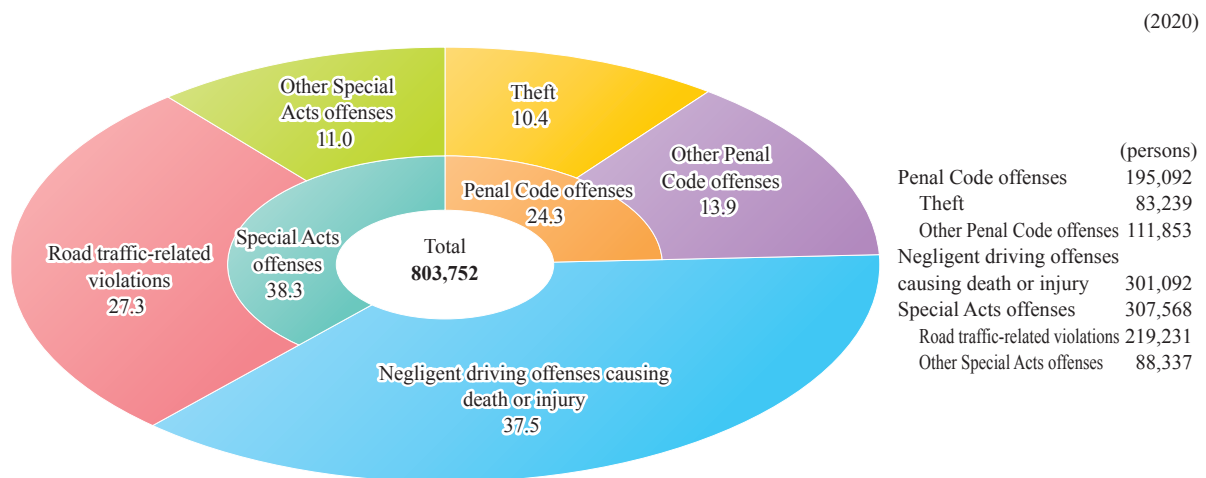
Judicial police officials are to refer every criminal case to **public prosecutors**, except [1] cases subject to disposition as trivial offenses (certain minor offenses committed by adults with particularly strong mitigating factors that satisfy public prosecutors' predesignated criteria, are not required to be referred to public prosecutors pursuant to the proviso stipulated by Article 246 of the Code of Criminal Procedure) and [2] those of certain violations of the Road Traffic Act that are subject to *Hansokukin* (administrative fine).

Public prosecutors investigate cases referred by the police or other special judicial police officials. In addition, public prosecutors may institute an investigation, on their own initiative if necessary, or in response to a complaint or accusation directed to them. In concluding the investigation, they decide whether or not to prosecute a suspect, based on factors such as whether or not his/her act constitutes an offense and punishment is required on his/her case.

### Section 1 Reception

**Fig. 2-2-1-1** shows the composition of persons received by public prosecutors in 2020 by type of offense committed.

**Fig. 2-2-1-1 Persons received by public prosecutors: composition by type of offense**



Source: Annual Report of Statistics on Prosecution

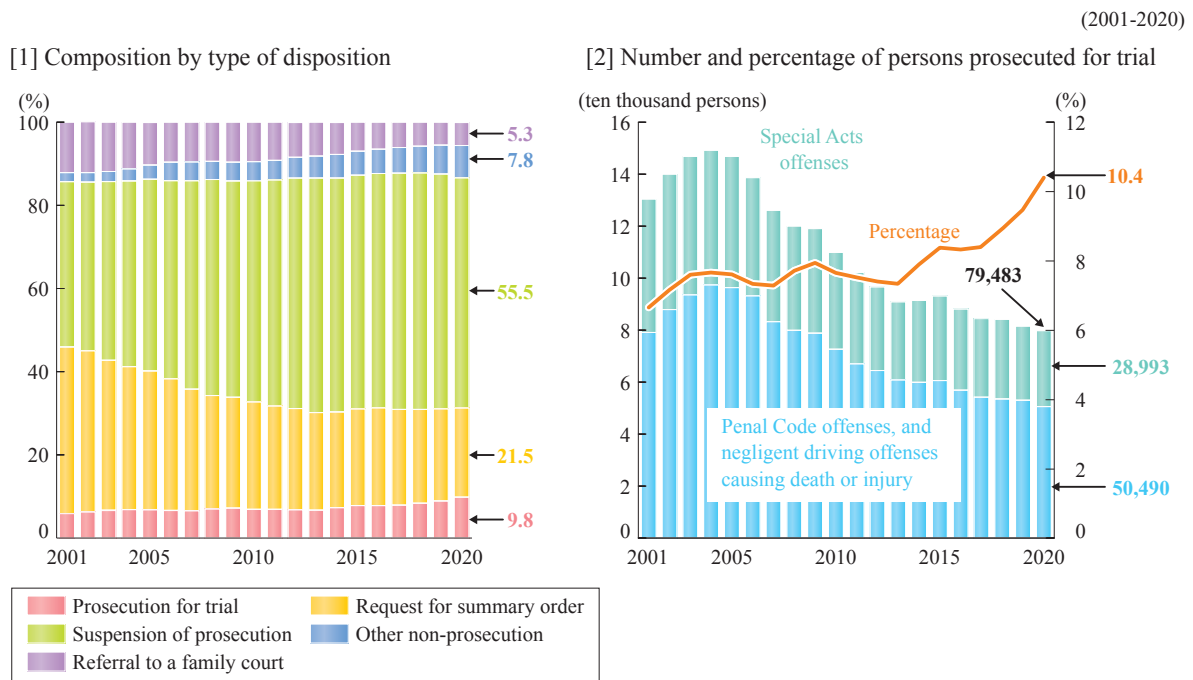


## Section 2 Dispositions

Where a public prosecutor decides to prosecute a person, they request a public trial or a summary procedure. A public prosecutor decides not to prosecute a person where [1] a precondition for prosecution (e.g., a victim’s complaint for certain offenses) is not satisfied, [2] the person's act does not constitute an offense (or the person is not punishable due to insanity, etc.), or [3] evidence is not sufficient to prove an offense. A public prosecutor may also decide not to prosecute a case even where there is sufficient evidence to prove an offense if it deems unnecessary to be prosecuted based on factors such as suspect’s character, age, environment, gravity of an offense and circumstances during or after an offense (suspension of prosecution).

Fig. 2-2-2-1 shows, in relation to persons conclusively disposed by public prosecutors (including negligent driving offenses causing death or injury and road traffic-related violations), the trend in the composition of such persons by type of disposition and the number and percentage of persons prosecuted for trial.

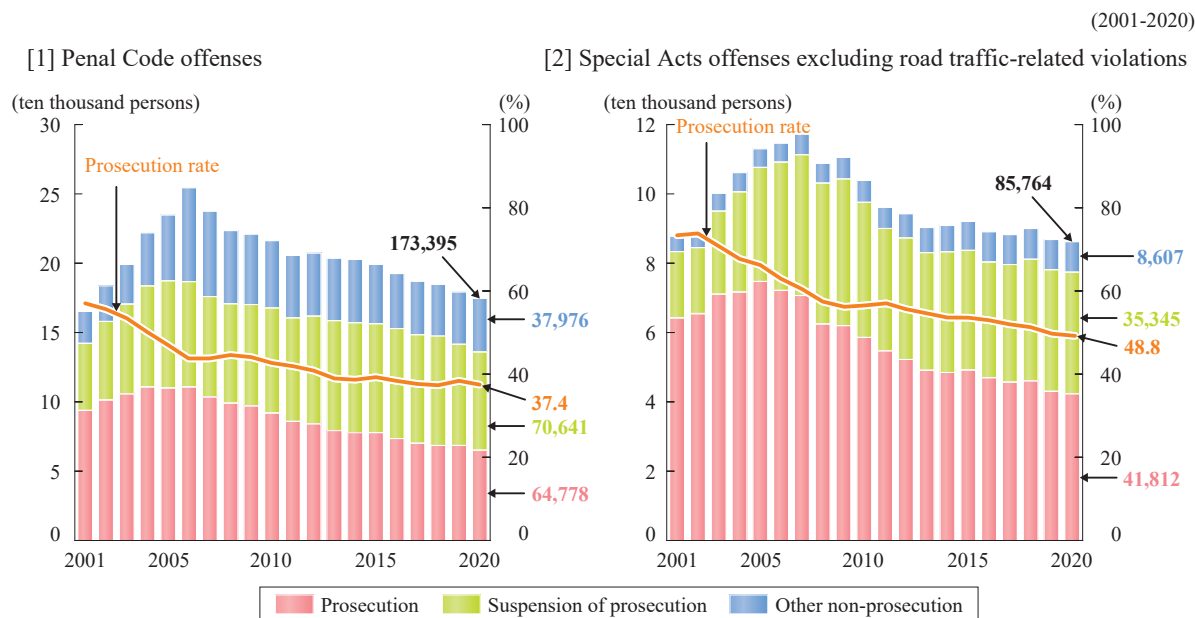
**Fig. 2-2-2-1 Persons disposed by public prosecutors: composition by type of disposition and number of persons prosecuted for trial, etc.**



Source: Annual Report of Statistics on Prosecution

Fig. 2-2-2-2 shows the trend in the number of persons prosecuted or not prosecuted and the prosecution rate for [1] Penal Code offenses and [2] Special Acts offenses excluding road traffic-related violations.

Fig. 2-2-2-2 Persons prosecuted/not prosecuted



Source: Annual Report of Statistics on Prosecution

Table 2-2-2-3 shows the number of persons not prosecuted by reason of non-prosecution (excluding negligent driving offenses causing death or injury and road traffic-related violations) in 2020.

Table 2-2-2-3 Persons not prosecuted (by reason)

(2020)

Total	Suspension of prosecution	Insufficient evidence	Withdrawal of complaint, etc.	Insanity	Others
152,569	105,986	33,539	6,064	367	6,613
(100.0)	(69.5)	(22.0)	(4.0)	(0.2)	(4.3)

- Notes: 1. The figures exclude negligent driving offenses causing death or injury, and road traffic-related violations.  
 2. "Insufficient evidence" includes no evidence.  
 3. "Withdrawal of complaint, etc." refers to lack, invalidity or withdrawal of a complaint, accusation or a claim when a complaint, accusation or a claim from a prescribed party is a prerequisite to prosecute an offense.  
 4. "Others" include expiration of statute of limitations, death of a suspect, etc.  
 5. The figures in parentheses indicate the percentage of persons categorized in the respective categories among the total number of persons not prosecuted.

Source: Annual Report of Statistics on Prosecution

## Chapter 3 Courts

In principle, a **district court** (for all offenses except for the offense of insurrection and those subject to a penalty of a fine or less) or a **summary court** (for offenses subject to a penalty of a fine or less, offenses for which a fine is an optional statutory penalty or certain predesignated offenses including habitual gambling) is designated as a court of first instance for a criminal case.

Trials in courts of first instance are held in public. Where a defendant is found guilty, and is subject to the statutory penalty provided for an offense, possible punishments include the following: **death penalty, imprisonment with/without work, fine, penal detention, or petty fine**. Summary courts do not have jurisdiction to impose a punishment of imprisonment or a heavier penalty, except certain predesignated offenses, such as theft, for which the courts may impose a sentence of imprisonment with work for not more than three years.

Where a sentence is imprisonment with or without work for not more than three years or a fine of not more than 500,000 yen, an execution of the sentence can be fully or partially suspended (**suspension of execution of sentence**), and where it is deemed necessary, an offender may be placed under **probationary supervision** during a period of suspension.

Summary courts may order imposition of a fine of not more than one million yen or a petty fine (**summary order**) based on an examination of evidentiary documents (**summary proceeding**). Those subjected to a summary order may request a formal trial, and thereafter, a case will be tried in a public trial.

The defendant and public prosecutor may appeal a judgment of a court of first instance to a **high court**, and subsequently, to the **Supreme Court**.

## Section 1 Finalized Judgment

Table 2-3-1-1 shows the trend in the number of persons whose cases have been finalized by type of judgment.

**Table 2-3-1-1 Persons whose cases have been finalized (by type of judgment)**

(2011-2020)

Year	Total	Guilty											Not guilty	
		Death penalty	Life imprisonment with work	Imprisonment with work for a definite term			Imprisonment without work for a definite term			Fine	Penal detention	Petty fine		
				Partial suspension of execution of sentence	Full suspension of execution of sentence	Fully suspended execution rate	Full suspension of execution of sentence	Fully suspended execution rate						
2011	432,051	22	46	59,852	...	33,845	56.5	3,229	3,111	96.3	365,474	8	2,964	77
2012	408,936	10	38	58,215	...	32,855	56.4	3,227	3,122	96.7	344,121	5	2,868	82
2013	365,291	8	38	52,725	...	29,463	55.9	3,174	3,058	96.3	306,316	4	2,559	122
2014	337,794	7	28	52,557	...	30,155	57.4	3,124	3,051	97.7	279,221	4	2,417	116
2015	333,755	2	27	53,710	...	31,620	58.9	3,141	3,068	97.7	274,199	5	2,247	88
2016	320,488	7	15	51,824	855	30,837	59.5	3,193	3,137	98.2	263,099	6	1,962	104
2017	299,320	2	18	49,168	1,525	29,266	59.5	3,065	2,997	97.8	244,701	5	1,919	130
2018	275,901	2	25	47,607	1,567	28,831	60.6	3,159	3,099	98.1	222,841	1	1,834	123
2019	245,537	5	16	46,086	1,452	28,044	60.9	3,076	3,021	98.2	194,404	3	1,556	96
2020	221,057	2	19	44,232	1,298	27,163	61.4	2,738	2,691	98.3	172,326	5	1,366	76

Notes: 1. "Total" includes dismissal for judicial bar, dismissal of prosecution, jurisdictional incompetence, and remission of punishment.

2. "Partial suspension of execution of sentence" in 2016 refers to the number of persons who were given a final and binding judgment of such sentence from June to December 2016.

Source: Annual Report of Statistics on Prosecution

## Section 2 Courts of First Instance

### 1 Dispositions

Table 2-3-2-1 shows the number of persons whose cases were conclusively disposed by courts of first instance by type of judgment, and also by type of offense in 2020.

**Table 2-3-2-1 Persons disposed by courts of first instance (by type of offense and by type of judgment)**

(2020)

Offenses	Total	Guilty							Fine, etc.
		Death penalty	Imprisonment with or without work						
			Life imprisonment	Imprisonment for a definite term	Partial suspension of execution	With probation	Full suspension of execution	With probation	
Total	49,640 (75)	3	12	46,997	1,272	1,269	29,743	2,052	2,295
District Court	45,916 (72)	3	12	44,044	1,270	1,267	27,746	1,785	1,627
Penal Code offenses	22,494	3	11	21,426	48	48	11,500	1,246	936
Obstruction of performance of public duty	284	-	-	240	-	-	162	9	40
Arson	182	-	-	180	-	-	101	51	-
Counterfeiting	522	-	-	519	-	-	420	10	1
Rape	1,369	-	-	1,346	12	12	756	150	8
Homicide	216	2	3	205	-	-	55	13	-
Injury	2,583	-	-	2,236	6	6	1,481	197	324
Causing injury through negligence	43	-	-	37	-	-	36	-	4
Theft	10,941	-	-	10,547	22	22	5,081	529	365
Robbery	436	1	8	425	-	-	108	43	-
Fraud	2,943	-	-	2,932	3	3	1,548	92	-
Extortion	344	-	-	341	-	-	214	12	-
Embezzlement	475	-	-	448	-	-	255	14	23
Destruction/concealment	485	-	-	424	-	-	273	28	58
Act on Punishment of Physical Violence and Others	275	-	-	244	1	1	110	20	30
Others	1,396	-	-	1,302	4	4	900	78	83
Special Acts offenses	23,422	-	1	22,618	1,222	1,219	16,246	539	691
Public Offices Election Act	9	-	-	7	-	-	7	-	2
Firearms and Swords Control Act	112	-	-	78	-	-	29	7	34
Child Welfare Act	64	-	-	62	-	-	34	3	2
Cannabis Control Act	2,009	-	-	2,004	41	41	1,735	55	-
Stimulants Control Act	7,020	-	1	6,999	1,157	1,154	2,559	235	-
Narcotics and Psychotropics Control Act	407	-	-	402	13	13	327	9	1
Act on Special Provisions for Narcotics	68	-	-	67	-	-	35	-	-
Tax-related Acts	234	-	-	165	1	1	155	-	66
Investment Act	46	-	-	46	-	-	39	-	-
Road traffic-related violations	5,292	-	-	5,051	2	2	4,251	106	202
Act on Fatal/Injurious Driving	4,329	-	-	4,230	1	1	3,980	42	71
Immigration Control Act	2,289	-	-	2,205	-	-	2,190	1	83
Waste Management Act	129	-	-	95	-	-	82	-	33
Organized Crime Punishment Act	59	-	-	56	-	-	25	-	3
Others	1,355	-	-	1,151	7	7	798	81	194
Summary Court	3,724 (3)	...	...	2,953	2	2	1,997	267	668
Penal Code offenses	3,438	...	...	2,953	2	2	1,997	267	428
Breaking into a residence	88	...	...	75	-	-	46	8	13
Injury	126	...	...	-	-	-	-	-	109
Causing injury through negligence	5	...	...	-	-	-	-	-	5
Theft	3,095	...	...	2,832	2	2	1,928	256	237
Embezzlement	74	...	...	44	-	-	21	3	28
Acceptance of stolen property	2	...	...	2	-	-	2	-	-
Others	48	...	...	-	-	-	-	-	36
Special Acts offenses	286	...	...	-	-	-	-	-	240
Public Offices Election Act	-	...	...	-	-	-	-	-	-
Firearms and Swords Control Act	16	...	...	-	-	-	-	-	12
Road traffic-related violations	94	...	...	-	-	-	-	-	80
Act on Fatal/Injurious Driving	73	...	...	-	-	-	-	-	57
Others	103	...	...	-	-	-	-	-	91

- Notes: 1. "Total" includes dismissal for judicial bar, dismissal of prosecution, jurisdictional incompetence, and withdrawal of request for formal trial.  
2. "Fine, etc." includes penal detention, petty fine, and remission of punishment.  
3. "Rape" refers to offenses provided in Part II, Chapter XXII of the Penal Code.  
4. "Injury" refers to offenses provided in Part II, Chapter XXVII of the Penal Code and includes the offense in Article 208-2 prior to its amendment by Act No. 86 of 2013.  
5. "Causing injury through negligence" refers to offenses provided in Part II, Chapter XXVIII of the Penal Code and includes the offense in Article 211, paragraph (2) prior to its amendment by Act No. 86 of 2013.  
6. "Embezzlement" includes embezzlement of lost property.  
7. "Destruction/concealment" refers to offenses provided in Part II, Chapter XXXX of the Penal Code.  
8. "Tax-related Acts" refer to violations of the Income Tax Act, the Corporation Tax Act, the Inheritance Tax Act, the Local Tax Act, the Liquor Tax Act, the Consumption Tax Act, and the Customs Act.  
9. The figures in parentheses indicate the number of persons who were found not guilty (included in the total number of persons disposed).

Source: Annual Report of Judicial Statistics  
The General Secretariat, Supreme Court

## 2 Sentences

Table 2-3-2-2 shows the number of persons sentenced to imprisonment with or without work for a definite term by courts of first instance in 2020.

**Table 2-3-2-2 Persons sentenced to imprisonment for a definite term by courts of first instance**

(2020)

[1] Over 3 years

Offenses	Total	Over 25 years / 30 years or less	Over 20 years / 25 years or less	Over 15 years / 20 years or less	Over 10 years / 15 years or less	Over 7 years / 10 years or less	Over 5 years / 7 years or less	Over 3 years / 5 years or less
District Court	2,912	4	7	48	96	287	482	1,988
Homicide	141	2	3	27	29	31	25	24
Injury	98	-	-	2	1	10	18	67
Theft	715	-	-	-	2	4	41	668
Robbery	253	1	-	5	13	46	74	114
Fraud	416	-	-	-	2	16	66	332
Extortion	13	-	-	-	-	1	1	11
Rape/forcible indecency	335	-	2	6	13	55	93	166
Firearms and Swords Control Act	17	-	-	-	-	3	6	8
Drug offenses	704	-	2	6	20	100	115	461
Act on Fatal/Injurious Driving	57	-	-	1	4	6	7	39

[2] 3 years or less

Offenses	Total	2 years or more / 3 years or less			1 year or more / less than 2 years			6 months or more / less than 1 year			Less than 6 months		
		Imprisonment without full suspension of execution	Partial suspension of execution	Full suspension of execution	Imprisonment without full suspension of execution	Partial suspension of execution	Full suspension of execution	Imprisonment without full suspension of execution	Partial suspension of execution	Full suspension of execution	Imprisonment without full suspension of execution	Partial suspension of execution	Full suspension of execution
District Court	41,132	5,431	577	7,270	5,128	658	13,317	2,409	32	6,435	418	3	724
Homicide	64	7	-	55	2	-	-	-	-	-	-	-	-
Injury	2,138	160	3	457	256	2	767	216	1	251	25	-	6
Theft	9,832	1,921	7	1,807	1,936	14	2,839	879	1	435	15	-	-
Robbery	172	62	-	107	2	-	-	-	-	1	-	-	-
Fraud	2,516	588	2	905	319	1	620	57	-	23	4	-	-
Extortion	328	52	-	115	59	-	99	3	-	-	-	-	-
Rape/forcible indecency	849	133	8	462	57	4	190	4	-	3	-	-	-
Firearms and Swords Control Act	61	7	-	2	2	-	7	16	-	20	7	-	-
Drug offenses	8,768	2,144	557	1,025	1,794	626	2,374	139	25	1,248	35	3	9
Act on Fatal/Injurious Driving	4,173	65	-	635	65	1	2,359	58	-	972	5	-	14
Summary Court	2,953	58	-	236	571	2	1,417	315	-	344	12	-	-
Theft	2,832	58	-	233	558	2	1,388	283	-	307	5	-	-

Notes: 1. "Partial suspension of execution" shows the total number of persons whose execution of their sentence was partially suspended.

2. "Injury" refers to offenses provided in Part II, Chapter XXVII of the Penal Code and includes the offense in Article 208-2 prior to its amendment by Act No. 86 of 2013.

3. "Drug offenses" refer to violations of the Stimulants Control Act, the Cannabis Control Act, the Narcotics and Psychotropics Control Act, the Opium Control Act, and the Act on Special Provisions for Narcotics.

Source: Annual Report of Judicial Statistics  
The General Secretariat, Supreme Court

### 3 Saiban-in trials

In *Saiban-in trials*, a panel consisting of three professional judges and six saiban-ins (lay judges chosen from the public for each case) (one professional judge and four saiban-ins, in exceptional cases) conducts deliberations to make a determination on fact finding, applications of laws and regulations and sentencing. In the deliberations, determinations are made by a majority opinion of the panel which must include opinions of both professional judge(s) and saiban-ins.

District courts handle the following cases through saiban-in trials: [1] cases involving offences punishable with the death penalty or life imprisonment, and [2] those involving crimes, subject to imprisonment for a minimum period of not less than one year, which caused a victim's death by intentional criminal acts. When a district court determines in consideration of behavior of a defendant, etc. that, [1] there is possibility that lives, bodies or property of saiban-ins, their family members or similar persons could be harmed, and [2] the possibility makes saiban-ins, etc. feel so threatened that it is difficult for saiban-ins to perform their duties, then, the court must render a ruling that such case is to be handled by a panel consisting of professional judges only. In 2020, the number of defendants whose cases were handled by a panel consisting of professional judges only was two (Source: the General Secretariat, Supreme Court).

**Table 2-3-2-3** shows the number of persons received or disposed by courts of first instance (including case transfers, etc.) by means of saiban-in trials by type of offense.

**Table 2-3-2-3 Saiban-in trials: persons received/disposed by courts of first instance (by type of offense)**

(2016-2020)

Category	Total	Homicide	Robbery causing death	Robbery causing injury	Rape at the scene of a robbery	Injury causing death	Rape causing death or injury	Forcible indecency causing death or injury	Dangerous driving causing death	Arson of inhabited buildings	Counterfeiting of currency	Firearms and Swords Control Act	Stimulants Control Act	Act on Special Provisions for Narcotics	Others
Persons received															
2016	1,077	255	22	224	20	103	76	115	28	124	13	10	67	3	17
2017	1,122	278	19	253	21	96	69	90	18	105	24	16	102	2	29
2018	1,090	250	23	281	24	82	49	104	7	115	23	16	96	1	19
2019	1,133	255	21	222	18	71	55	77	16	100	25	7	252	1	13
2020	1,005	217	33	304	28	57	47	90	22	97	6	10	77	-	17
Persons disposed															
2016	1,126	298	33	207	24	103	74	96	28	137	12	10	31	36	37
2017	993	230	21	195	17	108	57	81	25	91	18	9	68	22	51
2018	1,038	247	17	203	19	109	63	85	13	100	9	10	98	30	35
2019	1,021	242	25	209	23	80	46	71	8	101	18	14	116	32	36
2020	933	197	11	202	12	44	44	68	14	84	8	2	190	22	35

Notes: 1. The figures include cases remanded from high courts.

2. "Persons received" refer to those charged with an offense designated for a *saiban-in* trial at the time of receipt. When a person is charged with multiple offenses designated for a *saiban-in* trial on one charging sheet, the person is counted under the offense with the severest statutory punishment.

3. "Persons disposed" refer to defendants tried in *saiban-in* trials (including figures of persons of transferred cases but excluding those of persons whose cases are determined by courts to be excluded from saiban-in trials based on Article 3, paragraph (1) of the Act on Criminal Trials with the Participation of saiban-in).

A convicted person (a person received a ruling of partial acquittal may be included) is included in offenses for which he/she is found guilty. A person without a conviction (including a person whose case is transferred) is counted in a figure of a categorized offence on the table above by which he/she is charged. These categorized offenses are designated for saiban-in trials. If a person committed two or more offenses, the person is counted under the offense with the severest statutory punishment.

4. "Homicide" does not include offenses of inducing/aiding suicide nor homicide with consent.

5. "Dangerous driving causing death" refers to offenses provided in Article 2 of the Act on Fatal/Injurious Driving and offenses provided in Article 208-2 of the Penal Code prior to its amendment by Act No. 86 of 2013.

6. "Counterfeiting of currency" includes uttering counterfeit currencies.

7. "Others" indicate abandonment by a person responsible for protection causing death, kidnapping for ransom and receiving it afterwards, violations of the Organized Crime Punishment Act, etc. However, "others" of "persons disposed" may include offenses not designated for saiban-in trials.

Source: The General Secretariat, Supreme Court

## Section 3 Appeals

Table 2-3-3-1 shows the number of persons whose cases were conclusively disposed by high courts (courts of second instance) by type of judgment, and also by type of offense in 2020.

**Table 2-3-3-1 Persons disposed by courts of second instance (by type of offense and by type of judgment)**

(2020)

Offenses	Total	Original judgment reversed						Dismissal of appeal	Withdrawal	Dismissal of prosecution
		New judgment rendered					Remanded/transferred			
		Subtotal	Guilty	Guilty in part	Not guilty	Dismissal for judicial bar				
Total	5,332	482	456	14	12	-	25	3,850	948	27
Penal Code offenses	3,290	398	378	9	11	-	11	2,352	507	22
Obstruction of performance of public duty	54	4	4	-	-	-	-	39	10	1
Arson	28	4	2	2	-	-	1	18	4	1
Counterfeiting	46	4	4	-	-	-	-	40	2	-
Rape	234	40	38	1	1	-	1	177	13	3
Homicide	70	7	6	-	1	-	1	56	5	1
Injury	320	31	29	1	1	-	1	247	40	1
Causing injury through negligence	22	5	4	-	1	-	1	15	1	-
Theft	1,503	157	151	4	2	-	3	1,049	284	10
Robbery	134	13	13	-	-	-	2	99	20	-
Fraud	556	97	95	1	1	-	1	378	78	2
Extortion	47	8	8	-	-	-	-	32	7	-
Embezzlement	49	9	8	-	1	-	-	38	1	1
Destruction/concealment	41	4	4	-	-	-	-	27	8	2
Act on Punishment of Physical Violence and Others	39	3	2	-	1	-	-	25	11	-
Others	147	12	10	-	2	-	-	112	23	-
Special Acts offenses	2,042	84	78	5	1	-	14	1,498	441	5
Public Offices Election Act	2	-	-	-	-	-	-	2	-	-
Firearms and Swords Control Act	25	-	-	-	-	-	-	23	2	-
Cannabis Control Act	75	7	7	-	-	-	1	52	15	-
Stimulants Control Act	1,163	35	34	1	-	-	6	793	327	2
Narcotics and Psychotropics Control Act	22	2	2	-	-	-	-	18	1	1
Act on Special Provisions for Narcotics	14	-	-	-	-	-	-	7	7	-
Investment Act	13	1	1	-	-	-	2	9	1	-
Road traffic-related violations	333	12	12	-	-	-	-	288	32	1
Act on Fatal/Injurious Driving	129	11	9	1	1	-	4	101	13	-
Immigration Control Act	13	-	-	-	-	-	-	10	2	1
Others	253	16	13	3	-	-	1	195	41	-

Notes: 1. "Rape" refers to offenses provided in Part II, Chapter XXII of the Penal Code.

2. "Injury" refers to offenses provided in Part II, Chapter XXVII of the Penal Code and includes the offense in Article 208-2 prior to its amendment by Act No. 86 of 2013.

3. "Causing injury through negligence" refers to offenses provided in Part II, Chapter XXVIII of the Penal Code and includes the offense in Article 211, paragraph (2), prior to its amendment by Act No. 86 of 2013.

4. "Embezzlement" includes embezzlement of lost property.

5. "Destruction/concealment" refers to offenses provided in Part II, Chapter XXXX of the Penal Code.

Source: Annual Report of Judicial Statistics



## Chapter 4 Institutional Correction of Adult Offenders

Penal Institutions consist of prisons, juvenile prisons, and detention houses. **Prisons** and **Juvenile Prisons** are mainly for holding sentenced inmates while **Detention Houses** are mainly for inmates awaiting a court's sentence. As of April 1, 2021, there were 75 main penal institutions (61 prisons including four rehabilitation program centers, six juvenile prisons, and eight detention houses) and 105 branch penal institutions (eight branch prisons and 97 branch detention houses).

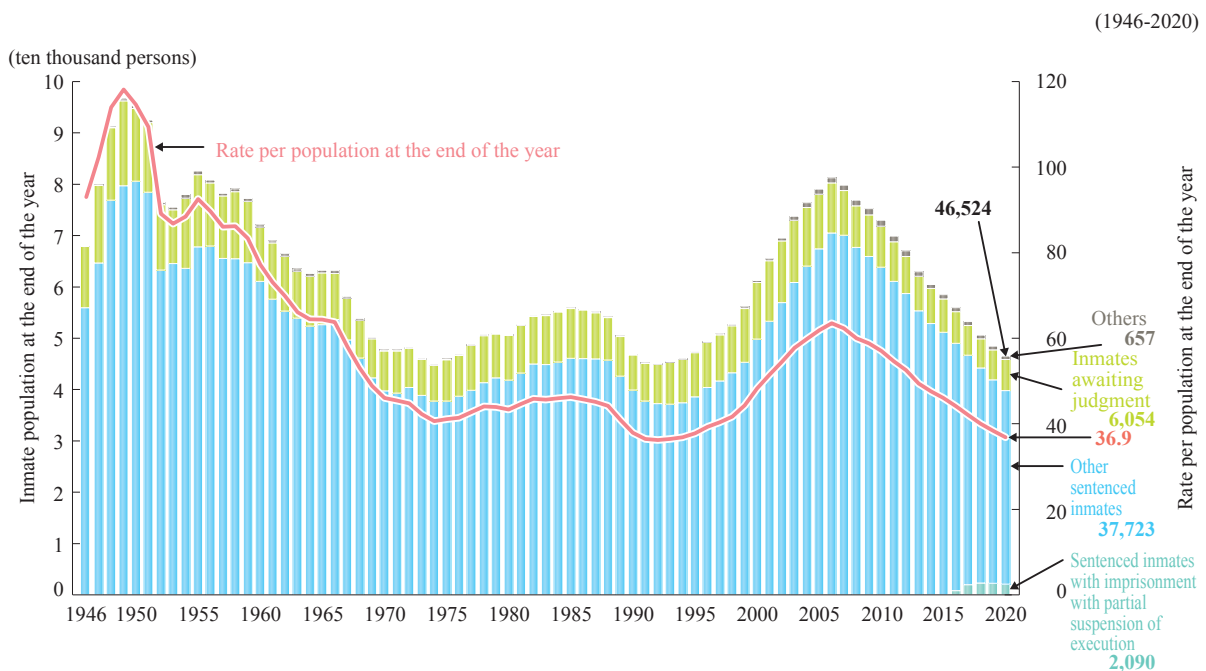
Workhouses for fine defaulters are attached to all penal institutions and court-ordered confinement houses are attached to most penal institutions.

### Section 1 Inmates in Penal Institutions

#### 1 Number of inmates in penal institutions

Fig. 2-4-1-1 shows the trend in the number and rate per population of inmates in penal institutions as of the end of the respective years since 1946.

**Fig. 2-4-1-1 Inmate population of penal institutions and rate per population at the end of the year**



- Notes: 1. "Inmate population at the end of the year" refers to the number of inmates as of December 31 of the respective years.  
 2. "Others" include inmates sentenced to death, fine defaulters in workhouses, detainees under warrants of arrest, detainees subject to court-ordered confinement, and juveniles temporarily committed for a protective measure.  
 3. "Rate per population at the end of the year" refers to the inmate population per 100,000 general population at the end of the respective years.

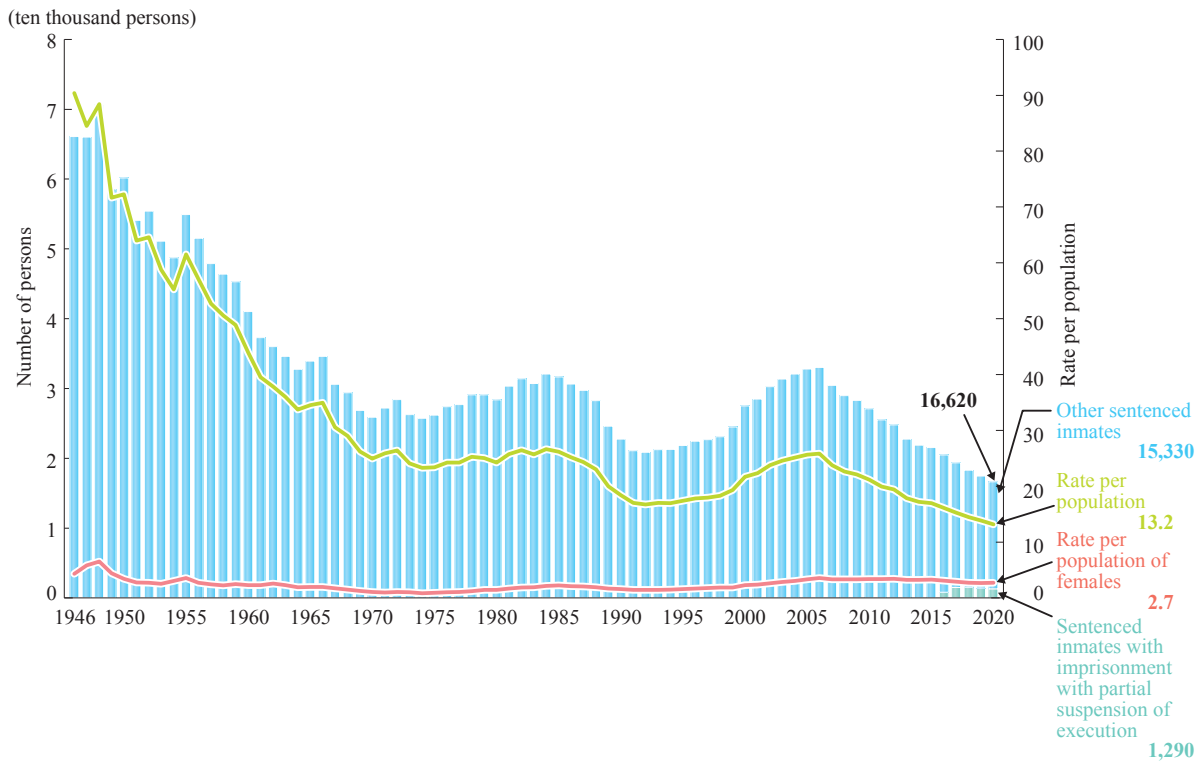
Source: Annual Report of Statistics on Correction  
 The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)

## 2 Number of newly sentenced inmates

Fig. 2-4-1-2 shows the trend in the number and rate per population of **newly sentenced inmates** admitted to penal institutions since 1946.

**Fig. 2-4-1-2 Newly sentenced inmate population and rate per population**

(1946-2020)



Note: "Rate per population" refers to the number of newly sentenced inmates per 100,000 general population. "Rate per population of females" refers to the number of newly sentenced female inmates per 100,000 general population of females.

Source: Annual Report of Statistics on Correction

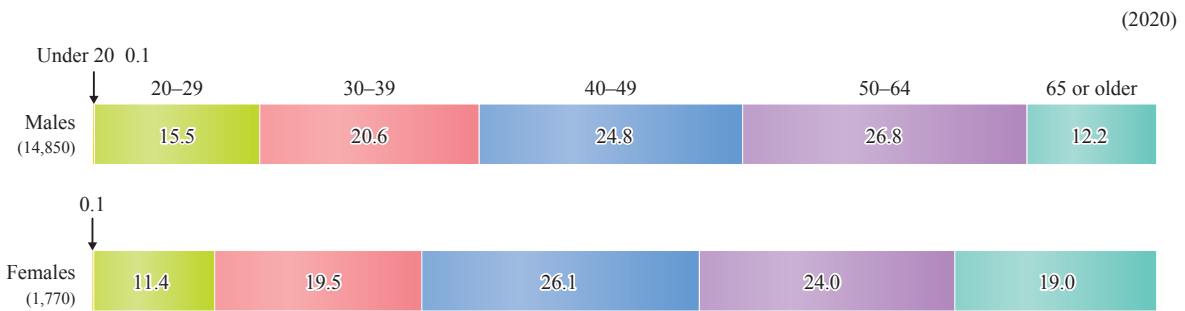
The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)

### 3 Characteristics of newly sentenced inmates

#### (1) Age

Fig. 2-4-1-3 shows the composition by age group and by male/female of newly sentenced inmates in 2020.

**Fig. 2-4-1-3 Newly sentenced inmates: composition by age group (male/female)**



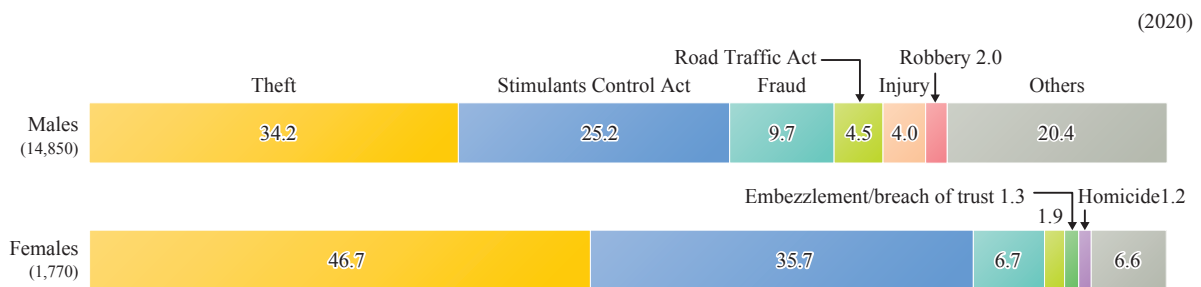
Notes: 1. The figures are based on the age at the time of imprisonment. Inmates sentenced to indeterminate sentences and aged 20 and over at the time of imprisonment, however, are counted by the age at the time of the judgment.  
2. The figures in parentheses indicate the actual number of persons.

Source: Annual Report of Statistics on Correction

#### (2) Types of offenses

Fig. 2-4-1-4 shows the composition by type of offense committed and by male/female of newly sentenced inmates in 2020.

**Fig. 2-4-1-4 Newly sentenced inmates: composition by type of offense (male/female)**



Notes: 1. "Embezzlement" includes embezzlement of lost property.

2. The figures in parentheses indicate the actual number of persons.

Source: Annual Report of Statistics on Correction

## Section 2 Treatment of Sentenced Inmates

The **Act on Penal Detention Facilities and the Treatment of Inmates and Detainees** (Act No. 50 of 2005) stipulates treatment of inmates, aiming to stimulate their motivation for reformation and rehabilitation and foster their ability to adapt to living in society, by addressing their sense of consciousness in accordance with their individual characteristics and circumstances, while simultaneously respecting their human rights.

### 1 Treatment indexes and treatment guidelines

The core of correctional treatment for sentenced inmates consists of work, guidance for reform and guidance in school courses. The contents and delivery of correctional treatment must be tailored to individual characteristics and circumstances of each sentenced inmate (**principle of individualized treatment**).

Each penal institution conducts an assessment of individual characteristics and circumstances of each sentenced inmate (**treatment assessment**), utilizing specialized knowledge and techniques, such as medicine, psychology, pedagogy and sociology. A detailed assessment is conducted at designated penal institutions (assessment centers) for newly sentenced inmates aged less than 26 and sentenced inmates who need a specific assessment to be enrolled in **special guidance for reform**.

Following the assessment (including an assessment at assessment centers) upon commencement of execution of a sentence, penal institutions designate one or more treatment indexes for each sentenced inmate. The **treatment indexes** take into account the types and contents of correctional treatment, and characteristics and criminal tendencies of sentenced inmates. **Table 2-4-2-1** shows the number of sentenced inmates as of the end of 2020 by their **treatment index**.

**Table 2-4-2-1 Sentenced inmates by treatment index**

[1] Types and contents of correctional treatment

Type	Content		Code
Work	General work		V0
	Vocational training		V1
Guidance for reform	General guidance for reform		R0
	Special guidance for reform	Guidance on overcoming drug addiction	R1
		Guidance on withdrawal from organized crime group	R2
		Guidance on prevention of repeat sexual offenses	R3
		Education from victims' points of view	R4
		Traffic safety guidance	R5
		Employment support guidance	R6
Guidance in school courses	Supplementary guidance in school courses		E1
	Special guidance in school courses		E2

## [2] Characteristics and criminal tendencies of sentenced inmates

(as of December 31, 2020)

Characteristics and criminal tendencies	Code	Number of persons
Persons sentenced to penal detention	D	-
Juveniles younger than 16 who need to be accommodated in juvenile training schools	Jt	-
Persons who have mental diseases or disabilities and therefore need to be accommodated in penal institutions where medical treatment is mainly provided	M	223
Persons who have physical diseases or disabilities and therefore need to be accommodated in penal institutions where medical treatment is mainly provided	P	311
Females	W	2,925
Foreign nationals who need different treatment from that for Japanese inmates	F	1,071
Persons sentenced to imprisonment without work	I	76
Juveniles who do not need to be accommodated in juvenile training schools	J	3
Persons whose term of imprisonment to be served is 10 years or more	L	4,385
Adults younger than 26, the correctional treatment of whom places priority on their plasticity	Y	1,686
Persons without advanced criminal tendencies	A	8,819
Persons with advanced criminal tendencies	B	16,434

Note: Inmates who are designated under more than one treatment index are counted under one code selected in order from the top in the table.

Source: Annual Report of Statistics on Correction

A **treatment guideline**, which indicates the goals, basic contents and methods of correctional treatment, is specified for each sentenced inmate in accordance with the result of a treatment assessment that takes place upon the commencement of execution of his/her sentence. Correctional treatment is implemented based on the treatment guidelines.

## 2 Work

Inmates sentenced to imprisonment with work are legally obliged to engage in **work**. Inmates sentenced to imprisonment without work or penal detention may work if they so request. The average daily number of inmates engaging in work was 38,864 in Fiscal Year 2020. As of March 31, 2021, 79.8 % of inmates sentenced to imprisonment without work engaged in work (Source: the Correction Bureau, Ministry of Justice).

In FY 2020, 53 vocational training subjects, such as business skills, welding, forklift operation, information processing technology, nursing care, civil engineering, agriculture, architectural CAD, comprehensive food knowledge and web skills, etc. were available, with 11,288 inmates having completed the training and a total of 6,216 inmates having obtained qualifications or licenses to be welding technicians, boiler engineers, information processing engineers, etc. (Source: the Correction Bureau, Ministry of Justice).

### 3 Guidance for reform

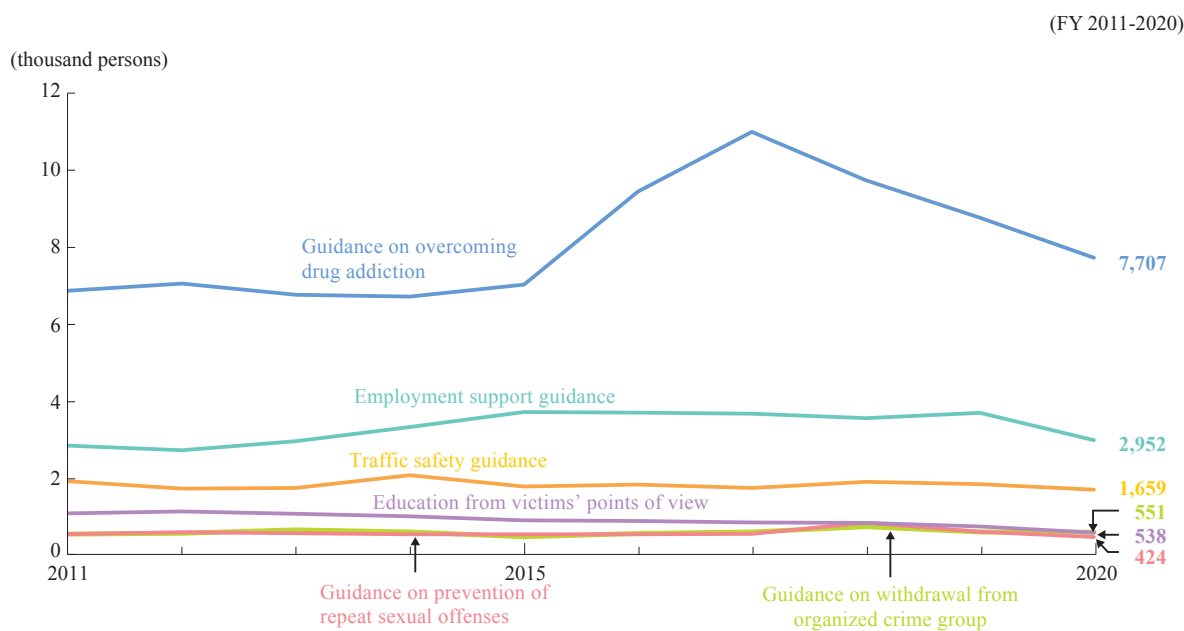
**Guidance for reform** aims to enable sentenced inmates to become more aware of their responsibility for offenses they committed, foster a sound mind and body, and acquire knowledge and attitude needed in adapting to living in society. It consists of general and special guidance for reform.

**General guidance for reform** is provided through lectures, gymnastics, events, interviews, consultation and advice, along with other methods, with the aim of helping sentenced inmates [1] understand their victims' feelings and develop a sense of remorse, [2] lead a regular life with a sound way of thinking, thereby promoting their own mental and physical health, and [3] prepare for returning to society by mapping out a new life while acquiring necessary skills to adapt to living in society, etc.

**Special guidance for reform** is provided to sentenced inmates who face difficulty in their reformation and rehabilitation or smooth reintegration into society due to special obstacles, such as drug dependency or membership in organized crime groups, with the priority of placing guidance on the obstacle.

Fig. 2-4-2-2 shows the trend in the number of sentenced inmates who were enrolled in special guidance for reform.

**Fig. 2-4-2-2 Sentenced inmates enrolled in special guidance for reform**



Note: The figures indicate the total number of inmates who were enrolled in special guidance for reform in the respective fiscal years.  
Source: The Correction Bureau, Ministry of Justice

#### 4 Guidance in school courses

**Guidance in school courses** is the equivalent of an academic education [1] for sentenced inmates who are considered likely to face difficulty in their reformation and rehabilitation or smooth reintegration into society due to lacking academic abilities necessary for living in society (supplementary guidance in school courses), and [2] for sentenced inmates for whom enhancing their academic abilities can make their reintegration into society especially smoother (special guidance in school courses).

The Certificate for Student Achieving the Proficiency Level of Upper Secondary School Graduate has been available in penal institutions through cooperation between the Ministry of Justice and the Ministry of Education, Culture, Sports, Science and Technology, and guidance on taking an examination is actively provided at four designated penal institutions. In FY 2020, 309 inmates took the examination, of whom 136 fully passed it and 160 passed for a part of its subjects (Source: the Education Policy Bureau, Ministry of Education, Culture, Sports, Science and Technology).

#### 5 Employment support

In order to secure employment for inmates upon their release, the Ministry of Justice assigns employment support staff to penal institutions and juvenile training schools and, in cooperation with the Ministry of Health, Labour and Welfare, implements comprehensive employment support measures for released inmates.

#### 6 Welfare support

In cooperation with the Ministry of Health, Labour and Welfare, the Ministry of Justice has been making special adjustments in correctional institutions and probation offices so that elderly inmates or inmates with disabilities who have no suitable place to return to can receive appropriate welfare services such as nursing care, medical care, and pension promptly after their release. This initiative requires effective cooperation with welfare-related organizations, etc., and is centered on support centers for settlement established by each prefecture under the Ministry of Health, Labour and Welfare's Community Settlement Promotion Project. Under this initiative, the support to the inmates is provided in cooperation between criminal justice agencies and welfare authorities.

## Section 3 Administration of Penal Institutions

### 1 Penal institution visiting committee

**Penal institution visiting committees**, each of which consists of at most 10 external members appointed by the Minister of Justice, have been established at all of the penal institutions. The committees visit penal institutions and provide wardens of penal institutions with their opinions on the administration of the institutions.

### 2 Food supply, medical care and hygiene

Inmates are provided with food and drink (hot water and drink, etc.). The meal budget per adult inmate per day was 536.07 yen in FY 2021 (Source: the Correction Bureau, Ministry of Justice).

Medical doctors and other medical specialists are allocated to penal institutions to engage in medical treatment and health-related work. Furthermore, four medical prisons have been established and nine prisons have been designated as institutions that give priority to medical treatment. Both medical equipment and medical specialists have been intensively assigned to the above 13 institutions.

### 3 Cooperation with private sector

Penal institutions request **volunteer visitors** to interview inmates and provide them with guidance and advice based on their professional knowledge and experience.

Based on personal wishes of inmates, penal institutions make efforts to enable them to participate in religious ceremonies and receive instruction by requesting **chaplains** (private religious volunteers) to provide religious ceremonies and instruction (mental relief through sutra recitation and lectures, etc.).

### 4 Security and safety

**Table 2-4-3-1** shows the number of security incidents that occurred at penal institutions, including escape, killing and injury in 2020.

**Table 2-4-3-1 Security incidents at penal institutions**

(2020)

Total	Escape		Suicide	Killing of/injury to inmates	Death in the course of work	Accidental death	Fire accident	Others
	Number of cases	Number of persons						
15 (12)	-	-	12 (12)	3 (-)	-	-	-	-

Notes: 1. Security incidents excluding “escape” refer to the number of cases. The figures in parentheses indicate the number of deaths due to the incidents at penal institutions.

2. “Killing of/injury to inmates” excludes the number of cases of injured persons diagnosed as completely cured within one month.

Source: The Correction Bureau, Ministry of Justice



## Chapter 5 Rehabilitation Services

Organizations providing rehabilitation services include the following: the **National Offenders Rehabilitation Commission** (a council consisting of a chairperson and four members) in the Ministry of Justice; **Regional Parole Boards** (a council composed of not less than three but not more than 15 members) established within the jurisdiction of each high court; and **Probation Offices** established within the jurisdiction of each district court. The National Offenders Rehabilitation Commission has the authority to make a recommendation to the Minister of Justice to pardon a specific person while regional parole boards have the authority to decide whether parole should be granted or not, based on a recommendation made by a warden of a penal institution, etc. Probation offices engage in probation/parole supervision, adjustment of living conditions, urgent aftercare of discharged offenders, promotion of crime prevention activities, etc.

### Section 1 Parole

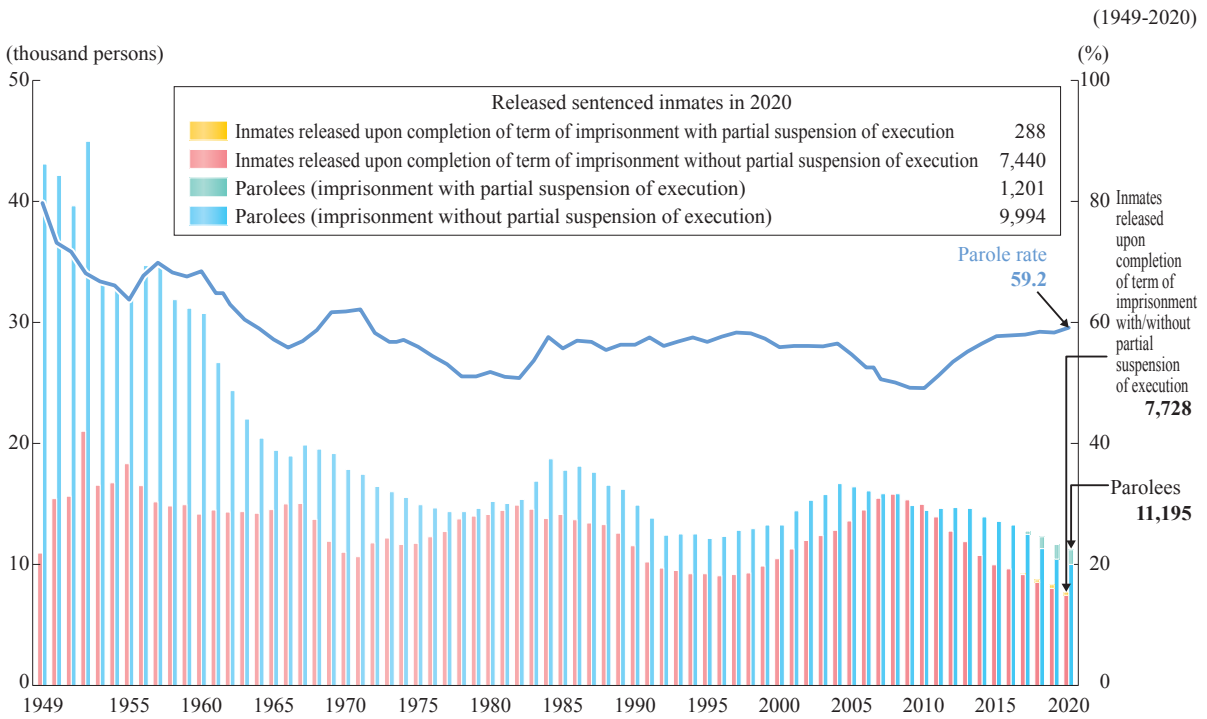
Parole can be granted to inmates sentenced to imprisonment with or without work who demonstrate signs of substantial reformation and are expected to be reformed and rehabilitated. Inmates granted parole are provisionally released and placed under supervision during a period remaining on their sentence. Parole aims to prevent re-offending and facilitate their reformation, rehabilitation and smooth reintegration into society.

To be granted parole, it is necessary for inmates who were sentenced to imprisonment with or without work to have served one third of a definite term of imprisonment or 10 years for life imprisonment. Parole can be granted to inmates who meet the following criteria: [1] they have a sense of remorse and are willing to reform and rehabilitate themselves; [2] there is no risk of re-offending; [3] it is reasonable to place them under parole supervision for their own reformation and rehabilitation; and [4] public sentiment approves such decision.

# 1 Number of parolees

Fig. 2-5-1-1 shows the trend in the number of released sentenced inmates and the parole rate since 1949.

**Fig. 2-5-1-1 Released sentenced inmates and parole rate**



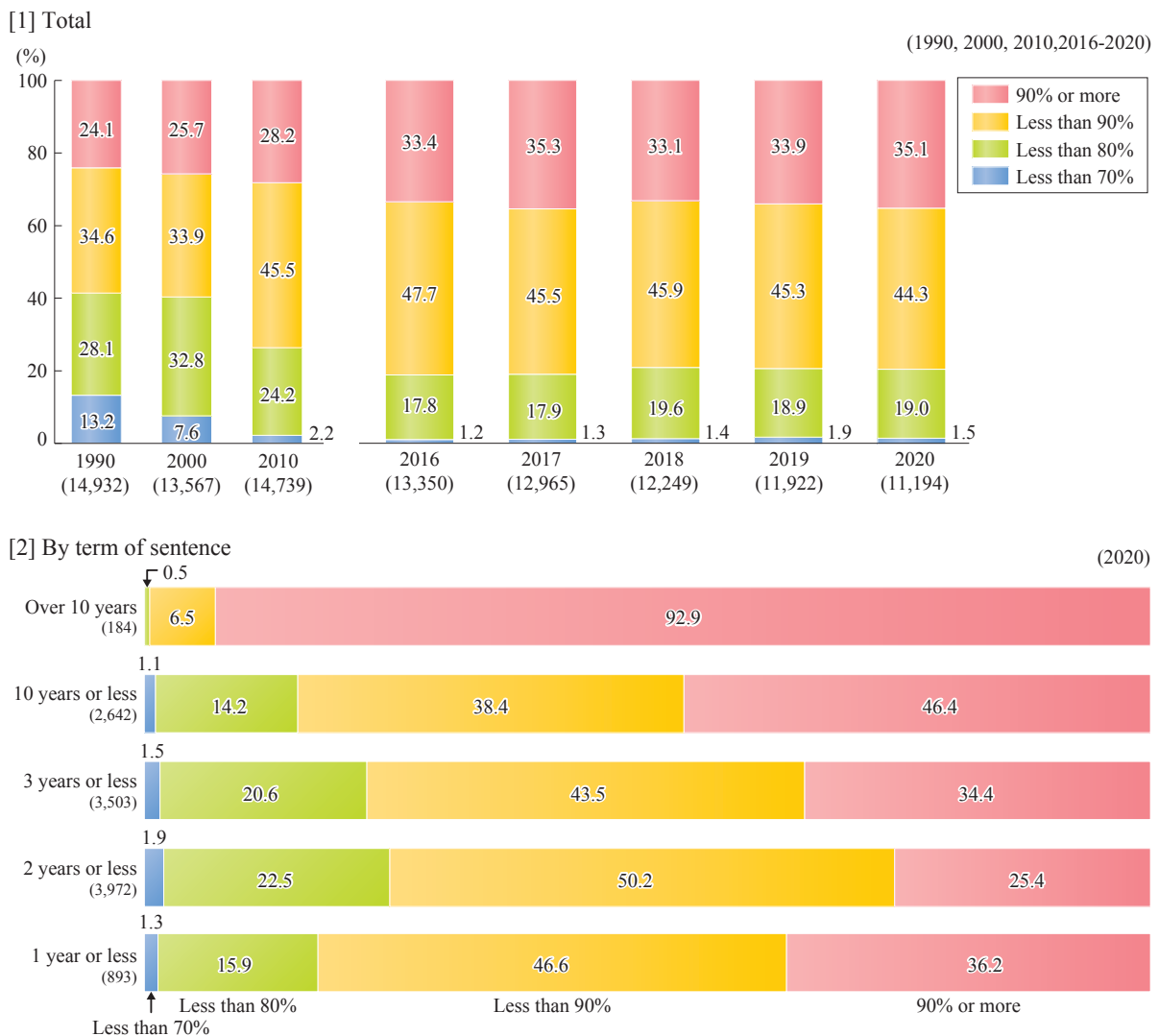
Note: "Inmates released upon completion of term of imprisonment with partial suspension of execution" and "parolees (imprisonment with partial suspension of execution)" have been counted since 2016, with the commencement of the partial suspension of execution of sentence system.  
 Source: Annual Report of Statistics on Correction

Part  
2

## 2 Percentage of sentence served

Fig. 2-5-1-2 shows, in relation to inmates sentenced to imprisonment for a determinate term and granted parole, the trend in the composition by percentage of served term per that imposed by a sentence before release on parole in 1990, 2000, 2010 and 2016-2020, and the composition by percentage of served term per that imposed by a sentence before release on parole in 2020, by length of sentence term.

**Fig. 2-5-1-2 Inmates sentenced to imprisonment for a determinate term and granted release on parole, by percentage of served term per that imposed by a sentence and by term of sentence**



- Notes: 1. Since 2016, with the commencement of the partial suspension of execution of sentence system, the total number of “inmates sentenced to imprisonment for a determinate term and granted release on parole” has included the number of such parolees granted partial suspension of the execution of their sentence.  
 2. The percentage of served term of a parolee granted partial suspension of execution is based on his/her term of imprisonment for which partial suspension of execution was not granted.  
 3. The figures in parentheses indicate the actual number of persons under the respective categories.

Source: Annual Report of Statistics on Rehabilitation

## Section 2 Probation/Parole Supervision

Part 2

Probation/parole supervision aims to prevent persons under probation/parole supervision from repeating offenses or delinquency and to facilitate their reformation and rehabilitation through leading positive lives in a community. Probation/parole supervision is implemented through cooperation between probation officers and volunteer probation officers (VPOs or *Hogoshi* in Japan). Probation officers and VPOs maintain contact with persons under probation/parole supervision through interviews in order to observe their lives in society, and provide them with any needed **instruction and supervision** to ensure that they can follow their conditions for probation/parole supervision. Probation officers and VPOs also provide persons under probation/parole supervision with **guidance and assistance** to secure residences and find jobs so they can become self-supporting.

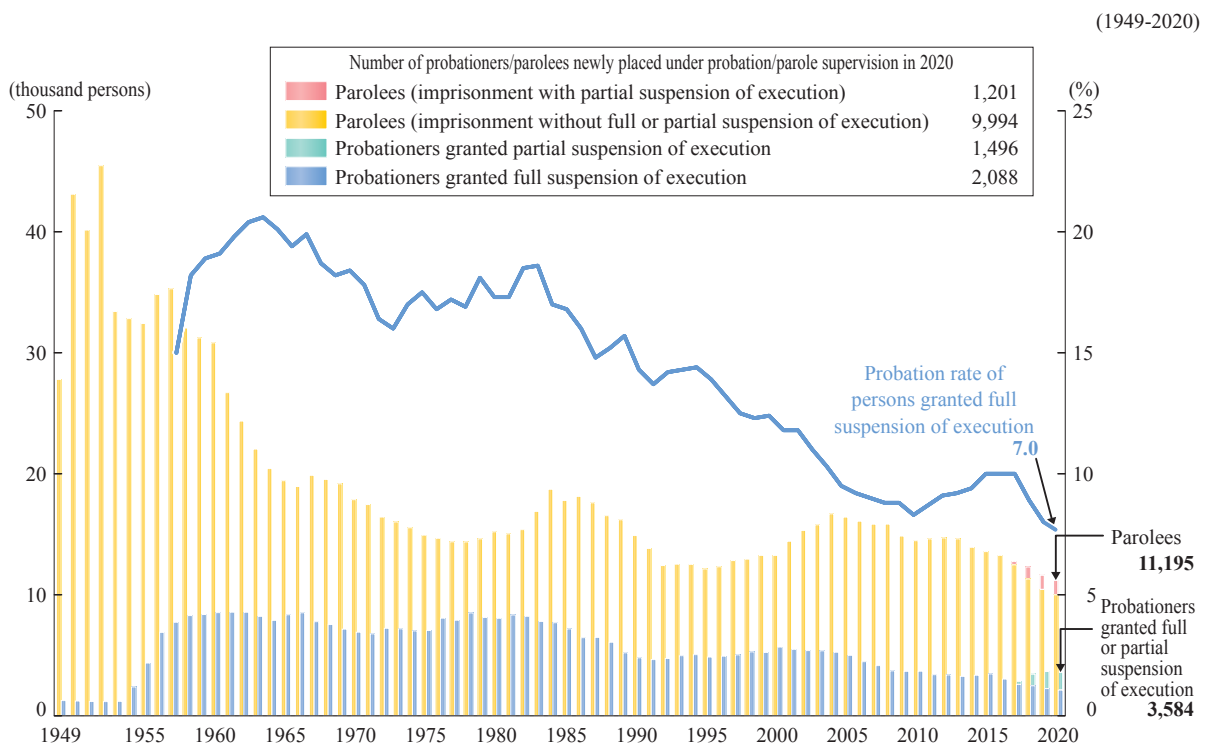
Persons under probation/parole supervision include [1] those placed under probation as a protective measure based on a decision made by a family court (juvenile probationers), [2] those granted parole from juvenile training schools and placed under parole supervision (juvenile training school parolees), [3] those granted parole from penal institutions and placed under parole supervision (parolees), [4] those granted full or partial suspension of execution of their sentence and placed under probation (probationers), and [5] those granted parole from a women's guidance home and placed under parole supervision (women's guidance home parolees).

# 1 Probationers/parolees

## (1) Number of persons newly placed under probation/parole supervision

Fig. 2-5-2-1 shows the trend in the number of probationers/parolees newly placed under probation/parole supervision since 1949 and the trend in the probation rate among those granted full suspension of the execution of their sentence since 1957.

**Fig. 2-5-2-1 Probationers/parolees newly placed under probation/parole supervision and probation rate**



Notes: 1. The figures for “probation rate of persons granted full suspension of execution” are presented from 1957 onward since, prior to 1957, the Annual Report of Statistics on Prosecution did not specify whether or not persons granted full suspension of execution were placed under probationary supervision.

2. “Parolees (imprisonment with partial suspension of execution)” and “probationers granted partial suspension of execution” have been counted since 2016, with the commencement of the partial suspension of execution of sentence system.

Source: Annual Report of Statistics on Legal Affairs  
Annual Report of Statistics on Rehabilitation  
Annual Report of Statistics on Prosecution

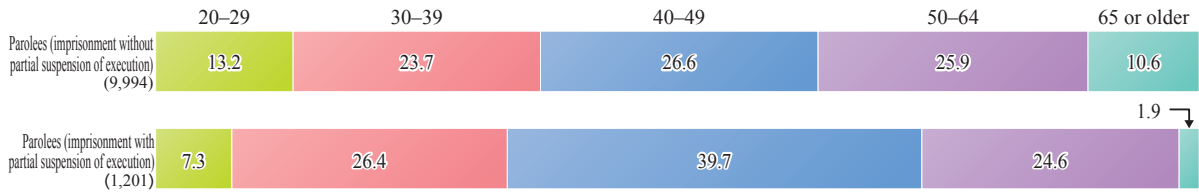
## (2) Age of probationers/parolees

Fig. 2-5-2-2 shows the composition by age group of probationers/parolees newly placed under probation/parole supervision in 2020.

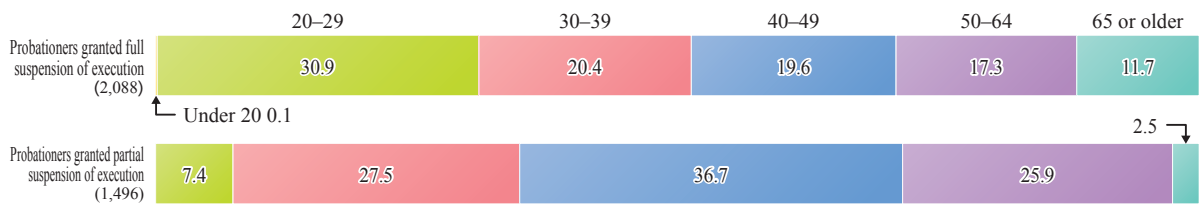
**Fig. 2-5-2-2 Probationers/parolees newly placed under probation/parole supervision: composition by age group**

(2020)

[1] Parolees



[2] Probationers granted full or partial suspension of execution



Notes: 1. The figures are based on the age at the time of placement under probation/parole supervision.

2. The figures in parentheses indicate the actual number of persons under the respective categories.

Source: The Judicial System Department, Minister's Secretariat, Ministry of Justice

### (3) Offenses of probationers/parolees

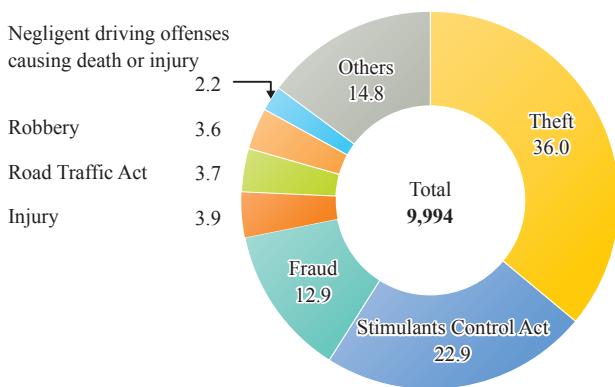
Fig. 2-5-2-3 shows the composition by offense of probationers/parolees newly placed under probation/parole supervision in 2020.

**Fig. 2-5-2-3 Probationers/parolees newly placed under probation/parole supervision: composition by type of offense**

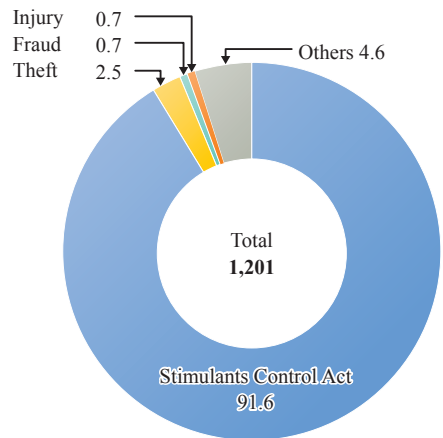
(2020)

[1] Parolees

A. Parolees  
(imprisonment without partial suspension of execution)

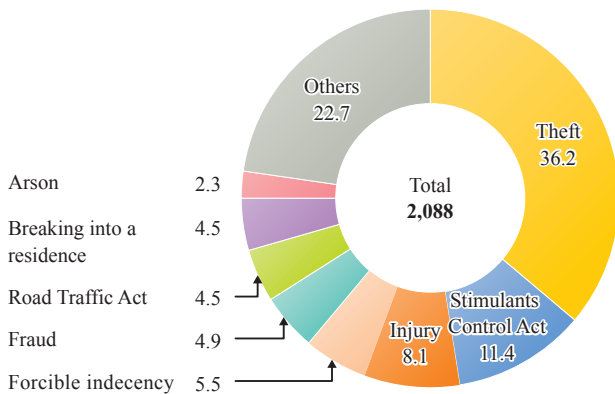


B. Parolees  
(imprisonment with partial suspension of execution)

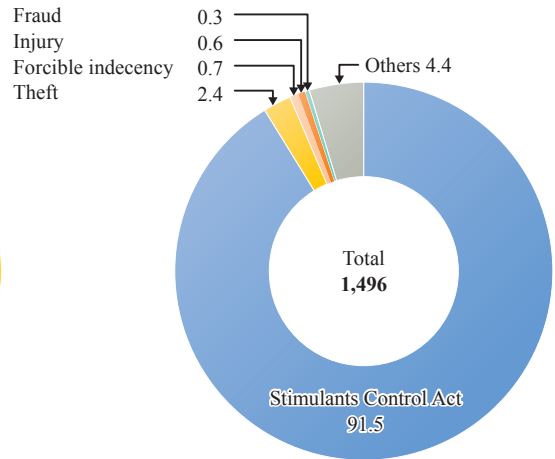


[2] Probationers granted full or partial suspension of execution

A. Probationers granted full suspension of execution



B. Probationers granted partial suspension of execution



Source: Annual Report of Statistics on Rehabilitation

## 2 Treatment during probation/parole

### (1) Discontinuation of graduated treatment and implementation of assessment-based probation/parole supervision

The graduated treatment that had previously been provided was a system in which probationers/parolees were categorized into four levels according to their progress in their reformation/rehabilitation, probability of repeat offenses, necessity of guidance and assistance, etc., and treatment with different levels of involvement and frequency of contact by probation officers was implemented according to each stage. However, with the implementation of probation/parole supervision based on assessment utilizing CFP (Case Formulation in Probation/Parole), which is an assessment tool to provide more effective guidance and support for probationers/parolees in preventing repeat offenses, the graduated treatment was terminated in January 2021.

The CFP assessment tool, which had been in a test phase since October 2018, identifies the factors that lead to offenses and delinquencies or promote the reformation/rehabilitation of probationers/parolees in eight categories: family, friendship, employment/school, substance use, leisure activities, economic status, criminal history, and mental health. This tool helps officers consider the process leading to crime or delinquency by analyzing and showing the interaction and causal relationship of each factor. In implementing probation/parole supervision based on the assessment, the risk of repeat offenses or repeat delinquencies is assessed with CFP, and probationers/parolees are assigned to one of five treatment levels. The degree of involvement, frequency of contact, etc. of probation officers differ according to the treatment levels determined by the factors the assessment revealed as possible problems towards rehabilitation.

### (2) Treatment in accordance with problems

Categorized treatment means to categorize problems and other characteristics of persons under probation/parole supervision according to their offenses/delinquency. And it aims to efficiently treat them by focusing on those problems so as to provide effective probation/parole supervision.

Table 2-5-2-4 shows the number of probationers/parolees by category in 2020.

**Table 2-5-2-4 Number of probationers/parolees by category**

(as of December 31, 2020)

Category Classification	Abuse of paint thinner, etc.	Stimulant offender	Problematic drinkers	Gang related offenders	Motorcycle gangs	Sexual offenders, etc.	Mental disorders, etc.	Elderly	Unemployed offenders, etc.	Family violence offenders	Child abuse	Spousal violence	Dependence on gambling, etc.
Parolees	12 (0.3)	1,364 (32.1)	482 (11.3)	74 (1.7)	1 (0.0)	302 (7.1)	527 (12.4)	496 (11.7)	1,293 (30.4)	43 (1.0)	16 (0.4)	19 (0.4)	522 (12.3)
Probationers with full/partial suspension of execution													
Probationers granted full suspension of execution	21 (0.3)	971 (13.1)	789 (10.6)	91 (1.2)	1 (0.0)	1,094 (14.8)	1,198 (16.2)	715 (9.6)	1,305 (17.6)	317 (4.3)	105 (1.4)	118 (1.6)	398 (5.4)
Probationers granted partial suspension of execution	15 (0.6)	2,372 (88.2)	365 (13.6)	72 (2.7)	-	57 (2.1)	469 (17.4)	64 (2.4)	348 (12.9)	11 (0.4)	2 (0.1)	7 (0.3)	45 (1.7)

Notes: 1. Persons categorized in multiple categories are counted in each category.

2. The figures in parentheses indicate the percentage of probationers/parolees categorized in each category among the total number of parolees, probationers granted full suspension of execution or probationers granted partial suspension of execution (including those not categorized).

Source: Annual Report of Statistics on Rehabilitation  
The Rehabilitation Bureau, Ministry of Justice

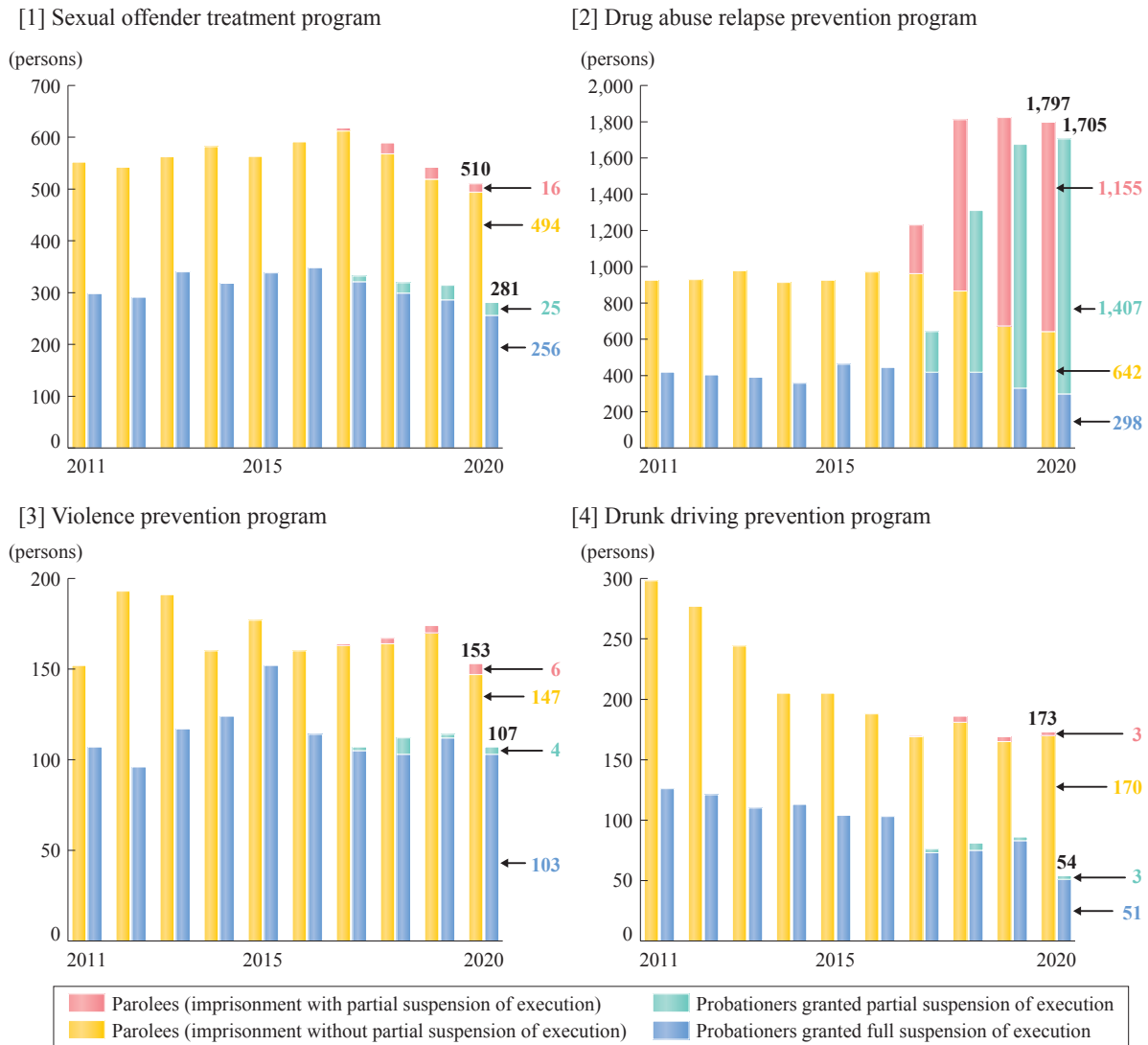


Persons under probation/parole supervision who have specific criminal tendencies are provided in a systemized manner, as a part of instruction and supervision, with **specialized treatment programs**, which are built upon psychological and other expertise with cognitive behavioral therapy as a base theory.

**Fig. 2-5-2-5** shows the trend in the number of probationers/parolees who participated in specialized treatment programs.

**Fig. 2-5-2-5 Probationers/parolees in a specialized treatment program**

(2011-2020)



- Notes: 1. "Drug abuse relapse prevention program" from 2010 to May 2016 refers to "stimulant offender treatment program".  
 2. "Violence prevention program" and "drunk driving prevention program" include those who were enrolled in the program without "special conditions".  
 3. "Parolees (imprisonment with partial suspension of execution)" and "probationers granted partial suspension of execution" have been counted since 2016, with the commencement of the partial suspension of execution of sentence system.  
 4. Persons who had been granted partial suspension of execution of their imprisonment sentence and were released on parole and then placed under probation for suspended imprisonment after completion of their parole period are included in both "parolees (imprisonment with partial suspension of execution)" and "probationers granted partial suspension of execution".

Source: The Rehabilitation Bureau, Ministry of Justice

## Section 3 Volunteer Probation Officers and Halfway Houses

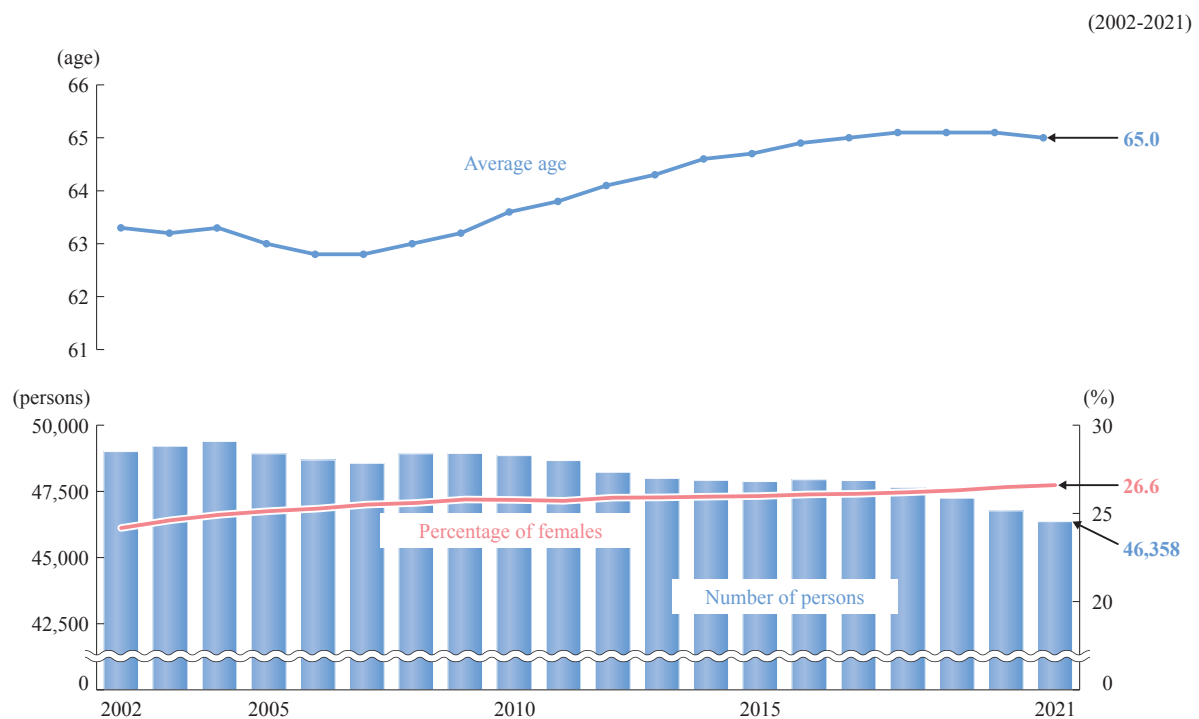
### 1 Volunteer probation officers

VPOs are volunteers who support rehabilitation of offenders and delinquents in local communities. Commissioned by the Minister of Justice pursuant to the Volunteer Probation Officers Act (Act No. 204 of 1950), they implement probation/parole supervision and adjustment of living conditions in cooperation with probation officers, and engage in crime prevention activities, etc. in partnership with local governments.

VPOs are assigned to one of 886 probation districts (as of April 1, 2021) nationwide (Source: the Rehabilitation Bureau, Ministry of Justice). VPOs are part-time national public officials.

Fig. 2-5-3-1 shows the trend in the number of VPOs, their average age, and percentage of female VPOs.

Fig. 2-5-3-1 VPOs: number, percentage of females and average age



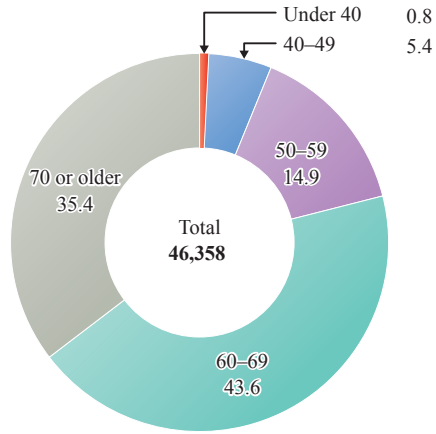
Note: The figures are as of January 1 of the respective years.  
Source: The Rehabilitation Bureau, Ministry of Justice

Fig. 2-5-3-2 shows the composition by age group and occupation of VPOs as of January 1, 2021.

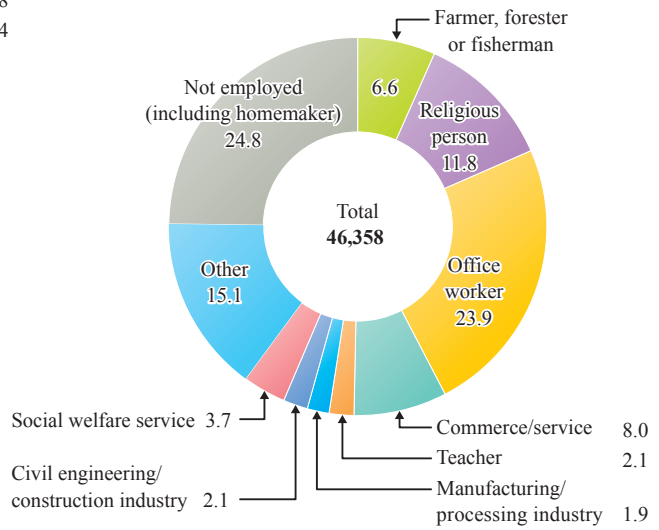
**Fig. 2-5-3-2 VPOs: composition by age group and occupation**

(as of January 1, 2021)

[1] Age groups



[2] Occupation



Note: "Other" refers to those engaged in the real estate rental business, physicians, etc.  
 Source: The Rehabilitation Bureau, Ministry of Justice

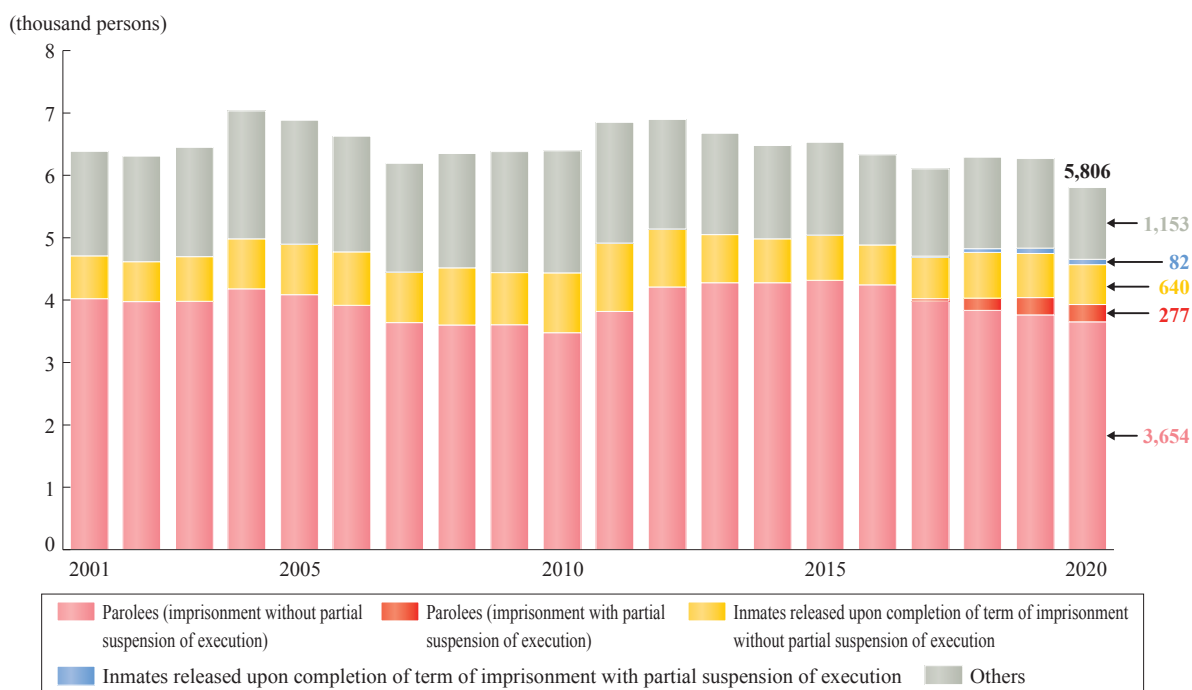
## 2 Halfway houses

Halfway houses are institutions that are commissioned, mainly by probation offices, to provide accommodation, meals, employment support, living guidance, etc. to persons under probation/parole supervision or those receiving urgent aftercare because of their difficulties in becoming independent due to lack of residence or person to rely on, and thus support their smooth reintegration into society. As of April 1, 2021, there were 103 halfway houses nationwide.

Fig. 2-5-3-3 shows the trend in the number of persons newly entrusted to halfway houses.

**Fig. 2-5-3-3 Persons newly entrusted to halfway houses**

(2001-2020)



- Notes: 1. The figures exclude persons whose category changed (e.g., a person entrusted to a house as a parolee but who remained at the house after the completion of the term of his/her sentence).
2. "Others" include juvenile probationers, juvenile training school parolees, adults whose sentences have been fully suspended (with/without probationary supervision), women's guidance home parolees, those who have received a fully suspended sentence with probation but the judgment has not yet been finalized, suspects whose prosecution has been suspended, etc. From 2002, it may also include persons who were punished with a fine/petty fine, persons released from a workhouse, juveniles released from a juvenile training school (without parole period) or parolees from a juvenile training school whose parole period has been completed.

Source: Annual Report of Statistics on Rehabilitation

# PART 3

## Trends in Juvenile Delinquency and Treatment of Juvenile Delinquents



**Special Football (Soccer) School for Juvenile Training  
School Inmates by a Professional Soccer Team**

Source: Correction Bureau, Ministry of Justice

Part  
3

In this Part, “juvenile delinquent” refers to juveniles subject to a family court hearing, which means [1] juvenile offenders (juveniles who have committed a crime (aged 14 to 19 at the time of the crime)), [2] juvenile offenders under 14 (juveniles under 14 years of age who have violated laws and regulations of a criminal nature), and [3] pre-delinquents (juveniles who are, in light of their personality or environment, likely to commit crimes or violate laws and regulations of a criminal nature in the future due to their propensity not to submit to legitimate supervision by a custodian or other reasons) (Article 3, paragraph (1) of the Juvenile Act (Act No. 168 of 1948)).

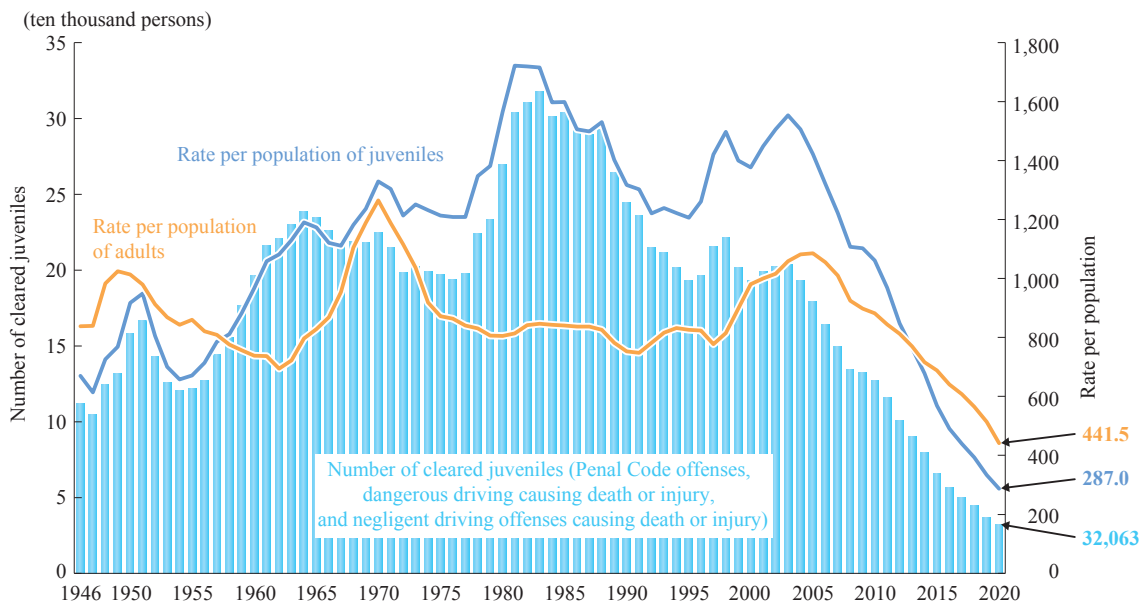
## Chapter 1 Trends in Juvenile Delinquency

### Section 1 Penal Code Offenses Committed by Juveniles

**Fig. 3-1-1-1** [1] shows the trend in the number and rate per population of juveniles cleared (including juvenile offenders under 14 who received guidance from the police; hereinafter the same applies in this Section) for Penal Code offenses, dangerous driving causing death or injury, or negligent driving offenses causing death or injury since 1946. **Fig. 3-1-1-1** [2] shows a comparison between the trend in the number and rate per population of juveniles cleared for Penal Code offenses and adults cleared for Penal Code offenses since 1966.

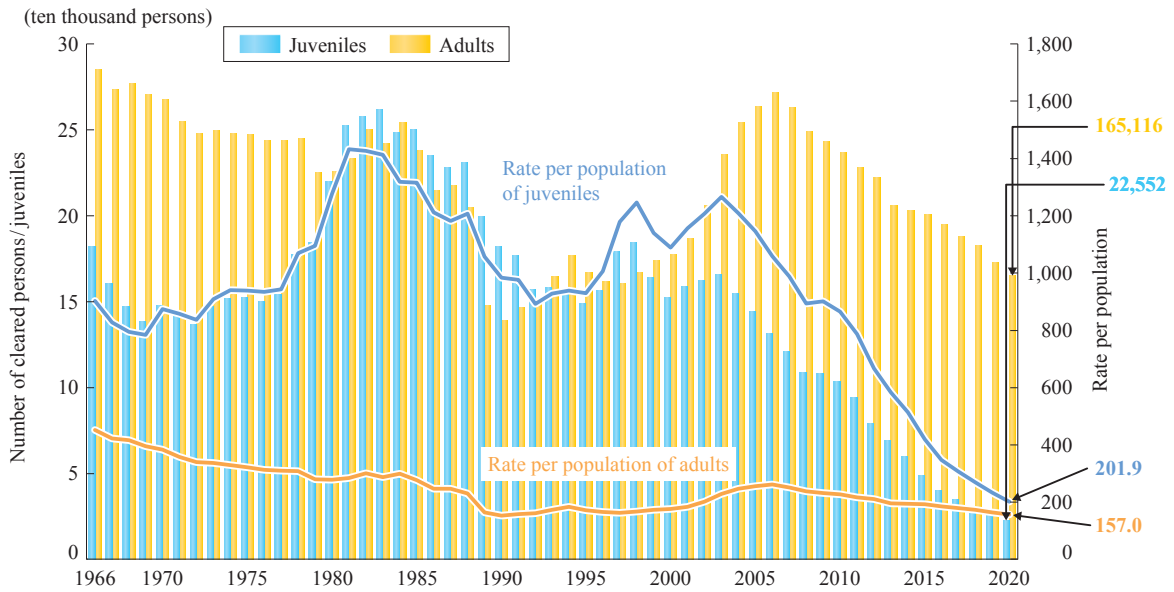
**Fig. 3-1-1-1 Penal Code offenses, dangerous driving causing death or injury, and negligent driving offenses causing death or injury: cleared juveniles and rate per population**

[1] Penal Code offenses, dangerous driving causing death or injury, and negligent driving offenses causing death or injury (1946-2020)



[2] Penal Code offenses

(1966-2020)



- Notes: 1. The figures are based on the age at the time of the offense. Those who were aged 20 or older at the time of clearance are counted as adults.  
 2. The figures include juvenile offenders under 14 who received guidance from the police.  
 3. "Rate per population of juveniles" refers to the number of juveniles cleared per 100,000 population of juveniles aged 10 and older. The rate per population of juveniles/adults in 2020 is calculated based on the population as of October 1, 2019.  
 4. "Rate per population of adults" refers to the number of adults cleared per 100,000 population of adults. The rate per population of adults in 2020 is calculated based on the population as of October 1, 2019.  
 5. The numbers for the years following 1970 in [1] do not include juvenile offenders under 14 for negligent driving offenses causing death or injury.  
 6. The numbers for the years 2002–2014 in [2] include dangerous driving causing death or injury.

Source: Criminal Statistics of the National Police Agency

The Traffic Bureau, National Police Agency

The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)



Table 3-1-1-2 shows the composition by type of offense committed by juveniles cleared for Penal Code offenses in 2020.

**Table 3-1-1-2 Penal Code offenses committed by juveniles: cleared juveniles and percentage of juveniles (by type of offense and male/female)**

(2020)

Offenses	Total		Males	Females	Percentage of females	Percentage of juveniles
Total	22,990	(100.0)	19,299	3,691	16.1	12.3
Homicide	51	(0.2)	45	6	11.8	5.8
Robbery	344	(1.5)	313	31	9.0	20.8
Arson	59	(0.3)	46	13	22.0	9.7
Rape	160	(0.7)	159	1	0.6	13.3
Assault	1,291	(5.6)	1,142	149	11.5	5.1
Injury	2,033	(8.8)	1,863	170	8.4	10.7
Extortion	395	(1.7)	349	46	11.6	25.6
Theft	12,514	(54.4)	9,898	2,616	20.9	13.7
Fraud	715	(3.1)	585	130	18.2	8.6
Embezzlement	1,834	(8.0)	1,646	188	10.3	15.0
Embezzlement of lost property	1,812	(7.9)	1,626	186	10.3	16.3
Forcible indecency	420	(1.8)	410	10	2.4	14.4
Breaking into a residence	957	(4.2)	865	92	9.6	24.9
Damage to property	833	(3.6)	744	89	10.7	15.7
Others	1,384	(6.0)	1,234	150	10.8	10.6

- Notes: 1. The figures are based on the age at the time of the offense.  
2. The figures include juvenile offenders under 14 who received guidance from the police.  
3. "Embezzlement" includes embezzlement of lost property.  
4. The figures in parentheses indicate the percentage of juveniles cleared for each offense among the total number of cleared juveniles.

Source: Criminal Statistics of the National Police Agency

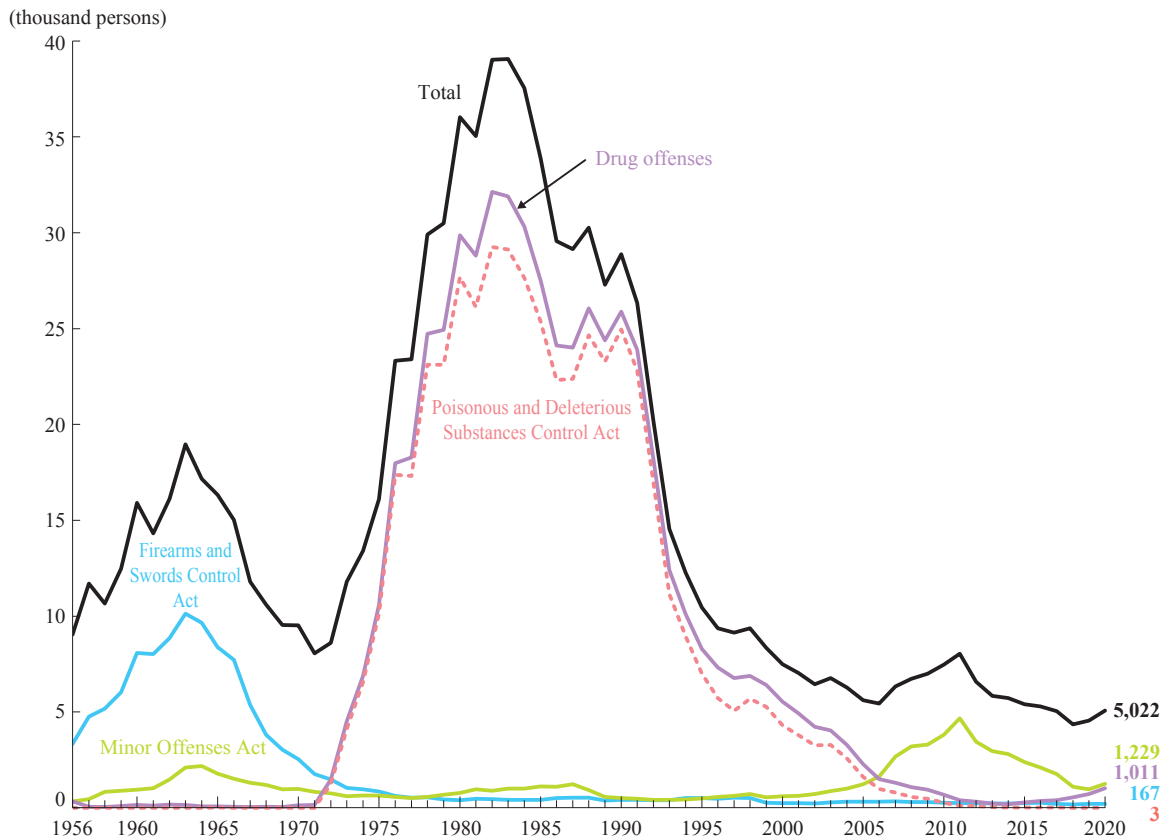


## Section 2 Special Acts Offenses Committed by Juveniles

Fig. 3-1-2-1 shows the trend in the number of juvenile offenders cleared for Special Acts offenses (excluding violations of four traffic-related Acts up to 2003 and traffic-related Acts since 2004) since 1956.

Fig. 3-1-2-1 Special Acts offenses: cleared juveniles

(1956-2020)



- Notes: 1. The figures are based on the age at the time of the offense.  
 2. The figures exclude juvenile offenders under 14.  
 3. "Drug offenses" refer to violations of the Stimulants Control Act, the Cannabis Control Act, the Narcotics and Psychotropics Control Act, the Opium Control Act, and the Poisonous and Deleterious Substances Control Act.  
 4. The figures exclude those cleared for violations of four traffic-related Acts up to 2003 and traffic-related Acts since 2004.

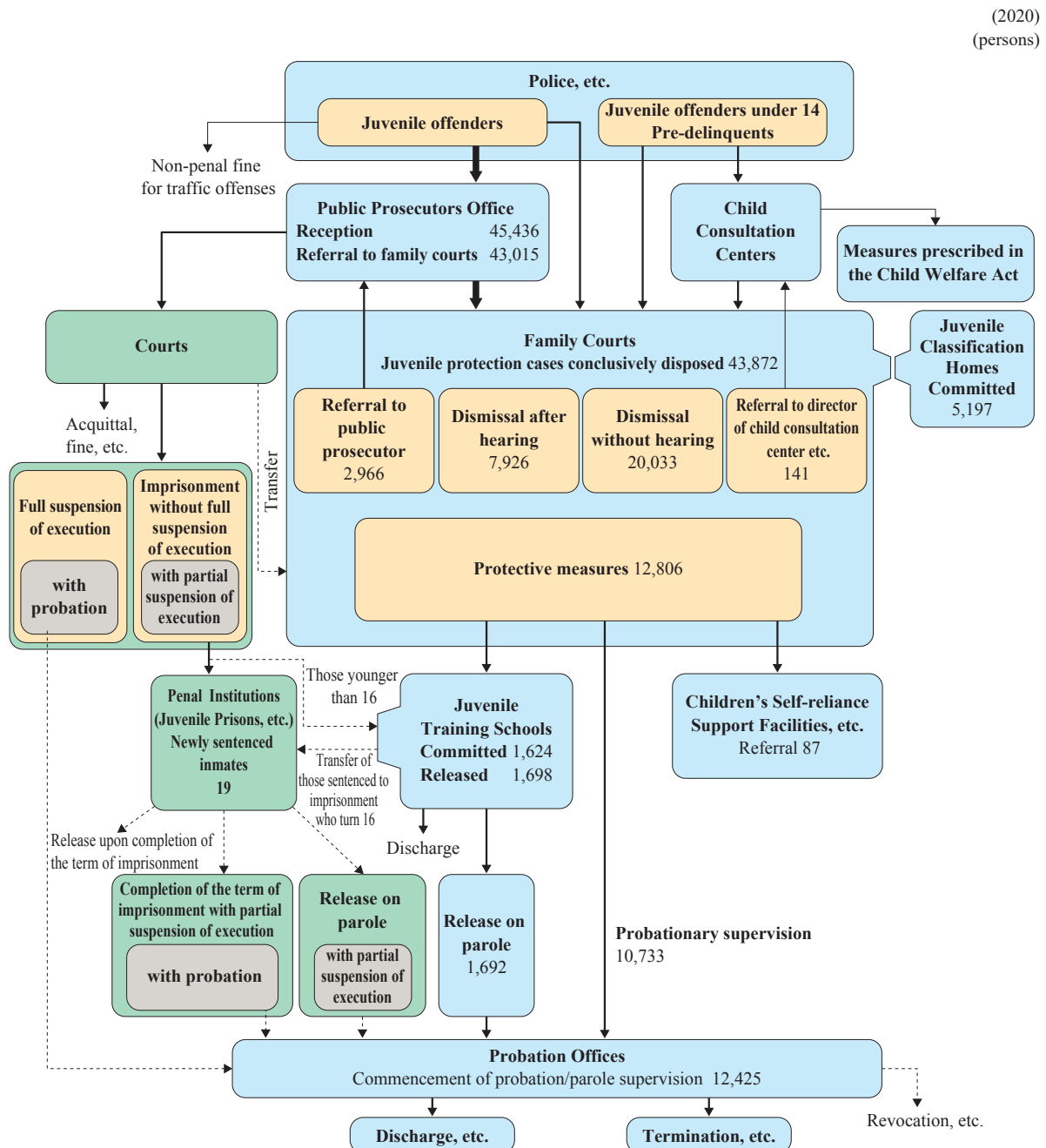
Source: Criminal Statistics of the National Police Agency

# Chapter 2 Treatment of Juvenile Delinquents

## Section 1 Overview

Fig. 3-2-1-1 shows the procedure for juvenile delinquents.

Fig. 3-2-1-1 Outline of treatment of juvenile delinquents



- Notes: 1. The figures in "Public Prosecutors Offices" count the total number of juveniles in cases received by or referred from public prosecutors offices, thus a person received/referred twice for different cases is counted as two juveniles.  
 2. "Referral to director of child consultation center, etc." refers to referral to prefectural governors or directors of child consultation centers.  
 3. "Referral to children's self-reliance support facilities, etc." refers to referral to children's self-reliance support facilities or foster homes.  
 4. The number of "released" from juvenile training schools is limited to discharge or release on parole.  
 5. "Commencement of probation/parole supervision" is limited to juvenile probationers and juvenile training school parolees.

Source: Annual Report of Statistics on Prosecution  
 Annual Report of Judicial Statistics  
 Annual Report of Statistics on Correction  
 Annual Report of Statistics on Rehabilitation

## **1 Procedure before referral to family courts**

### **(1) Juvenile offenders**

When a judicial police official investigates a juvenile's case and considers that the juvenile has committed an offense, the official shall refer the case to a family court if it involves an offense that is only punishable with a fine or less severe penalty, or to a public prosecutor if it involves an offense that is punishable with a more severe penalty, unless the case concerns a violation of the Road Traffic Act and *Hansokukin* (administrative fine) was paid in accordance with the traffic infraction notification system. When a case is referred, a public prosecutor investigates the case and then refers it to a family court if the prosecutor considers that an offense has been committed or there are any other reasons to subject the case to a family court hearing.

### **(2) Juvenile offenders under 14 and pre-delinquents**

A family court may subject juvenile offenders under 14 and pre-delinquents of the same age to a hearing only when a prefectural governor or a child consultation center's director refers them to a family court.

Police officers may investigate a case when there is probable cause to suspect that a juvenile under 14 has committed an offense. The police shall refer the case to a director of a child consultation center if, as a result of the investigation, they consider that an act of the juvenile involved a specific serious offense.

When juvenile offenders under 14 violate laws or regulations involving specific serious offenses, a prefectural governor or a director of a child consultation center is required, in principle, to refer a case to a family court. A governor or a director shall also refer a juvenile to a family court if it is considered appropriate to refer the juvenile to a family court hearing.

## **2 Procedure in family courts**

### **(1) Investigation by family courts**

A family court is required to investigate any case referred to it. It can order a family court investigating officer to investigate a case.

### **(2) Assessment by juvenile classification homes**

By a ruling, a family court may refer a juvenile to a juvenile classification home and request an assessment if it is necessary for a hearing. In such case, the juvenile is committed to a juvenile classification home, and the home assesses the juvenile based on knowledge and techniques it has in medicine, psychology, pedagogy, sociology and other expertise and conducts necessary observation and protection of the juvenile.

### **(3) Hearings in family courts**

Based on result of an investigation, a family court shall issue a ruling for commencement or non-commencement of a hearing or other proceeding.

A juvenile or his/her custodians can appoint an attendant, but they need permission of a family court to appoint someone other than an attorney at law as an attendant. Hearings are closed to the public, but a family court may allow victims of certain serious cases to observe a hearing upon their request if the court finds it appropriate and unlikely to hinder sound development of a juvenile.

A family court may, by a ruling, have a public prosecutor participate in a hearing for a case concerning a juvenile offender involved in designated serious crimes when the court finds that participation of a public prosecutor in the hearing is necessary for fact-finding regarding delinquency. In such case, if the juvenile has no attendant who is an attorney at law, the court shall appoint one.

When it is found impossible or unnecessary to place a juvenile under protective measures as a result of a hearing, a family court shall issue a ruling not to subject the juvenile to protective measures. When it is found appropriate to take the measures prescribed in the Child Welfare Act (Act No. 164 of 1947), a family court shall refer a case to a prefectural governor or a child consultation center's director. When a person is found to be 20 years of age or older, a family court shall refer a case to a public prosecutor. A family court shall, by a ruling, refer a case punishable by the death penalty or imprisonment with or without work to a public prosecutor if disposition of the case in criminal procedure is found appropriate as a result of an investigation or a hearing. If a juvenile is 16 years of age or older and has committed a specific serious act, a family court, in principle, needs to render a ruling to refer a case to a public prosecutor.

Except in the cases mentioned above, a family court shall, by a ruling, subject a juvenile to protective measures. Protective measures include placing the juvenile under probation by a probation office, referring the juvenile to a children's self-reliance support facility, to a foster home (limited to juveniles younger than 18 years of age), or to a juvenile training school (generally limited to juveniles aged 12 or older).

A juvenile or a legal representative or attendant of the juvenile may lodge an appeal against a ruling imposing protective measures only on the grounds of a violation of laws and regulations that affected the ruling, a serious error in fact-finding or substantial inappropriateness of the measures. In the case where a public prosecutor participated in a hearing by a ruling of a family court, the public prosecutor may file a request to a high court for acceptance of the case as the court of second instance only on the grounds of a violation of laws and regulations that affected the ruling or a serious error in fact-finding.

### **3 Procedure for protective measures**

#### **(1) Probation based on a decision of a family court**

A juvenile placed under probation based on a decision of a family court receives instruction, supervision, guidance and assistance necessary for reformation/rehabilitation from a probation officer or a volunteer probation officer, until turning 20 years of age or being discharged from the probation, in principle (See Section 5 of this Chapter for an overview of the probation process).

#### **(2) Referral to children's self-reliance support facilities or foster homes**

Juveniles committed to children's self-reliance support facilities/foster homes are accommodated in these facilities/homes established in accordance with the Child Welfare Act, which are open to children in need of aid.

#### **(3) Referral to juvenile training schools and parole supervision after release on parole**

A juvenile training school mainly holds juveniles referred by family courts and provides them with correctional education, support for reintegration into society and other treatment, for the purpose of fostering sound cultivation of juveniles.

A period of commitment to a juvenile training school can, in principle, last until a juvenile turns 20 years of age, but a superintendent of a juvenile training school may extend it for a period not exceeding one year from the date of the referral. A juvenile in a juvenile training school is to be released upon completion of his/her period of commitment, but in certain cases, his/her commitment may be extended based on a decision of a family court until he/she turns 23 or 26 years of age.

On the other hand, a juvenile in a juvenile training school may be released on parole before completion of his/her period of commitment based on a decision of a Regional Parole Board. If released on parole, a juvenile is placed under parole supervision after his/her release until his/her period of commitment is complete or until his/her discharge is granted by the Board.

#### **(4) The amended Juvenile Act**

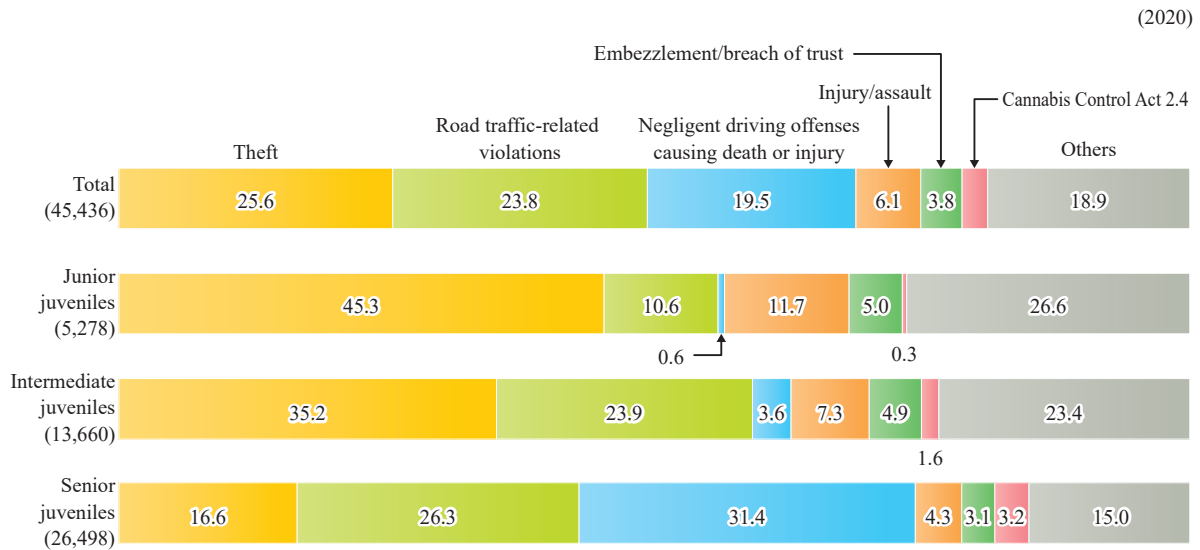
In May 2021, the Act Partially Amending the Juvenile Act. (Act No. 47 of 2021) was enacted in order to take necessary measures in light of changes in the social situation, such as lowering the legal age of adulthood from 20 to 18 years, and the crimes committed by juveniles. The new Act will come into effect on April 1, 2022. The Juvenile Act was amended to designate a juvenile aged 18 to 19 as a specified juvenile, and special provisions were established for juvenile protection cases for specified juveniles, including [1] a family court, in principle, shall refer a case to a public prosecutor, where a juvenile aged 18 or older at the time of the offense committed a crime punishable with the death penalty, life imprisonment, or imprisonment with or without work for a minimum term of one year or more; [2] a family court, when it does not refer a case to a public prosecutor, shall subject a specified juvenile to rehabilitation measures of 6 or 24 months of probation or commitment to a juvenile training school, when it is found necessary, and [3] a family court shall not subject a specified juvenile to rehabilitation measures against pre-delinquency.

## Section 2 Prosecution/Courts

### 1 Investigation by public prosecutors (before referral to family courts)

Fig. 3-2-2-1 shows the composition rate by age groups of the types of offenses committed by juvenile offenders newly received by public prosecutors in 2020.

**Fig. 3-2-2-1 Juvenile offenders received by public prosecutors: composition by type of offense (by age group)**



Notes: 1. The figures are based on the age at the time of reception.  
 2. "Embezzlement" includes embezzlement of lost property.  
 3. The figures in parentheses indicate the number of persons.  
 Source: Annual Report of Statistics on Prosecution

Public prosecutors may offer opinions on disposition they consider most appropriate when they refer juvenile cases to family courts.

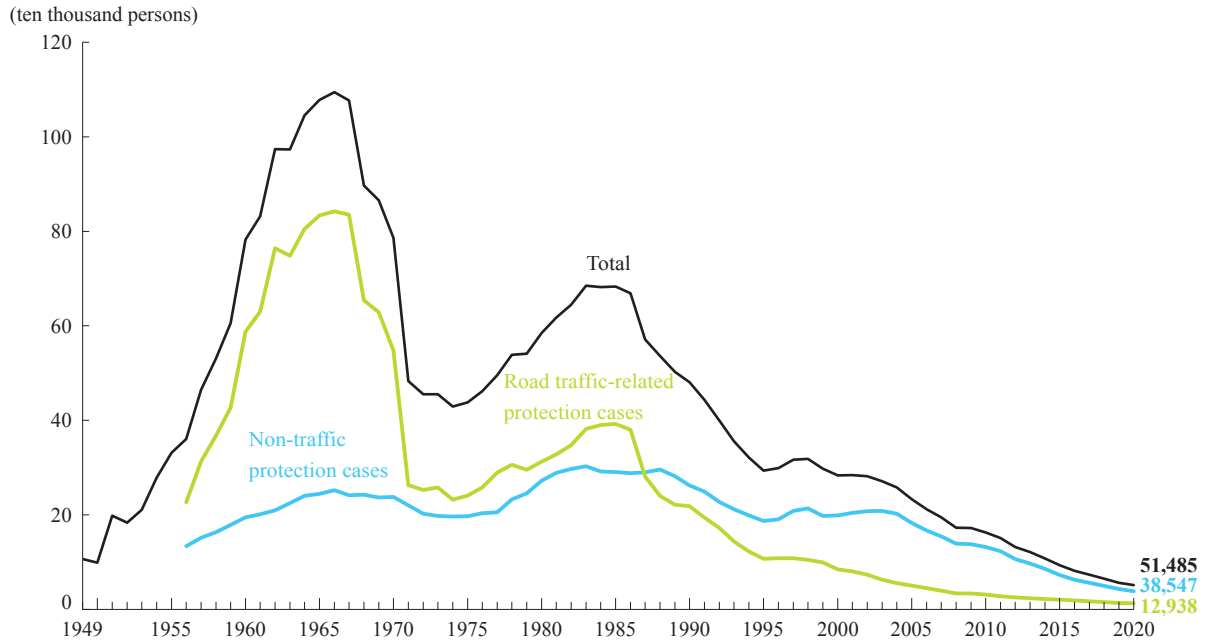


## 2 Family courts

Fig. 3-2-2-2 shows the trend in the number of juveniles received by family courts for juvenile protection cases since 1949.

**Fig. 3-2-2-2 Juvenile protection cases: juveniles received by family courts**

(1949-2020)



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## Section 3 Juvenile Classification Homes

### 1 Overview of juvenile classification homes

Juvenile classification homes have the following duties: [1] to conduct an assessment of juveniles based on professional knowledge and skills, [2] to conduct observation and protection of juveniles committed to the homes based on their characteristics and in consideration of their sound development, and [3] to provide advice and support for juveniles to relevant organizations in a local community in order to prevent crime and delinquency.

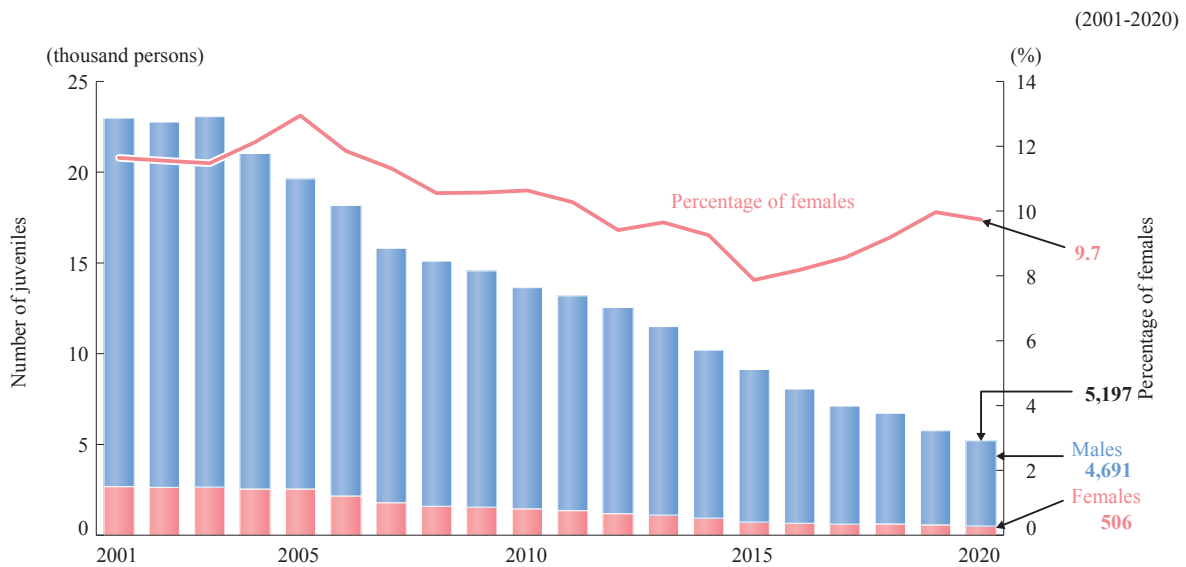
As of April 1, 2021, there were 52 juvenile classification homes nationwide (including eight branch homes).

### 2 Juveniles newly committed to juvenile classification homes

Fig. 3-2-3-1 shows the trend in the number of juveniles newly committed to juvenile classification homes (the commitment may be as a measure for observation and protection of juveniles, a measure in place of detention, or for other reasons) by male/female and the percentage of females.



**Fig. 3-2-3-1 Juveniles newly committed to juvenile classification homes (male/female) and percentage of females**



Note: "Juveniles newly committed to juvenile classification homes" exclude juveniles who were returned after escaping transferred from another institution or provisionally committed.

Source: Annual Report of Statistics on Correction

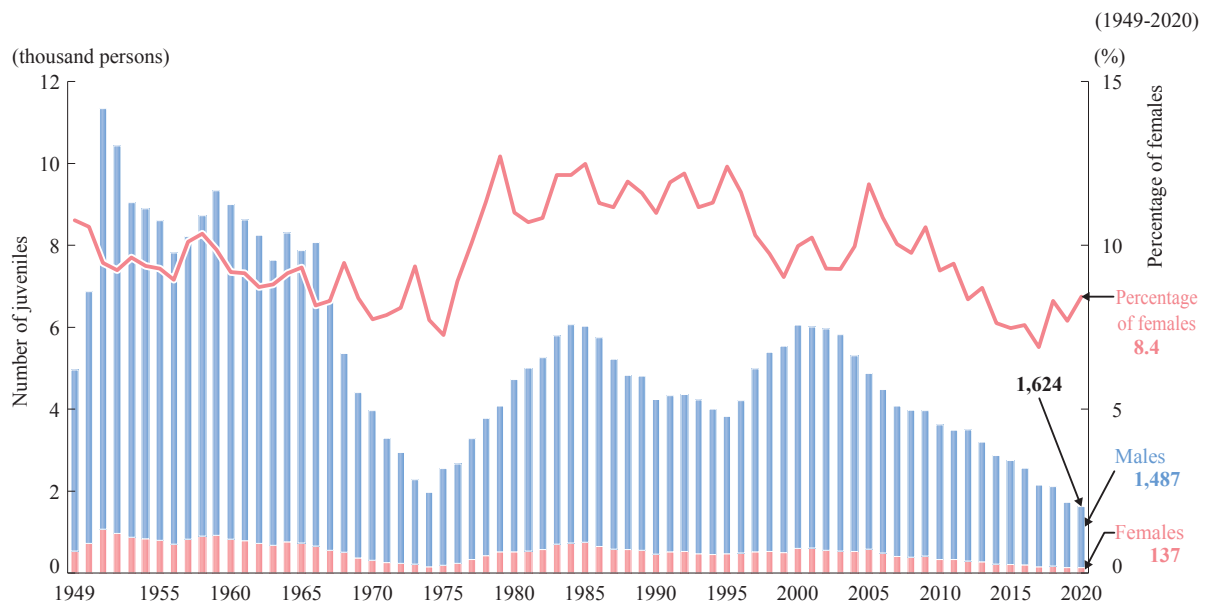
## Section 4 Juvenile Training Schools

### 1 Juveniles newly committed to juvenile training schools

#### (1) Number of juveniles newly committed to juvenile training schools

Fig. 3-2-4-1 shows the trend in the number of juveniles newly committed to juvenile training schools by male/female and the percentage of females since 1949.

**Fig. 3-2-4-1 Juveniles newly committed to juvenile training schools (male/female) and percentage of females**



Source: Statistics on Juvenile Correction and Rehabilitation  
 Annual Report of Statistics on Juvenile Correction  
 Annual Report of Statistics on Correction

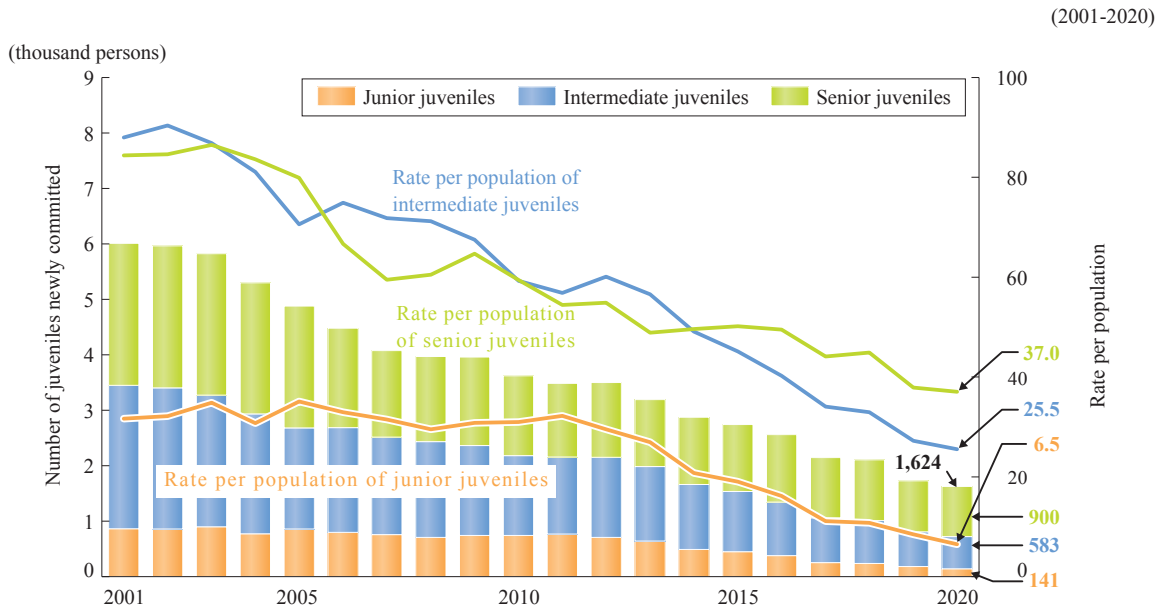
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## (2) Characteristics of juveniles newly committed to juvenile training schools

### A. Age

Fig. 3-2-4-2 shows the number and rate per population of juveniles newly committed to juvenile training schools by age group.

**Fig. 3-2-4-2 Juveniles newly committed to juvenile training schools: number and rate per population (by age group)**



- Notes: 1. The figures are based on the age at the time of commitment. "Junior juveniles" includes those younger than 14 years old and "senior juveniles" includes those who had turned 20 years old at the time of commitment.
2. "Rate per population" indicates the number of juveniles newly committed to juvenile training schools per 100,000 juveniles in the respective age groups. The rate per population of juveniles in 2020 is calculated based on the population as of October 1, 2019.

Source: Annual Report of Statistics on Correction

The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)

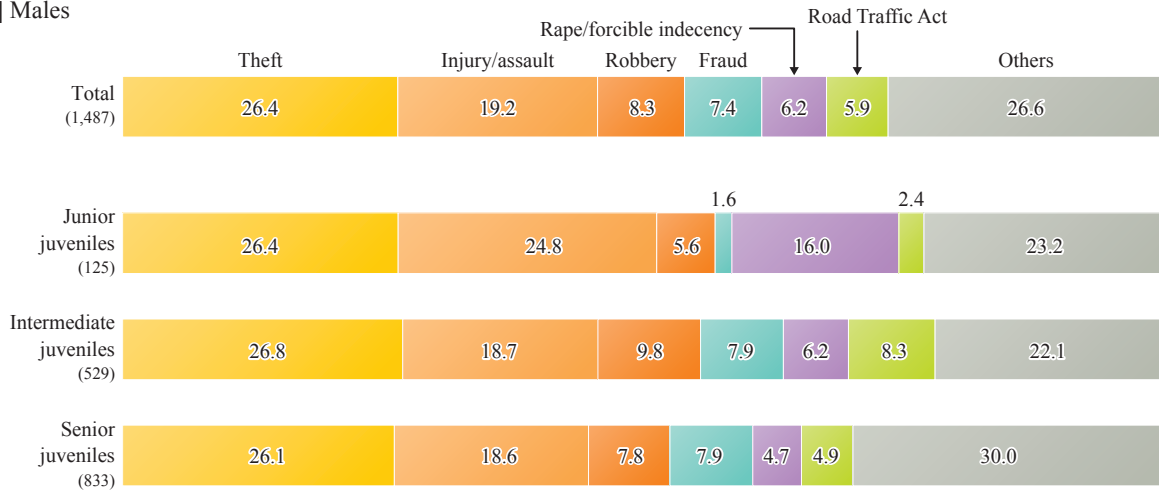
## B. Types of delinquency

Fig. 3-2-4-3 shows the composition ratio by type of delinquency committed by juveniles newly committed to juvenile training schools in 2020, by male/female and age group.

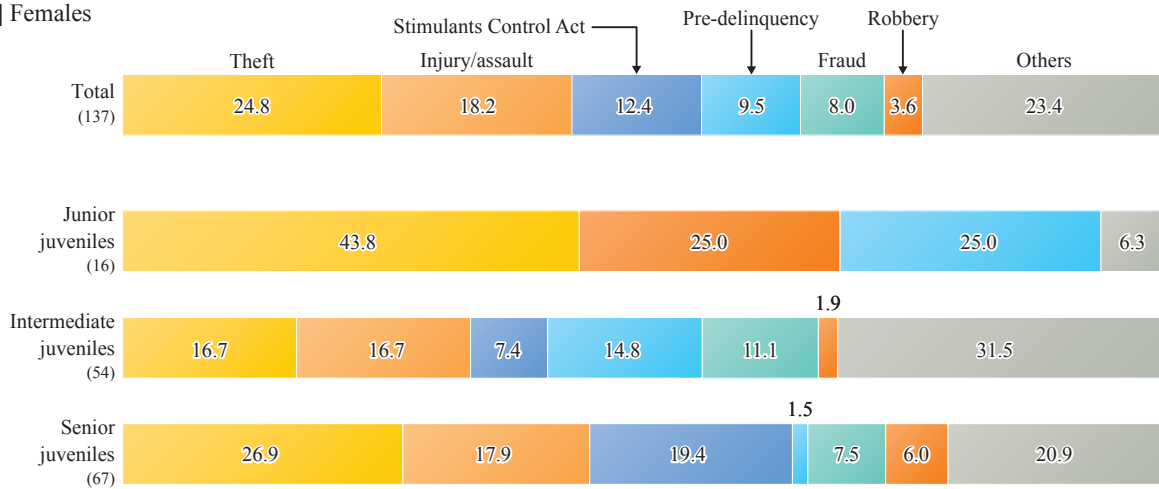
**Fig. 3-2-4-3 Juveniles newly committed to juvenile training schools: composition by type of delinquency (by age group, by male/female)**

(2020)

[1] Males



[2] Females



Notes: 1. The figures are based on the age at the time of commitment. "Junior juveniles" includes those younger than 14 years old and "senior juveniles" includes those who had turned 20 years old at the time of commitment.

2. The figures in parentheses indicate the actual number of juveniles.

Source: Annual Report of Statistics on Correction

## **2 Treatment provided in juvenile training schools**

### **(1) Classes of juvenile training schools and correctional education curriculum**

Juvenile training schools fall under the following four classes and each juvenile training school accommodates, according to the designated class, the following persons categorized based on age, level of criminal tendency, mental and/or physical condition, etc.:

As of April, 2021, there were 47 juvenile training schools nationwide (including six branch schools).

- (i) Class 1 Persons who are subject to execution of protective measures and do not have serious physical or mental disorders and are about 12 years of age or older but younger than 23 years of age (excluding those categorized as (ii));
- (ii) Class 2 Persons who are subject to execution of protective measures and whose criminal tendency is more serious, who do not have serious physical or mental disorders and who are about 16 years of age or older but younger than 23 years of age;
- (iii) Class 3 Persons who are subject to execution of protective measures and have any serious physical or mental disorder and are about 12 years of age or older but younger than 26 years of age; and
- (iv) Class 4 Persons who are subject to execution of their sentence at juvenile training schools.

Correctional education curriculum is designated for each juvenile training school to conduct correctional education in a systematic and organized manner. Correctional education curriculum is determined according to [1] types of inmates who fall under certain common characteristics in light of their age, their condition of mental and physical disorder and degree of criminal tendencies of them, [2] necessary ability for adapting themselves to living in society and [3] other circumstances. Correctional education curriculum refers to focused contents and standard periods of correctional education provided for inmates.

### **(2) Correctional education**

The centerpiece of treatment in juvenile training schools is correctional education. Inmates are provided with five fields of guidance: lifestyle guidance, vocational guidance, guidance in school courses, physical guidance and special activities guidance.

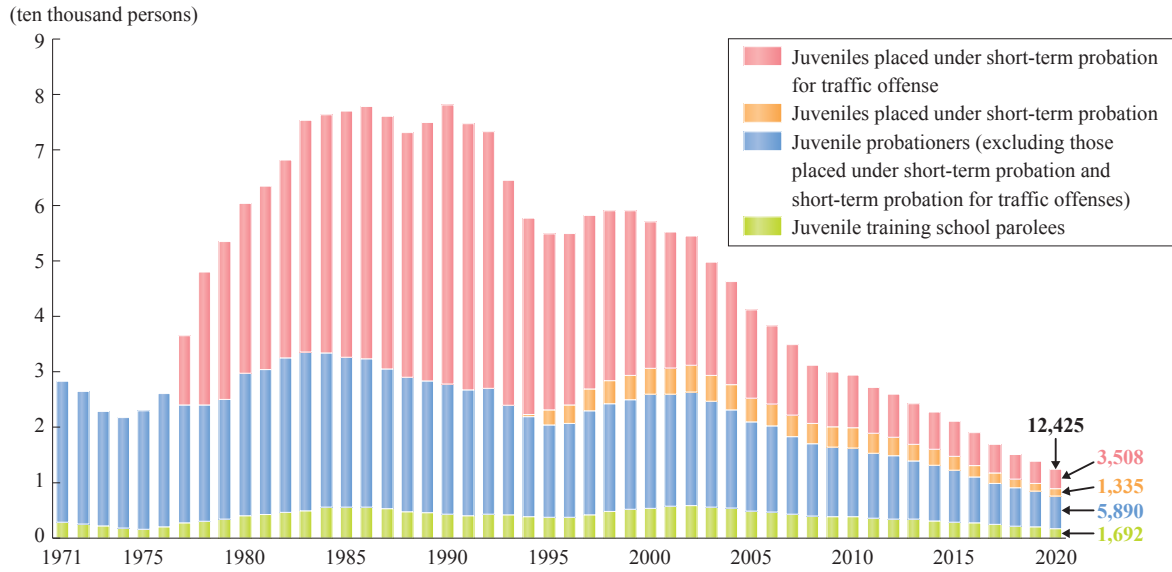
## Section 5 Probation/Parole Supervision for Juveniles

### 1 Juvenile probationers and juvenile training school parolees

Fig. 3-2-5-1 shows the trend in the number of juvenile probationers and juvenile training school parolees newly placed under probation/parole supervision.

**Fig. 3-2-5-1 Juveniles newly placed under probation/parole supervision**

(1971-2020)



Note: The figures for “short-term probation for traffic offenses” and “short-term probation” have been counted since 1977 and 1994, respectively, with the commencement of each measure.

Source: Annual Report of Statistics on Rehabilitation

## 2 Treatment for juvenile probationers and juvenile training school parolees

Table 3-2-5-2 shows the number of juvenile probationers and juvenile training school parolees by major treatment category as of the end of 2020.

**Table 3-2-5-2 Juvenile probationers/juvenile training school parolees, by treatment category**

(as of December 31, 2020)

Category Classification	Abuse of paint-thinner, etc.	Stimulant offenders	Problematic drinkers	Gang related offenders	Motorcycle gangs	Sexual offenders, etc.	Mental disorders, etc.	Junior high school students	School violence offenders	Unemployed offenders	Family violence offenders	Dependence on gambling, etc.
Juvenile probationers	4 (0.0)	34 (0.4)	205 (2.5)	13 (0.2)	239 (2.9)	743 (9.2)	600 (7.4)	254 (3.1)	49 (0.6)	712 (8.8)	142 (1.8)	33 (0.4)
Juvenile training school parolees	1 (0.0)	50 (2.4)	76 (3.7)	8 (0.4)	117 (5.7)	219 (10.7)	393 (19.2)	21 (1.0)	17 (0.8)	528 (25.8)	63 (3.1)	33 (1.6)

Notes: 1. Juveniles categorized in multiple categories are counted in each category.

2. The figures in parentheses indicate the percentage of juveniles categorized in each treatment category among the total number of juvenile probationers (excluding those placed on short-term probation for traffic offenses and short-term probation) and juvenile training school parolees (including probationers/parolees yet to be categorized), as of December 31, 2020.

Source: Annual Report of Statistics on Rehabilitation  
The Rehabilitation Bureau, Ministry of Justice

## Chapter 3 Criminal Procedure for Juveniles

A public prosecutor must, in principle, institute prosecution of a case referred to him/her by a family court if the prosecutor considers that there is sufficient suspicion to institute prosecution.

Criminal procedure for prosecuted juveniles is basically the same as that for adults. A court, however, shall, by a ruling, transfer a case to a family court if it is found appropriate to subject a juvenile defendant to protective measures as a result of examination of facts.

If a juvenile is to be punished with imprisonment with or without work for a definite term, the juvenile must be given a sentence with the minimum and the maximum imprisonment terms determined within the limit stipulated by statute (indeterminate sentence; the minimum and maximum terms cannot exceed 10 and 15 years, respectively) unless execution of the sentence is suspended.

If a person who is under 18 at the time of committing an offense is to be punished with the death penalty, life imprisonment shall be imposed. If a person who is under 18 at the time of committing an offense is to be punished with life imprisonment, imprisonment with or without work for a definite term may be imposed. In this case, the term of imprisonment imposed shall be neither less than 10 years nor more than 20 years.



## PART 4

# Specific Types of Offenses / Offenders



**A Special Guidance for Reform Lecture**

Source: Correction Bureau, Ministry of Justice



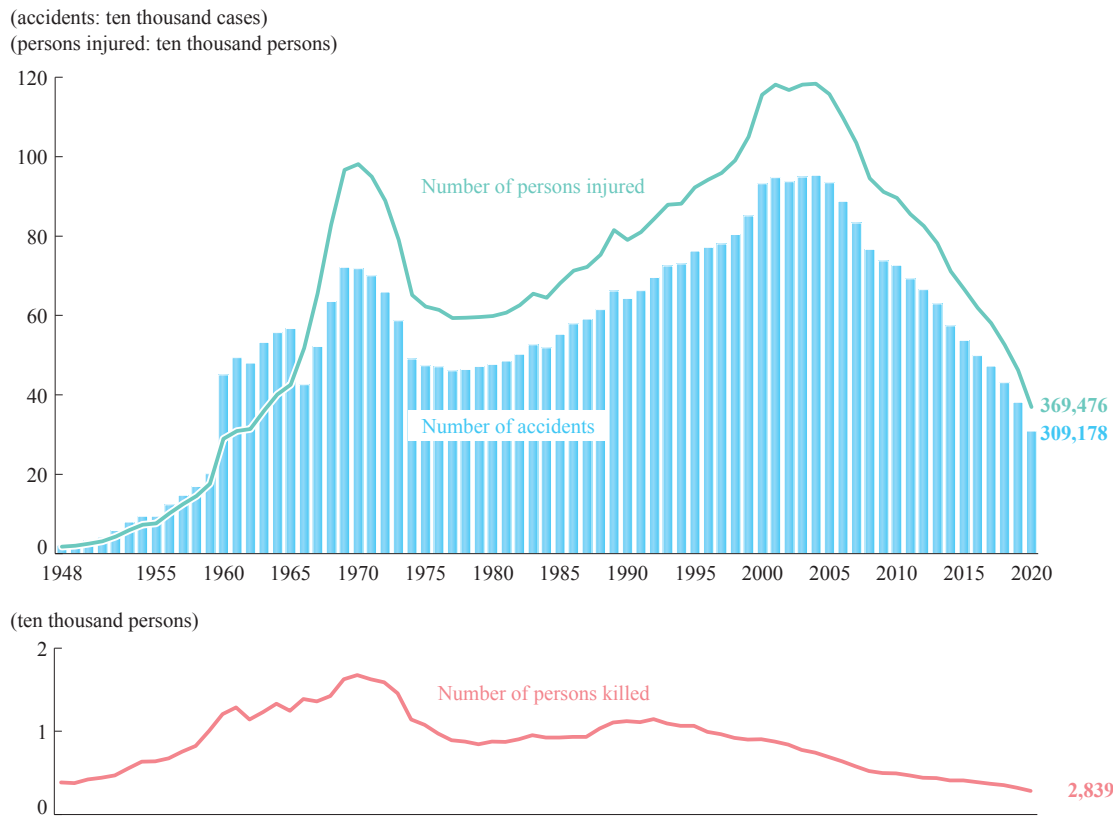
# Chapter 1 Traffic Offenses

## Section 1 Occurrence of Traffic Accidents

Fig. 4-1-1-1 shows the trend in traffic accidents and persons killed or injured in those accidents since 1948.

**Fig. 4-1-1-1 Traffic accidents: accidents occurred and persons killed/injured**

(1948-2020)



- Notes: 1. "Number of accidents" refers to the traffic accidents that occurred on the "road" as defined in Article 2, paragraph (1), item (i) of the Road Traffic Act, and the figures since 1966 are limited to fatal/injurious accidents.  
 2. The figures for "number of accidents" and "number of persons injured" before 1959 do not include accidents that resulted either in an injury requiring a week or less for recovery, or property damage of 20,000 yen or less.  
 3. "Number of persons killed" accounts for those who died within 24 hours after the accident.

Source: The Traffic Bureau, National Police Agency

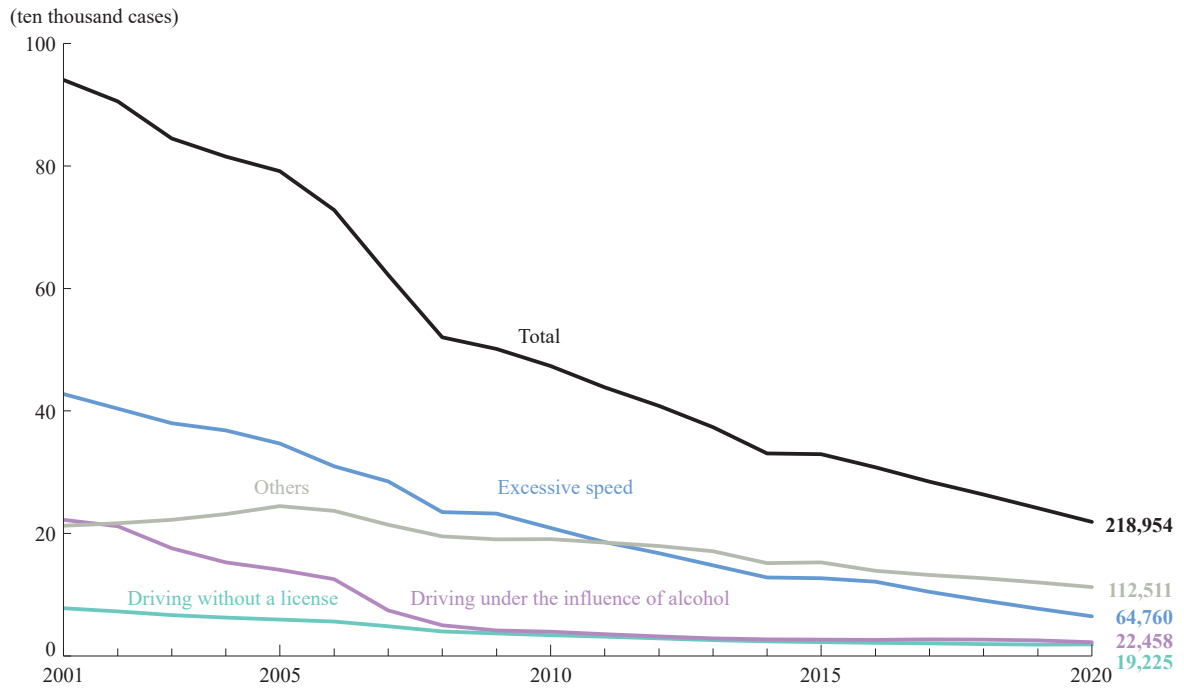


## Section 2 Road Traffic-related Violations

Fig. 4-1-2-1 shows the trend in cases referred to public prosecutors for road traffic-related violations.

**Fig. 4-1-2-1 Road traffic-related violations: referred cases**

(2001-2020)



Note: "Others" include violations by light vehicles.  
Source: The Traffic Bureau, National Police Agency

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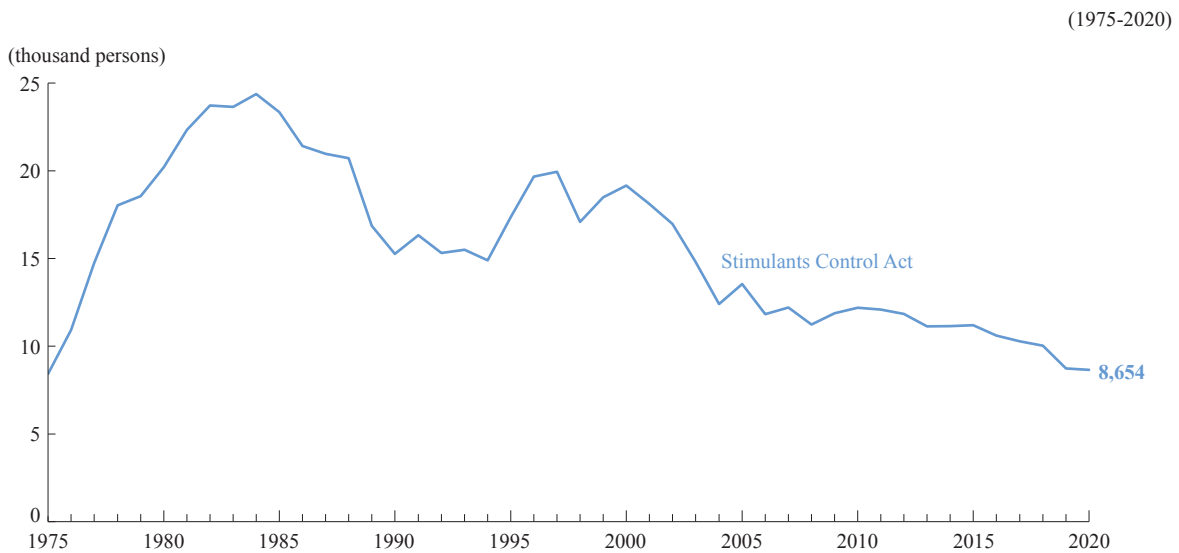
## Chapter 2 Drug Offenses

### Section 1 Trends in Offenses

#### 1 Stimulants Control Act violations

Fig. 4-2-1-1 shows the trend in the number of persons cleared for violations of the **Stimulants Control Act** (Act No. 252 of 1951) (including violations of the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the revention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation) (including those cleared by special judicial police officers) since 1975.

Fig. 4-2-1-1 Violations of Stimulants Control Act: cleared persons



Notes: 1. The figures include persons cleared for violations of the Act on Special Provisions for Narcotics concerning stimulants.

2. The figures include persons cleared by officials of law enforcement agencies other than the police.

Source: The Pharmaceutical Safety and Environmental Health Bureau, the Ministry of Health, Labour and Welfare (for data from 2016)

The Cabinet Office (for data from 2008 up to 2015)

The Pharmaceutical and Food Safety Bureau, the Ministry of Health, Labour and Welfare (for data up to 2007)

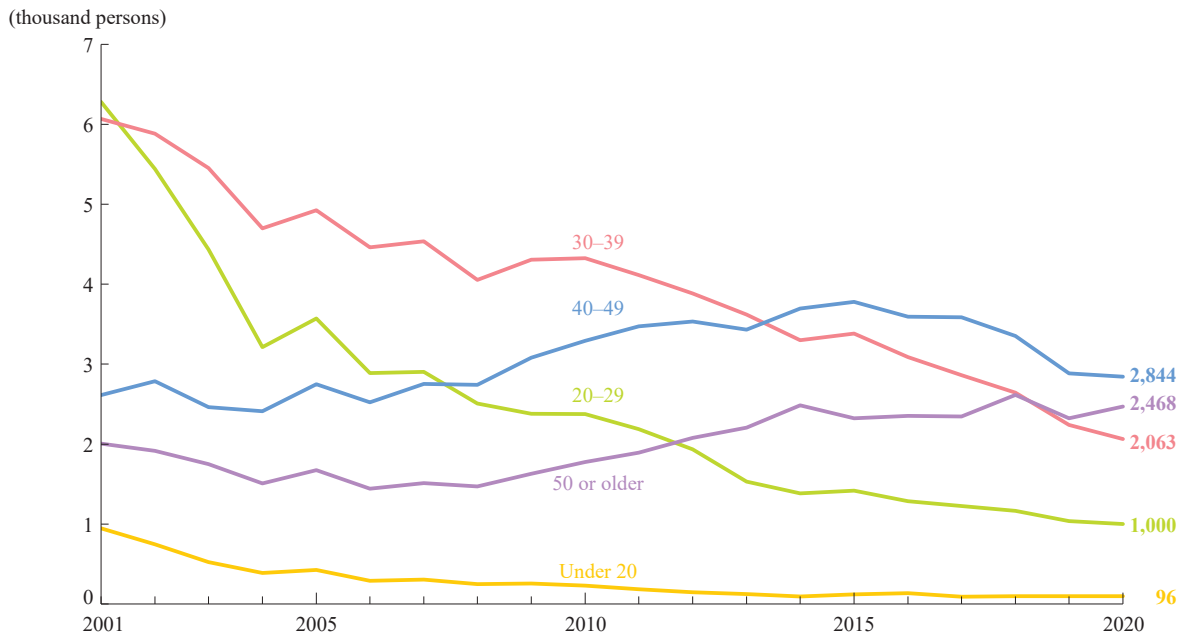
The Criminal Affairs Bureau, National Police Agency (for data up to 2007)

The Guard and Rescue Department, Japan Coast Guard (for data up to 2007)

Fig. 4-2-1-2 shows the number of persons cleared (limited to those cleared by the police) for violations of the Stimulants Control Act by age group.

**Fig. 4-2-1-2 Violations of Stimulants Control Act: cleared persons by age group**

(2001-2020)



Notes: 1. The figures are based on the age at the time of the offense.

2. The figures include persons cleared for violations of the Act on Special Provisions for Narcotics concerning stimulants and do not include persons cleared by officials of law enforcement agencies other than the police.

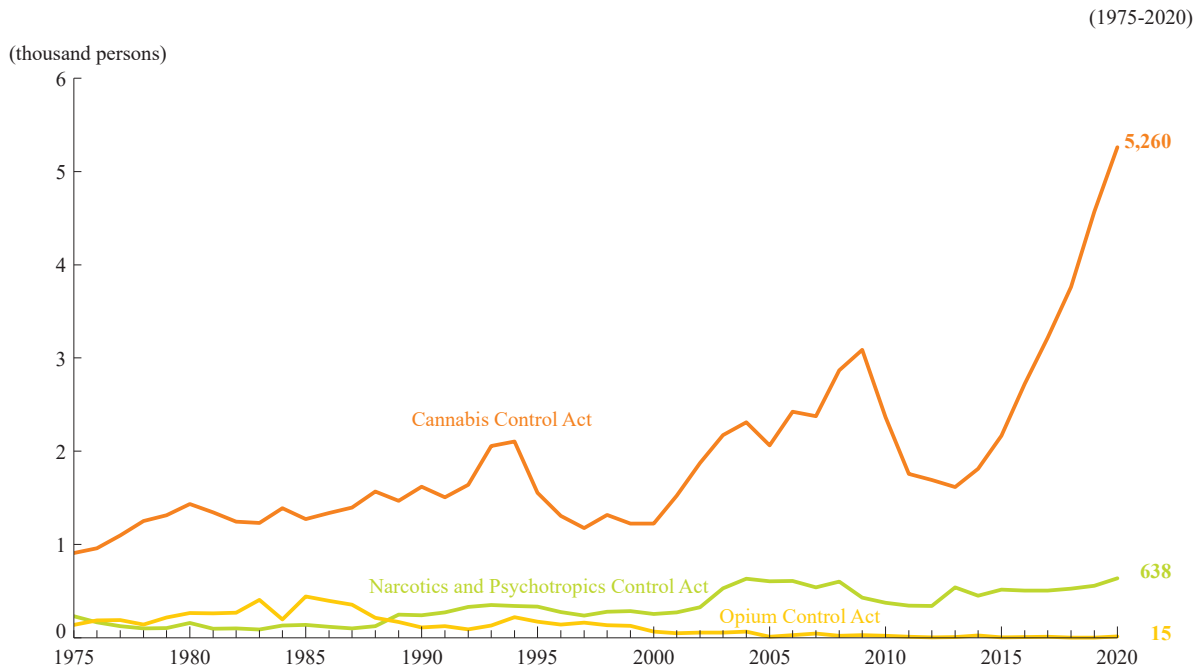
Source: The Criminal Affairs Bureau, National Police Agency

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## 2 Cannabis and other drug-related offenses

Fig. 4-2-1-3 shows the trend in the number of persons cleared for violations of the Cannabis Control Act (Act No. 124 of 1948), Narcotics and Psychotropics Control Act (Act No. 14 of 1953) and Opium Control Act (Act No. 71 of 1954) (including those cleared by special judicial police officials) since 1975.

**Fig. 4-2-1-3 Violations of Cannabis Control Act and other drug control laws: cleared persons by type of offense**



Notes: 1. The figures include persons cleared for violations of the Act on Special Provisions for Narcotics pertaining to cannabis, narcotic and psychotropic drugs, and opium.

2. The figures include persons cleared by officials of law enforcement agencies other than the police.

Source: The Pharmaceutical Safety and Environmental Health Bureau, the Ministry of Health, Labour and Welfare (for data from 2016)

The Cabinet Office (for data from 2008 up to 2015)

The Pharmaceutical and Food Safety Bureau, the Ministry of Health, Labour and Welfare (for data up to 2007)

The Criminal Investigation Bureau, National Police Agency (for data up to 2007)

The Guard and Rescue Department, Japan Coast Guard (for data up to 2007)

### 3 Offenses related to new psychoactive substance

Table 4-2-1-4 shows the trend in the number of persons cleared (limited to those cleared by the police) for offenses related to **New Psychoactive Substances** (substances produced to have chemical structure and pharmacological effects similar to controlled substances (stimulants, cannabis, narcotics and psychotropics, opium and opium poppies) or designated substances (designation under Article 2, Paragraph (15) of the **Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices** (Act No. 145 of 1960)); they include substances falsely presented as not containing controlled/designated substances), by type of law and regulation.

**Table 4-2-1-4 New psychoactive substances: cleared persons by type of regulation**

(2016-2020)

Applied regulations	2016	2017	2018	2019	2020
Total	920	651	396	182	150
Pharmaceuticals and Medical Devices Act (Pharmaceutical Affairs Act)	758	578	346	165	131
Narcotics and Psychotropics Control Act	126	56	48	17	19
Traffic offenses	7	1	1	-	-
Others	29	16	1	-	-

Notes: 1. The figures do not include persons cleared by officials of law enforcement agencies other than the police.

2. Persons cleared for more than one offense are counted only for the most severe offense.

3. "New psychoactive substances (NPS)" refer to substances produced to have chemical structure and pharmacological effects similar to controlled substances (stimulants, cannabis, narcotics/psychotropics, opium and opium poppies) or designated substances (designation under Article 2, paragraph (15) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 145 of 1960; hereinafter referred to as "Pharmaceuticals and Medical Devices Act"). They include substances falsely presented as not containing controlled/designated substances.

4. "Pharmaceuticals and Medical Devices Act (Pharmaceutical Affairs Act)" accounts for the offenses only if designated substances are detected from the NPS relevant to the offense.

5. "Narcotics and Psychotropics Control Act" accounts for the offenses only if narcotics are detected from the NPS relevant to the offense.

6. "Traffic offenses" refer to offenses of dangerous driving causing death or injury, offenses that cause death or injury through negligence in vehicle driving, negligent driving offenses causing death or injury, violations of the Road Traffic Act, etc.

7. "Others" refer to violations of the Stimulants Control Act, abandonment by a person responsible for protection causing death related to NPS, prefectural ordinances on drug abuse prevention, violations of the Pharmaceuticals and Medical Devices Act that are not related to designated substances.

8. "Traffic offenses" and "others" include cases related to substances that had yet to be designated at the time of the offense but were designated after the clearance of the offense.

Source: The Criminal Affairs Bureau, National Police Agency

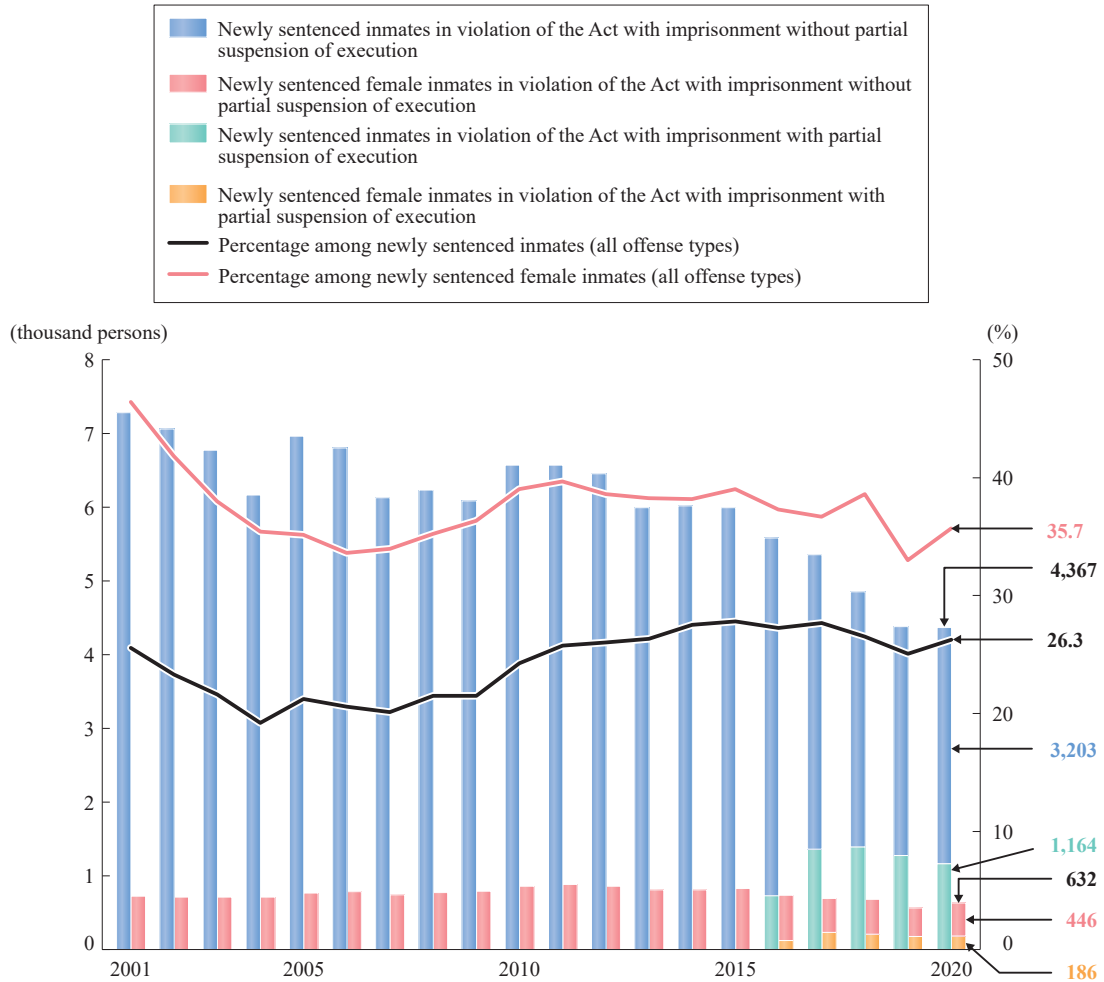


## Section 2 Treatment of Drug Offenders

Fig. 4-2-2-1 shows the trend in the number of newly sentenced inmates for violations of the Stimulants Control Act.

**Fig. 4-2-2-1 Violations of Stimulants Control Act: newly sentenced inmates**

(2001-2020)



Source: Annual Report of Statistics on Correction

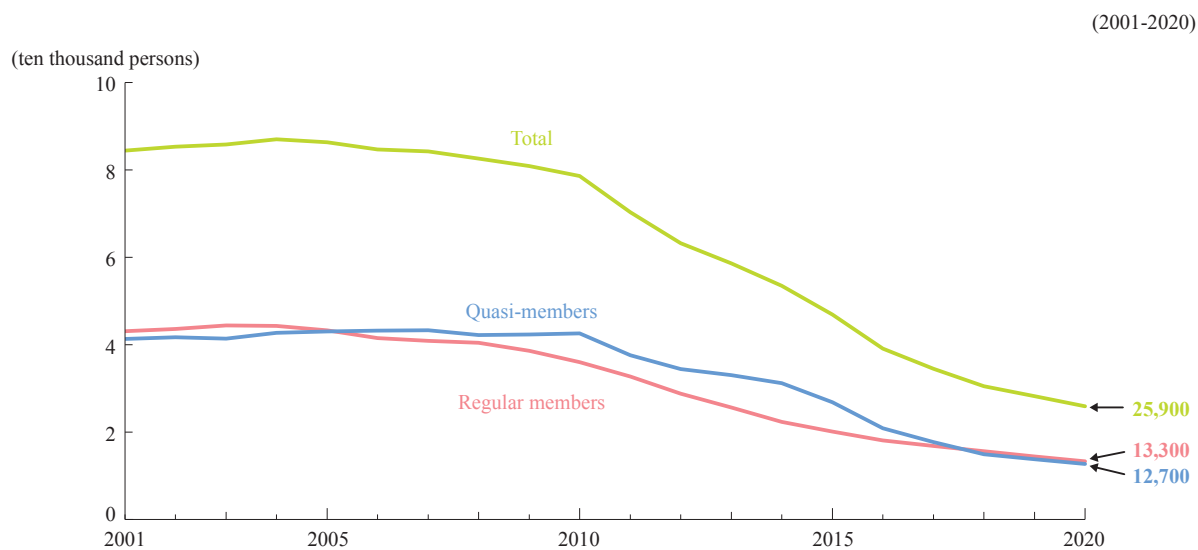


## Chapter 3 Organized Crime

### Section 1 Trends in Organized Crime Groups

Fig. 4-3-1-1 shows the trend in the number of members or quasi-members of organized crime groups identified as *Boryokudan*.

Fig. 4-3-1-1 Members/quasi-members of *Boryokudan*



Notes: 1. "Total" may not be the exact sum of "regular members" and "quasi-members" because the figures are rough estimates of year-end members.

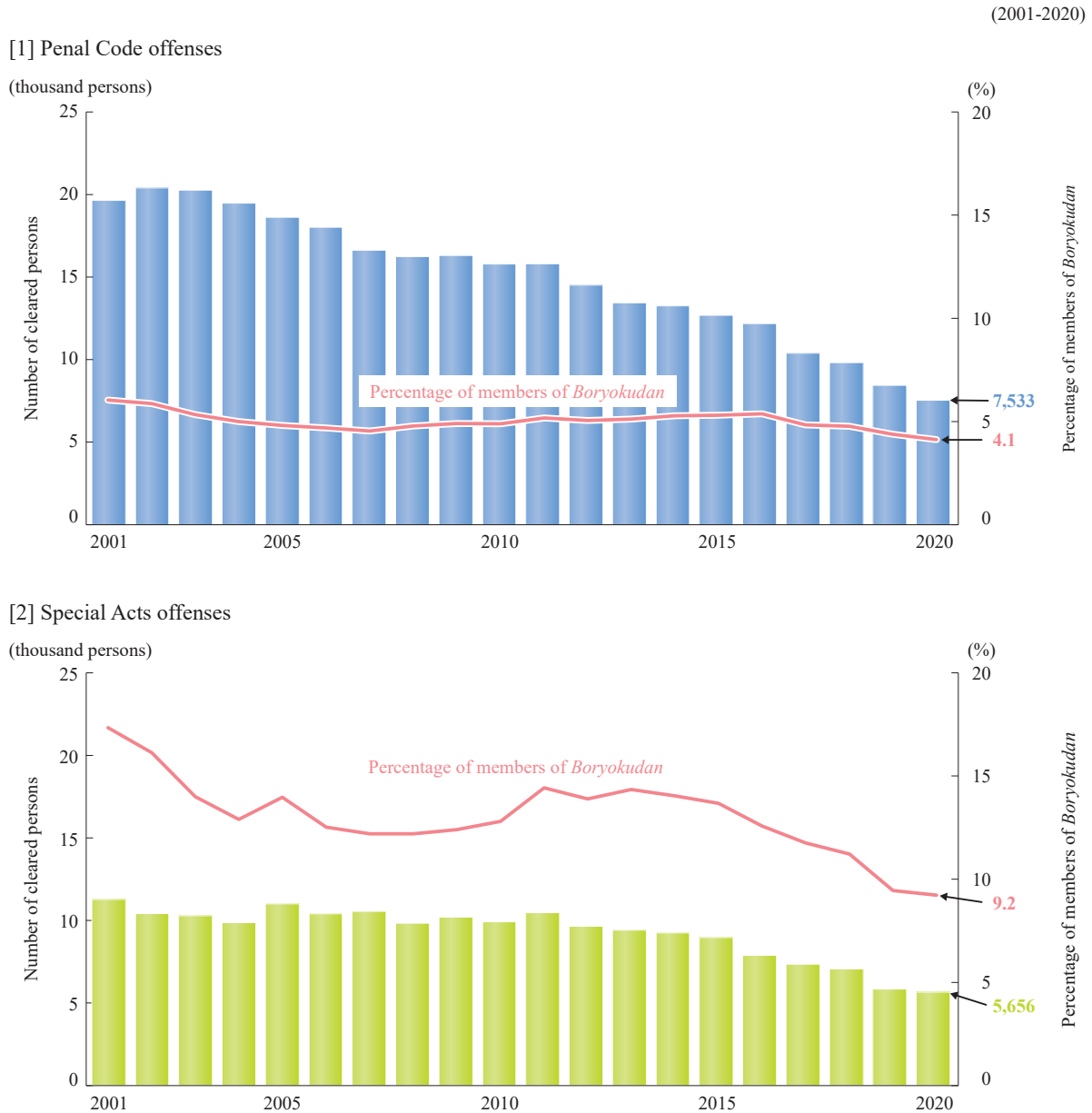
2. "Quasi-members" refer to persons who are associated with *Boryokudan* and may commit illegal and/or violent acts backed by power of a group, or those who cooperate with or are involved in maintenance/management of the group by providing funding.

Source: The Criminal Affairs Bureau, National Police Agency

## Section 2 Trends in Offenses

Fig. 4-3-2-1 shows the trend in the number of *Boryokudan* members, etc. cleared for Penal Code offenses and Special Acts offenses (excluding violations of traffic-related Acts).

**Fig. 4-3-2-1 Members of *Boryokudan* cleared (Penal Code offenses/Special Acts offenses)**



Notes: 1. The number of *Boryokudan* members cleared for Special Acts offenses excludes violations of traffic-related Acts.  
 2. "Members of *Boryokudan*" refer to members or quasi-members of *Boryokudan* and others around them.  
 3. "Percentage of members of *Boryokudan*" refers to the percentage of members of *Boryokudan* among the total number of cleared persons.

Source: Criminal Statistics of the National Police Agency

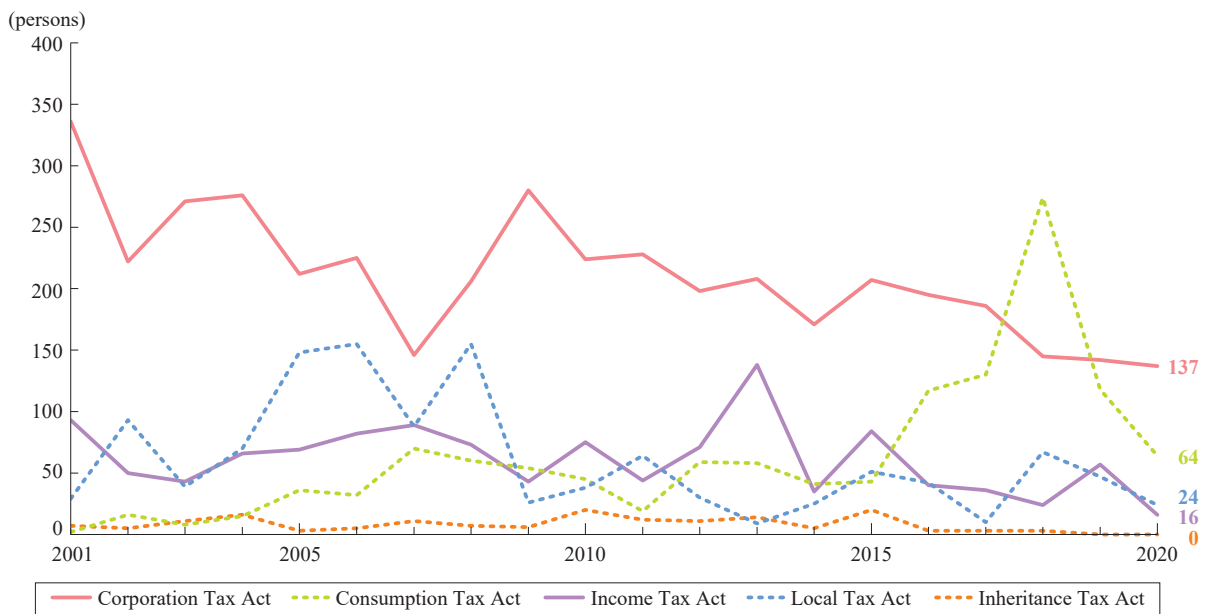
# Chapter 4 Financial and Economic Offenses

## Section 1 Tax-related Offenses

Fig. 4-4-1-1 shows the trends in the number of persons received by public prosecutors for violations of the **Inheritance Tax Act** (Act No. 73 of 1950), the **Local Tax Act** (Act No. 226 of 1950), the **Income Tax Act** (Act No. 33 of 1965), the **Corporation Tax Act** (Act No. 34 of 1965), and the **Consumption Tax Act** (Act No. 108 of 1988).

**Fig. 4-4-1-1 Tax violations: persons received by public prosecutors**

(2001-2020)



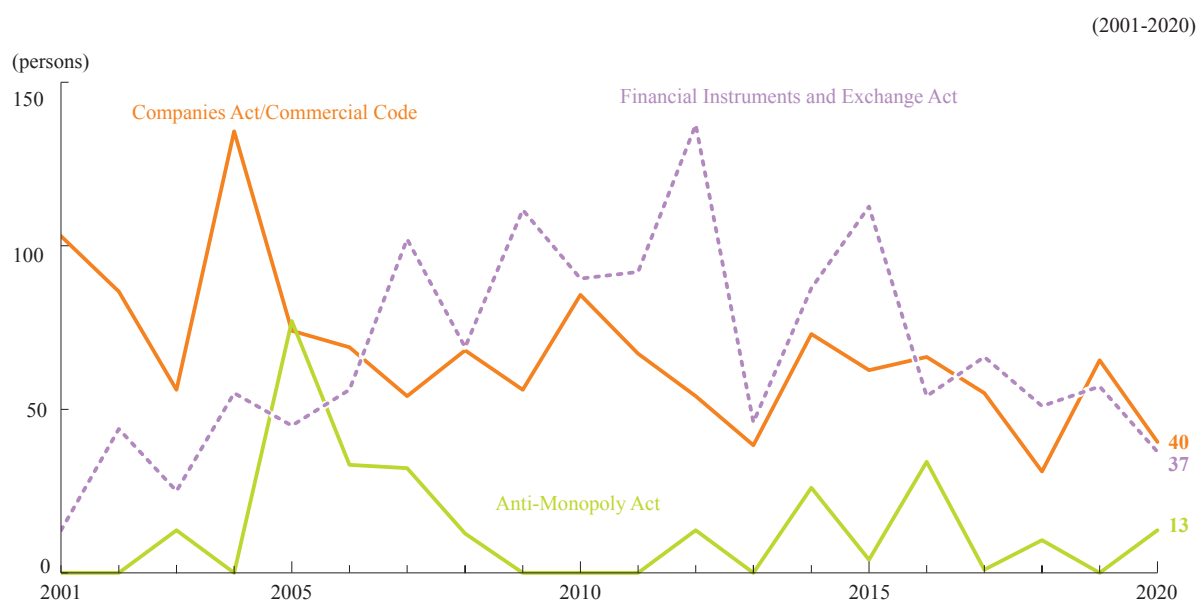
Source: Annual Report of Statistics on Prosecution

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## Section 2 Economic Offenses

Fig. 4-4-2-1 shows the trend in the number of persons received by public prosecutors for violations of the **Companies Act** (Act No. 86 of 2005)/**Commercial Code** (Act No. 48 of 1899, prior to its amendment by Act No. 87 of 2005), the **Act on Prohibition of Private Monopolization and Maintenance of Fair Trade** (Act No. 54 of 1947; hereinafter referred to as the “Anti-Monopoly Act”), and the **Financial Instruments and Exchange Act** (Act No. 25 of 1948; the Act was titled “Securities and Exchange Act” prior to its amendment on September 30, 2007).

**Fig. 4-4-2-1 Violations of Companies Act/Commercial Code, etc.: persons received by public prosecutors**



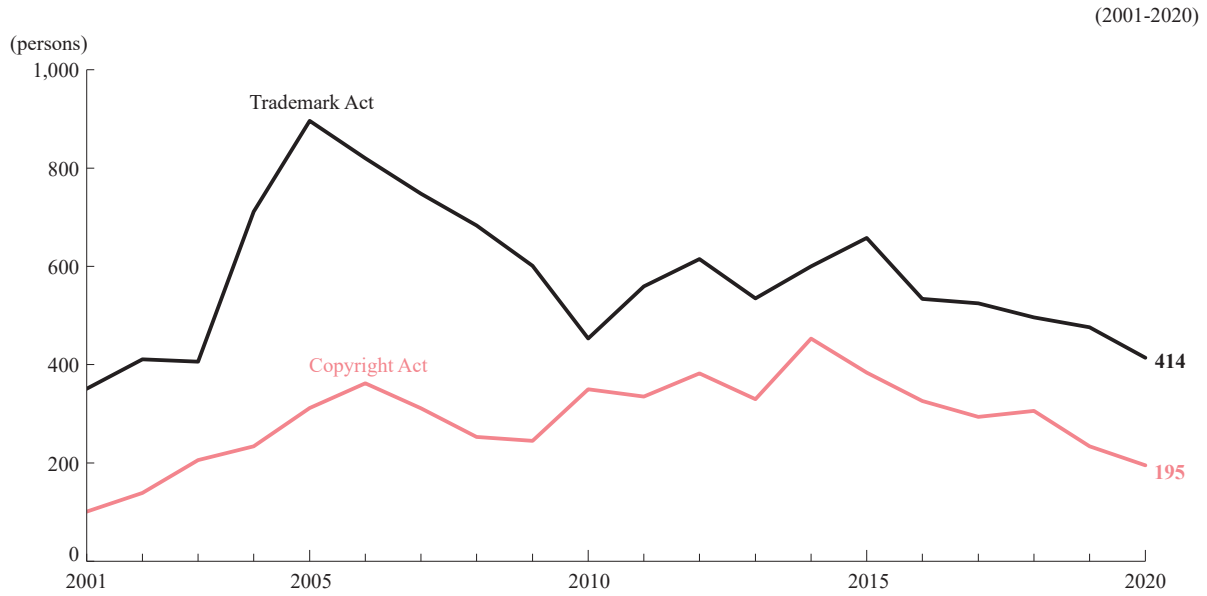
Note: “Companies Act/Commercial Code” refers to violations of the Companies Act (Act No. 86 of 2005) and the Commercial Code (Act No. 48 of 1899) prior to its amendment by Act No. 87 of 2005.

Source: Annual Report of Statistics on Prosecution

### Section 3 Intellectual Property-related Offenses

Fig. 4-4-3-1 shows the trend in the number of persons received by public prosecutors for violations of the Trademark Act (Act No. 127 of 1959) and the Copyright Act (Act No. 48 of 1970).

Fig. 4-4-3-1 Violations of Trademark Act and Copyright Act: persons received by public prosecutors



Source: Annual Report of Statistics on Prosecution

## Chapter 5 Cybercrime

**Table 4-5-1** shows the trend in the number of cleared cases for offenses involving computers or electromagnetic records (unauthorized creation or damaging of electromagnetic records, obstruction of business by damaging a computer, computer fraud, and creation of unauthorized commands for electromagnetic records, etc.), offenses related to electromagnetic records of payment cards (offenses stipulated in Chapter XVIII-2, Part II of the Penal Code), and violation of the **Act on Prohibition of Unauthorized Computer Access** (Act No. 128 of 1999; hereinafter referred to as “**Unauthorized Computer Access Act**”).

**Table 4-5-1 Offenses involving computers or electromagnetic records: cleared cases**

(2016-2020)

Year	Offenses involving computers or electromagnetic records	Unauthorized creation or damaging of electromagnetic records	Obstruction of business by damaging a computer	Computer fraud	Creation of unauthorized commands for electromagnetic records, etc.	Offenses related to electromagnetic records of payment cards	Unauthorized Computer Access Act
2016	374	24	11	281	58	608	502
2017	355	39	13	228	75	579	648
2018	349	84	9	188	68	405	564
2019	436	83	12	325	16	286	816
2020	563	15	17	511	20	91	609

Notes: 1. “Unauthorized creation or damaging of electromagnetic records” includes cleared cases of the unauthorized creation of electromagnetic records of payment cards which are also part of the figures for “offenses related to electromagnetic records of payment cards”.

2. “Creation of unauthorized commands for electromagnetic records, etc.” refers to offenses provided in Part II, Chapter XIX-2 of the Penal Code.

Source: Criminal Statistics of the National Police Agency

Commissioner General’s Secretariat, National Police Agency



**Table 4-5-2** shows the trend in the number of cleared cases for committing fraud through the internet, violation of the **Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children** (Act No. 52 of 1999; hereinafter referred to as “**Act against Child Prostitution and Pornography**”), and offenses using computer networks as vital tools among cybercrime.

**Table 4-5-2 Cybercrime: cleared cases (by type of offense)**

(2016-2020)

Category	2016	2017	2018	2019	2020
Total	7,448	8,011	8,127	8,267	8,703
Fraud	828	1,084	972	977	1,297
Internet auction fraud	208	212	...	...	...
Intimidation	387	376	310	349	408
Defamation	215	223	240	230	291
Distribution of obscene objects	819	769	793	792	803
Act against Child Prostitution and Pornography	2,002	2,225	2,057	2,281	2,015
Child prostitution	634	793	672	706	577
Child pornography	1,368	1,432	1,385	1,575	1,438
Internet Dating Site Control Act	222	...	...	...	...
Youth Protection Ordinances	616	858	926	1,038	1,013
Trademark Act	298	302	375	327	306
Copyright Act	586	398	691	451	363
Anti-Stalking Act	267	323	269	325	347
Others	1,208	1,453	1,494	1,497	1,860

Notes: 1. “Internet auction fraud” is also included in “fraud” and counted in the years when statistical materials are available.

2. “Others” include Anti-Prostitution Act and, in and after 2017, violations of the Internet Dating Site Control Act.

Source: Commissioner General’s Secretariat, National Police Agency



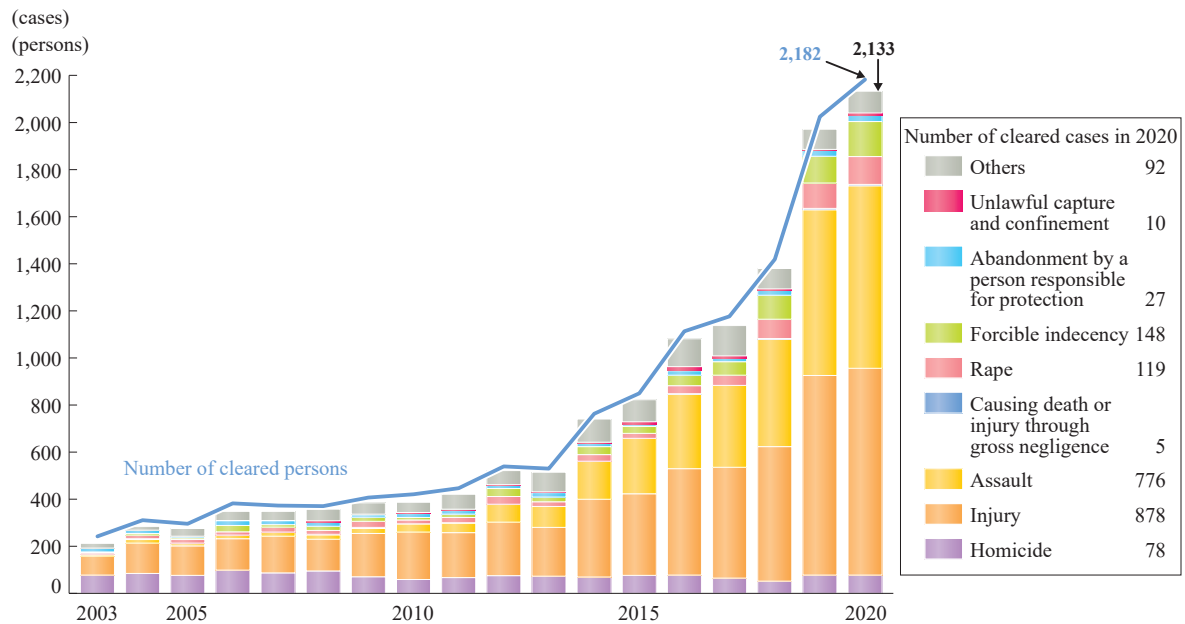
# Chapter 6 Child Abuse, Spousal Offenses and Stalking-related Crimes

## Section 1 Child Abuse

Fig. 4-6-1-1 shows the trend in the number of cleared cases and cleared persons for child abuse cases (cases cleared for “child abuse” defined in Article 2 of the Act on the Prevention, etc. of Child Abuse (Act No. 82 of 2000)), by type of offense.

**Fig. 4-6-1-1 Child abuse: cases/persons cleared, by type of offense**

(2003-2020)



- Notes: 1. The figures are based on data in and after 2003 for which statistical materials are available.  
 2. “Homicide”, “abandonment by a person responsible for protection” and “causing death or injury through gross negligence” include murder-suicide and offenses committed by a person immediately after giving birth.  
 3. “Injury” and “assault” do not include offenses that aggravate the punishment as prescribed in the Act on Punishment of Physical Violence and Others.  
 4. “Others” include, inter alia, kidnapping of minors, and violations of the Child Welfare Act and the Act against Child Prostitution and Pornography.
- Source: The Community Safety Bureau, National Police Agency



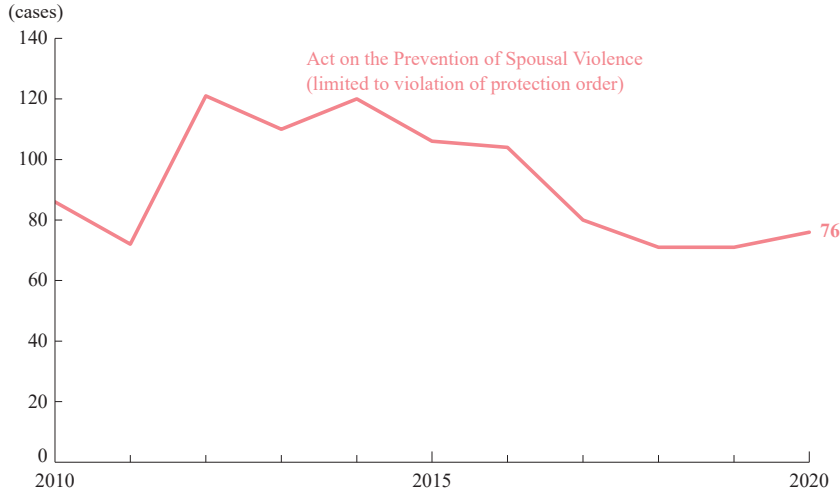
## Section 2 Spousal Offenses

Fig. 4-6-2-1 shows the trend in the number of cleared cases for spousal offenses.

**Fig. 4-6-2-1 Domestic violence: cleared cases by type of offense**

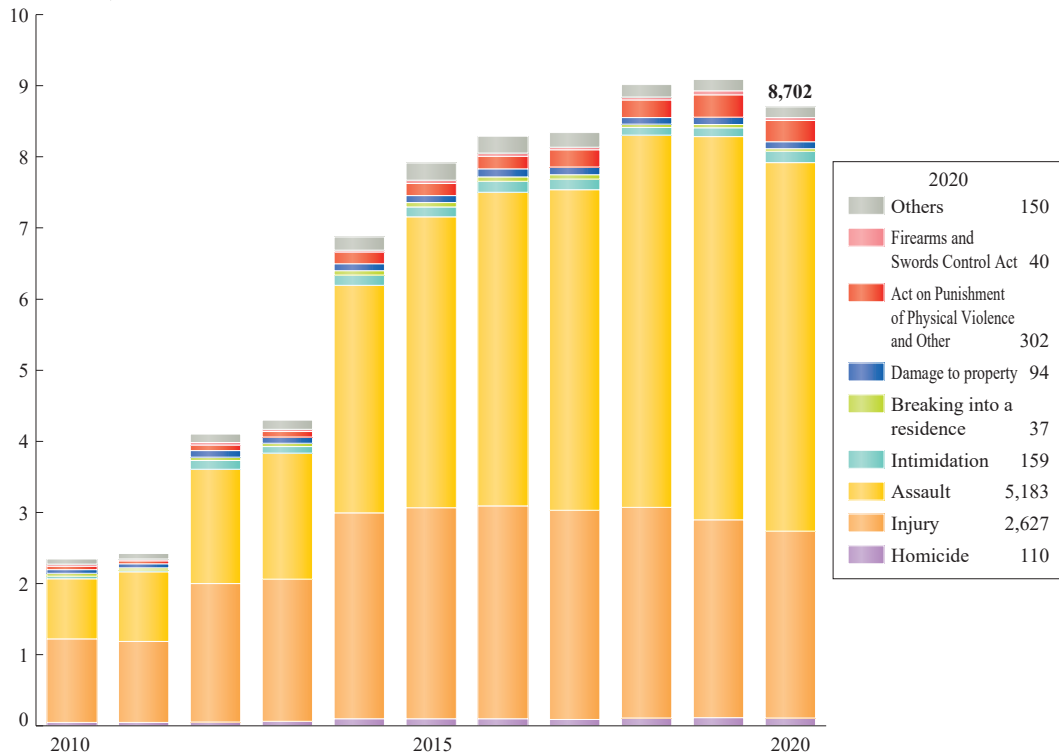
(2010-2020)

[1] Act on the Prevention of Spousal Violence (limited to violation of protection order)



[2] Other laws

(thousand cases)



- Notes: 1. "Act on the Prevention of Spousal Violence (limited to violation of protection order)" accounts for every case cleared for violations of protection orders under the provision of the Act on the Prevention of Spousal Violence.  
 2. "Other laws" account for cases cleared for Penal Code offenses and Special Acts offenses excluding violations of the Act on the Prevention of Spousal Violence. When a person was cleared for multiple offenses, the person is only counted in the offense with the heaviest statutory penalty.  
 3. "Injury", "assault", "intimidation" and "damage to property" do not include offenses that aggravate the punishment as prescribed in the Act on Punishment of Physical Violence and Others.  
 4. "Others" include, inter alia, obstruction of performance of public duty and arson.

Source: The Community Safety Bureau, National Police Agency

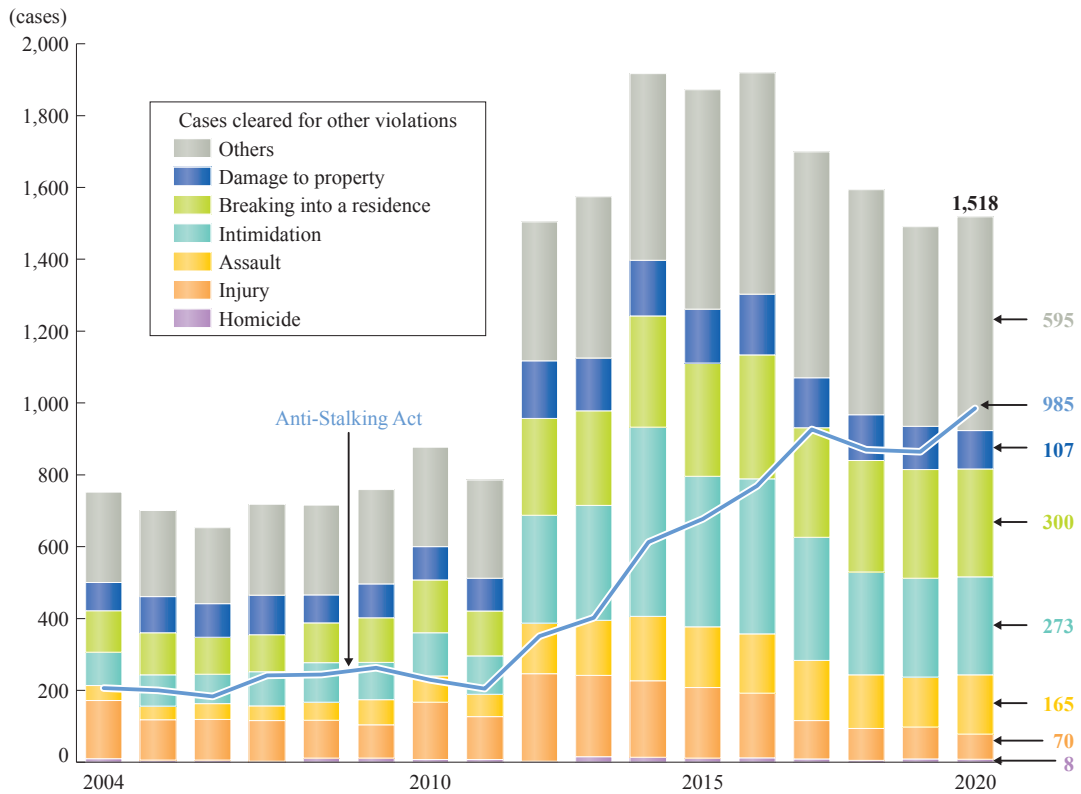
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### Section 3 Stalking-related Crimes

Fig. 4-6-3-1 shows the trend in the number of cleared cases for stalking-related offenses by type of offense.

**Fig. 4-6-3-1 Stalking cases: cleared cases by type of offense**

(2004-2020)



- Notes: 1. The figures are based on data in and after 2004 for which statistical materials are available.  
 2. The "Anti-Stalking Act" accounts for every case cleared for violations of the Anti-Stalking Act.  
 3. "Cases cleared for other violations" account for cases cleared for Penal Code offenses and Special Acts offenses excluding Anti-Stalking Act violations. When a person was cleared for multiple offenses, the person is only counted in the offense with the heaviest statutory penalty.  
 4. "Injury", "assault", "intimidation" and "damage to property" do not include offenses that aggravate the punishment as prescribed in the Act on Punishment of Physical Violence and Others.  
 5. "Others" include, inter alia, Anti-Nuisance Ordinance, theft, forcible indecency, Firearms and Swords Control Act violations.
- Source: The Community Safety Bureau, National Police Agency

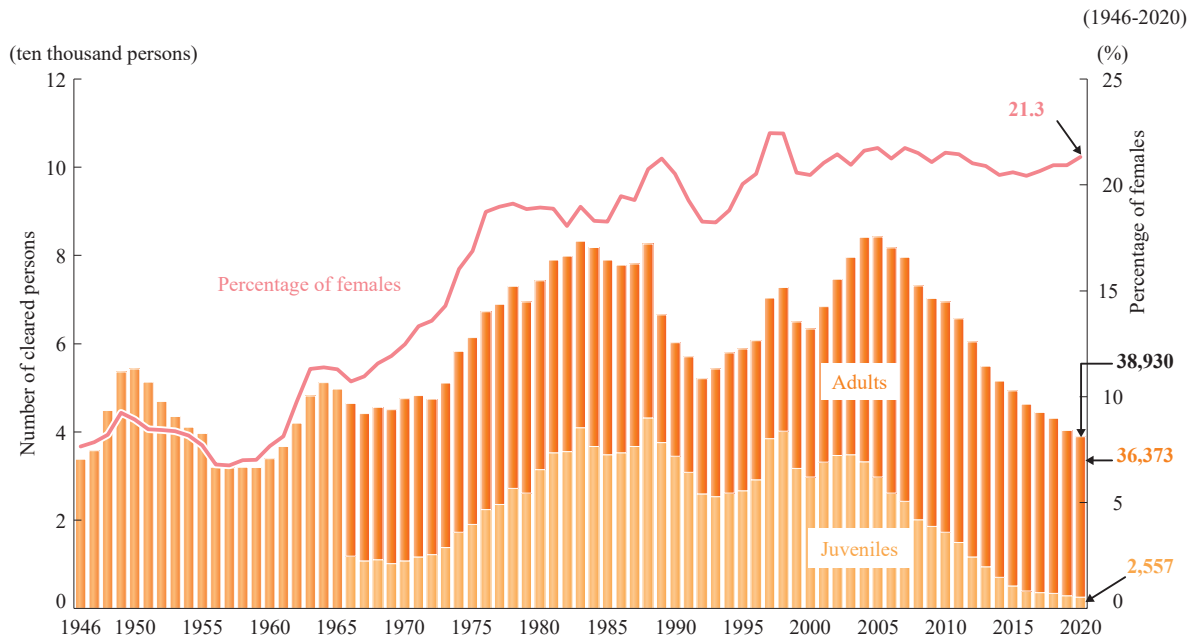


# Chapter 7 Offenses by Women

## Section 1 Trends in Offenses

Fig. 4-7-1-1 shows the trend in the number of females cleared for Penal Code offenses and the percentage of females since 1946.

**Fig. 4-7-1-1 Penal Code offenses (female): cleared persons and percentage of females**

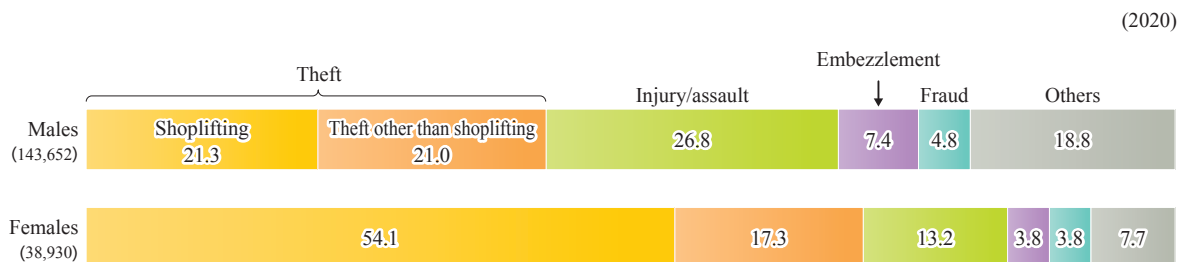


- Notes: 1. The figures are based on the age at the time of the offense.
- 2. The figures until 1955 include violations of laws and regulations of a criminal nature committed by juveniles under 14 years of age.
- 3. “Penal Code offenses” until 1965 does not include negligence in pursuit of social activities causing death or injury and gross negligence causing death or injury.
- 4. Age-based statistics to differentiate juveniles from adults are available only from 1966.
- 5. “Penal Code offenses” for the years 2002–2014 include dangerous driving causing death or injury.

Source: Criminal Statistics of the National Police Agency  
The Traffic Bureau, National Police Agency

Fig. 4-7-1-2 shows the composition by type of offense committed by persons cleared for Penal Code offenses in 2020, by male/female.

**Fig. 4-7-1-2 Penal Code offenses: composition by type of offense committed by cleared persons (male/female)**



- Notes: 1. “Embezzlement” includes embezzlement of lost property.
- 2. The figures in parentheses indicate the number of persons.

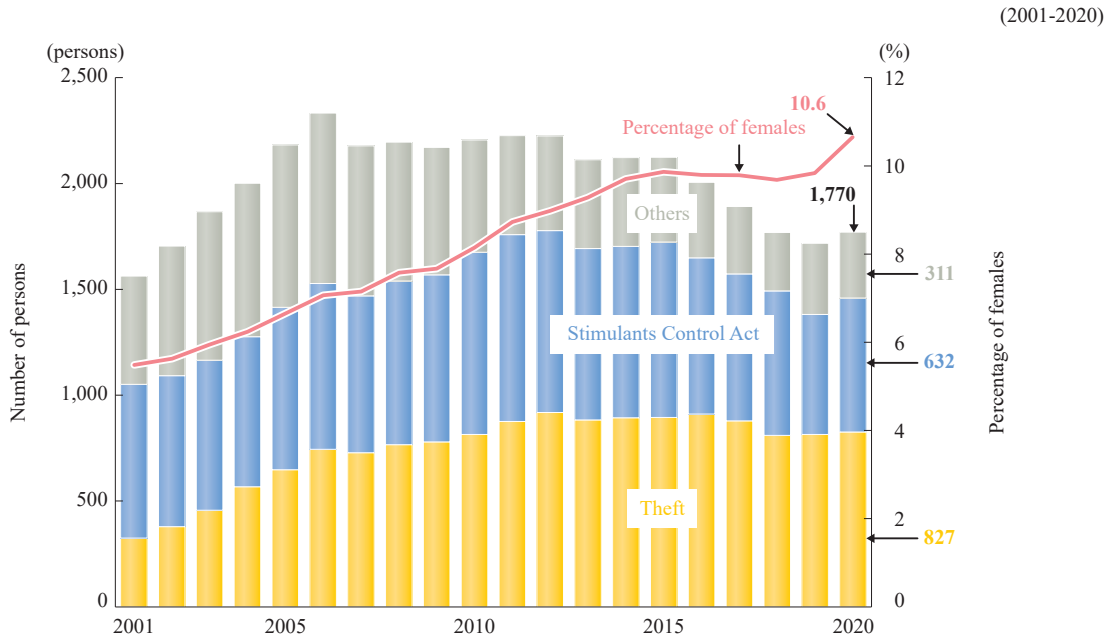
Source: Criminal Statistics of the National Police Agency

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## Section 2 Treatment

Fig. 4-7-2-1 shows the number of newly sentenced female inmates by type of offense and the percentage of females among the total number of newly sentenced inmates.

**Fig. 4-7-2-1 Newly sentenced female inmates (by type of offense) and percentage of females**



Source: Annual Report of Statistics on Correction

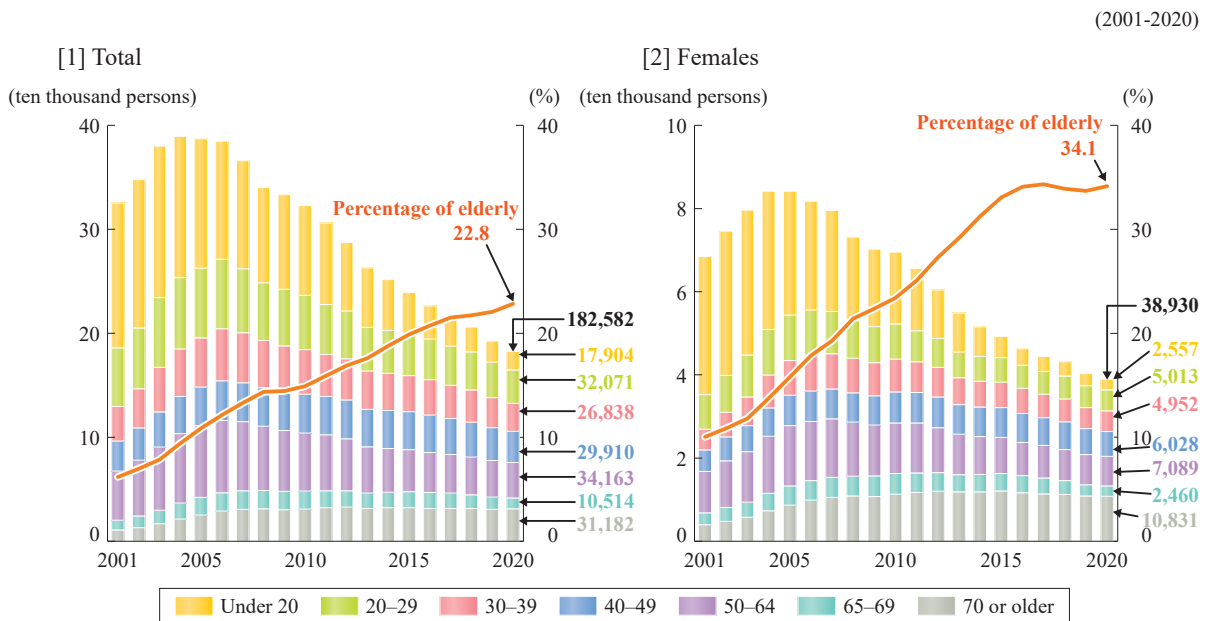


# Chapter 8 Offenses by the Elderly

## Section 1 Trends in Offenses

Fig. 4-8-1-1 shows the trend in the number of persons cleared for Penal Code offenses by age group and the percentage of elderly persons among the total number of persons cleared for Penal Code offenses, by total/female population.

**Fig. 4-8-1-1 Penal Code offenses: cleared persons by age group and percentage of elderly (total/female)**



- Notes: 1. The figures are based on the age at the time of the offense.  
 2. "Penal Code offenses" for the years 2002-2014 include dangerous driving causing death or injury.  
 3. "Percentage of elderly" refers to the percentage of elderly (female) persons among the total number of (female) persons of all age groups cleared for Penal Code offenses.

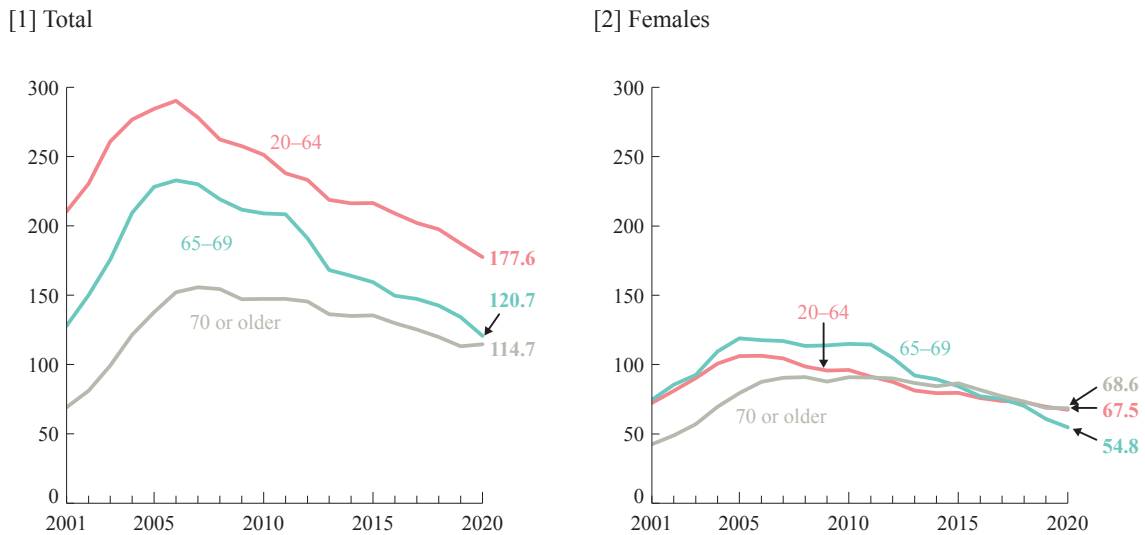
Source: Criminal Statistics of the National Police Agency  
 The Traffic Bureau, National Police Agency

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Fig. 4-8-1-2 shows the trend in the rate per population of persons cleared for Penal Code offenses by age group and by total/female population.

**Fig. 4-8-1-2 Penal Code offenses: rate per population of cleared persons by age group (total/female)**

(2001-2020)



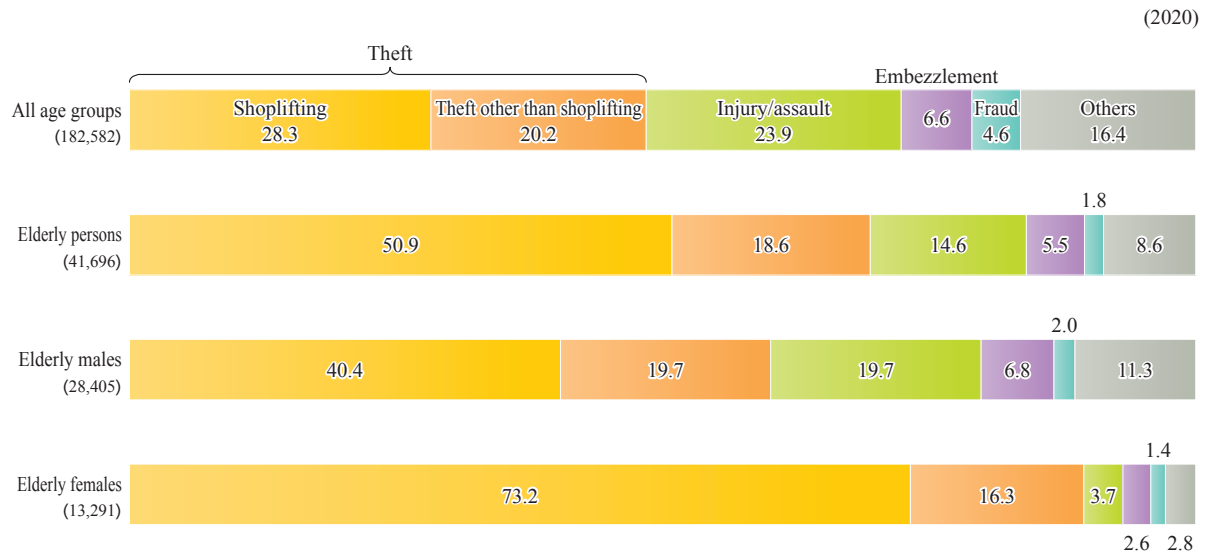
- Notes: 1. The figures are based on the age at the time of the offense.  
 2. "Rate per population" refers to the number of persons cleared for Penal Code offenses per 100,000 general population of the respective age groups. The rate per population in 2020 is calculated based on the population as of October 1, 2019.  
 3. "Penal Code offenses" for the years 2002–2014 include dangerous driving causing death or injury.

Source: Criminal Statistics of the National Police Agency  
 The Traffic Bureau, National Police Agency  
 The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)



Fig. 4-8-1-3 shows the composition by type of offense committed by elderly persons cleared for Penal Code offenses by male/female in 2020.

**Fig. 4-8-1-3 Penal Code offenses: composition by type of offense committed by cleared elderly persons (male/female)**



Notes: 1. The figures are based on the age at the time of the offense.  
 2. "Embezzlement" includes embezzlement of lost property.  
 3. The figures in parentheses indicate the number of persons.

Source: Criminal Statistics of the National Police Agency

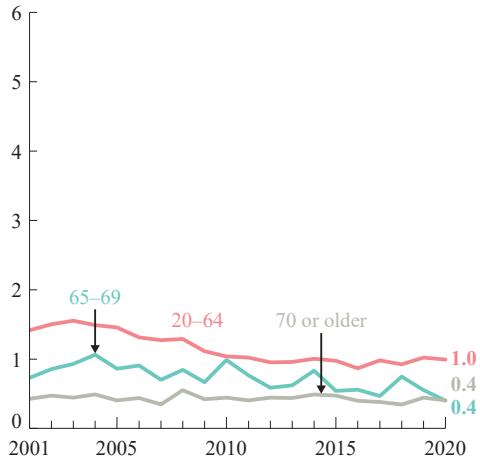


Fig. 4-8-1-4 shows the trend in the rate per population of persons cleared for Penal Code offenses by type of offense and by age group.

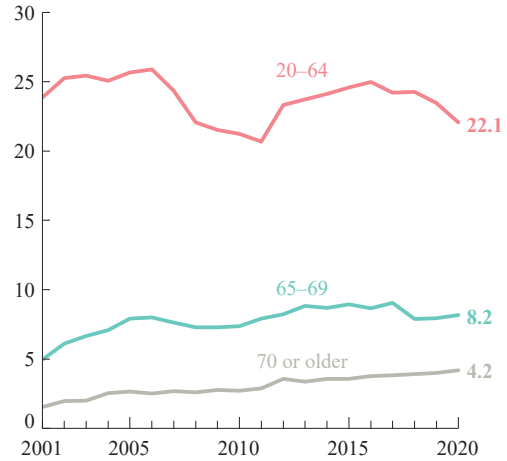
**Fig. 4-8-1-4 Penal Code offenses: rate per population of cleared persons by age group (by type of offense)**

(2001-2020)

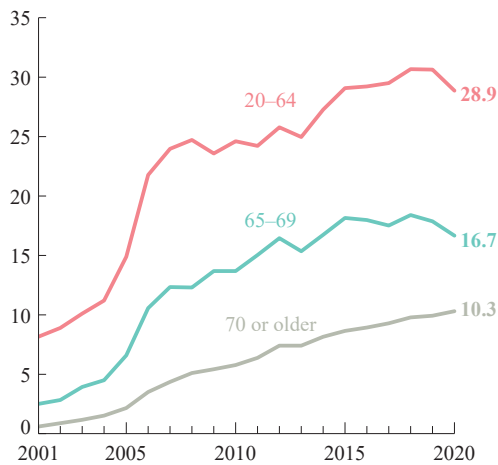
[1] Homicide



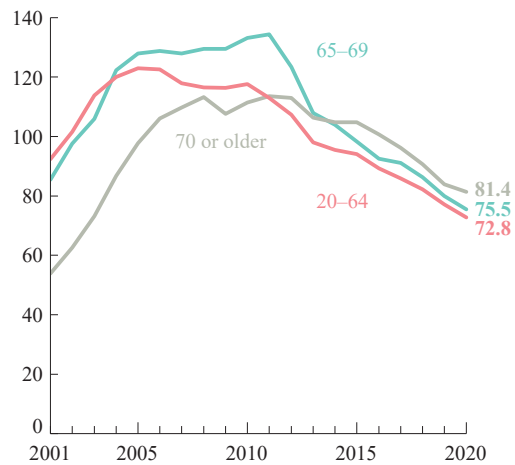
[2] Injury



[3] Assault



[4] Theft



Notes: 1. The figures are based on the age at the time of the offense.

2. "Rate per population" refers to the number of cleared persons of each type of offense per 100,000 general population of the respective age groups.

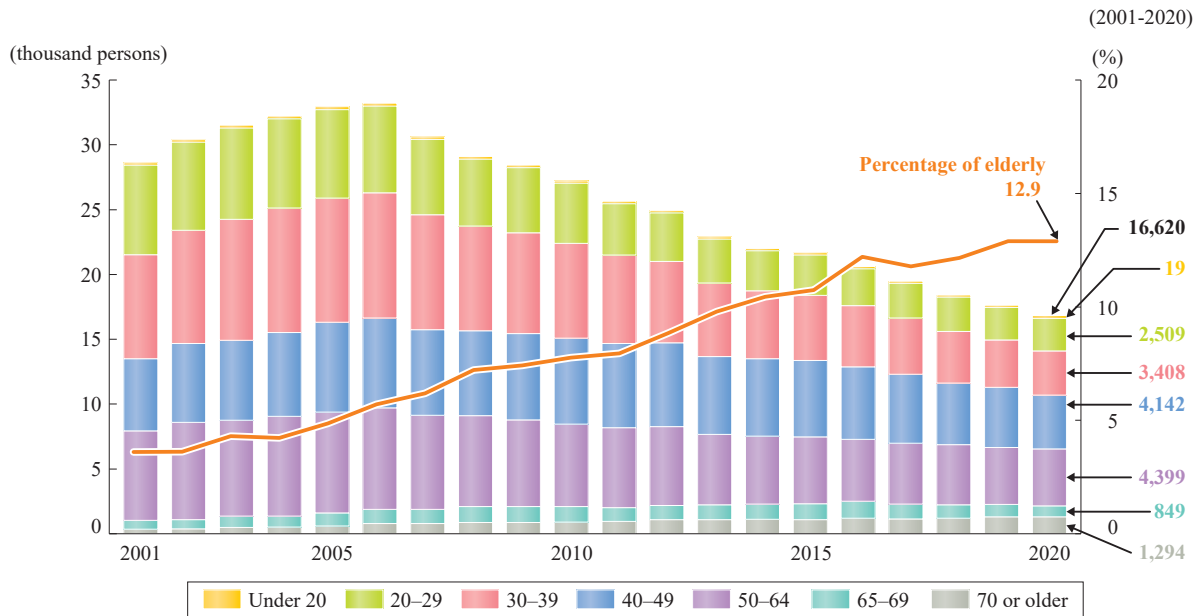
Source: Criminal Statistics of the National Police Agency

The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)

## Section 2 Treatment

Fig. 4-8-2-1 shows the trend in newly sentenced inmates by age group and the percentage of newly sentenced elderly inmates among the total number of newly sentenced inmates.

**Fig. 4-8-2-1 Newly sentenced inmates (by age group) and percentage of elderly**



Notes: 1. The figures are based on the age at the time of imprisonment. Inmates sentenced to indeterminate sentences, however, have been counted by the age at the time of the judgment since 2003.

2. "Percentage of elderly" refers to the percentage of newly sentenced elderly inmates among the total number of newly sentenced inmates.

Source: Annual Report of Statistics on Correction

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# Chapter 9 Offenses by Foreign Nationals

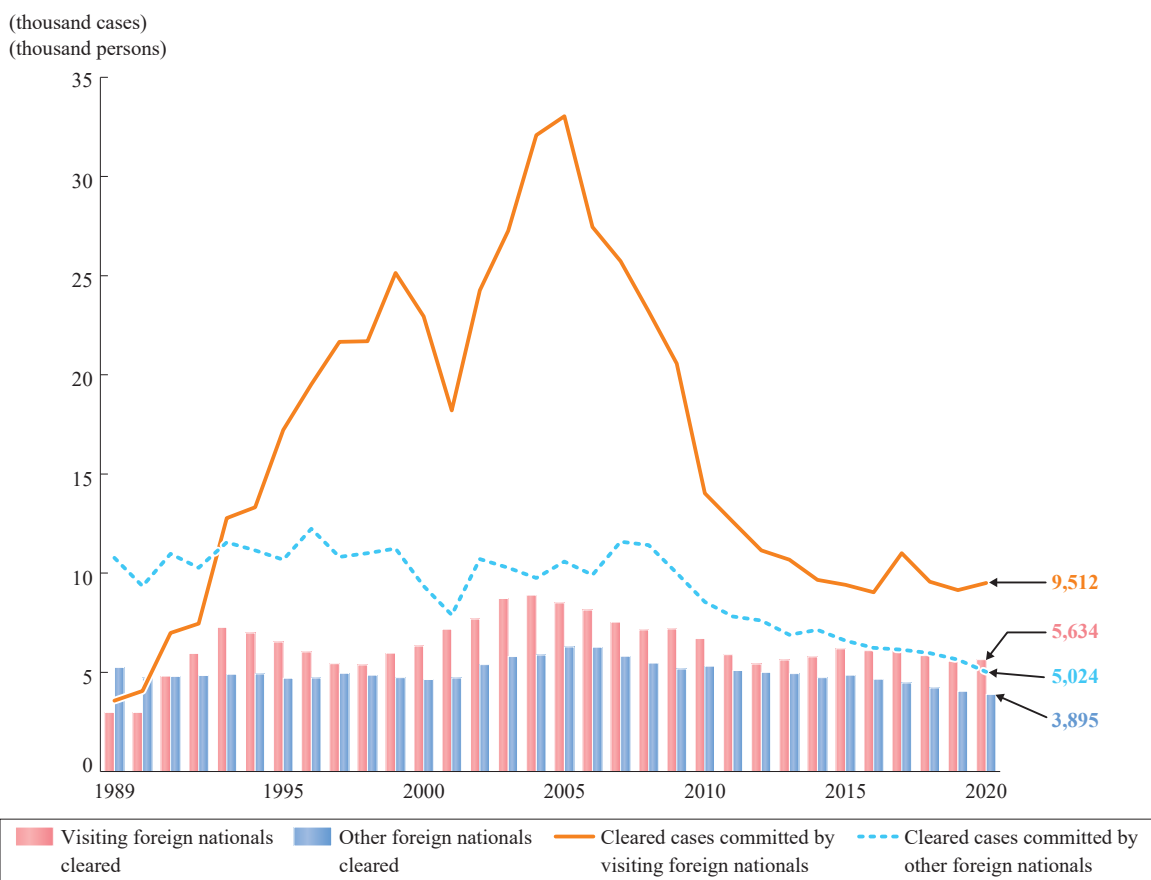
## Section 1 Trends in Offenses

### 1 Penal Code offenses

Fig. 4-9-1-1 shows the trend in the number of cases and persons cleared for Penal Code offenses committed by visiting and other foreign nationals.

**Fig. 4-9-1-1 Penal Code offenses by foreign nationals: cases/persons cleared**

(1989-2020)



Source: Criminal Statistics of the National Police Agency

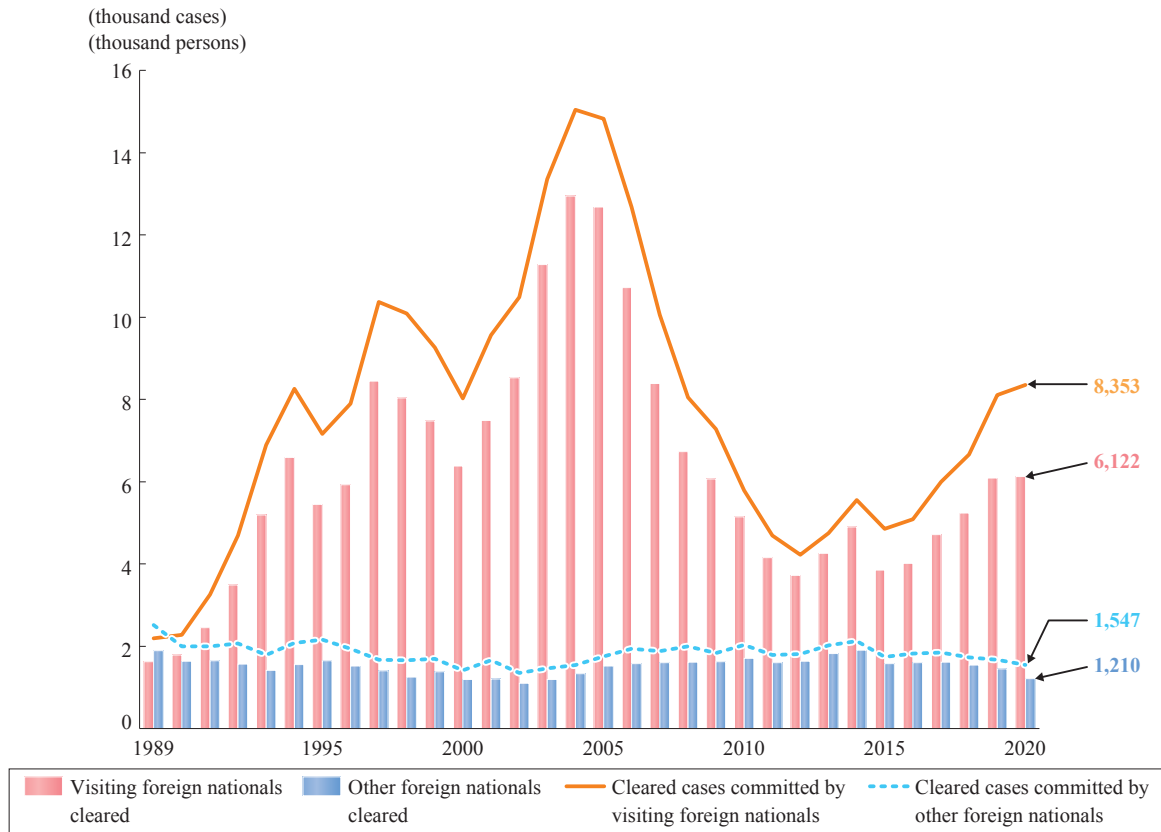


## 2 Special Acts offenses

Fig. 4-9-1-2 shows the trend in the number of cases and persons cleared for Special Acts offenses (excluding traffic-related Acts) committed by visiting and other foreign nationals.

**Fig. 4-9-1-2 Special Acts offenses by foreign nationals: cases/persons cleared**

(1989-2020)



Note: The figures exclude those cleared for violations of traffic-related Acts.  
Source: Criminal Statistics of the National Police Agency

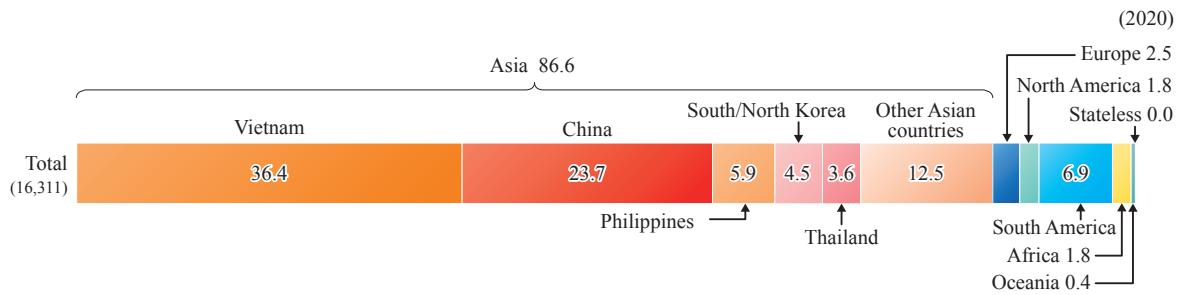
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## Section 2 Treatment

### 1 Prosecution

Fig. 4-9-2-1 shows the composition by nationality of visiting foreign nationals received by public prosecutors (excluding those who committed negligent driving causing death or injury and road-traffic violations) in 2020.

**Fig. 4-9-2-1 Visiting foreign nationals received by public prosecutors: composition by nationality**



- Notes: 1. The figures do not include negligent driving offenses causing death or injury and road traffic-related violations.  
 2. The figures include stateless persons but exclude persons whose nationality is unknown.  
 3. The figures in parentheses indicate the number of persons.

Source: Annual Report of Statistics on Prosecution

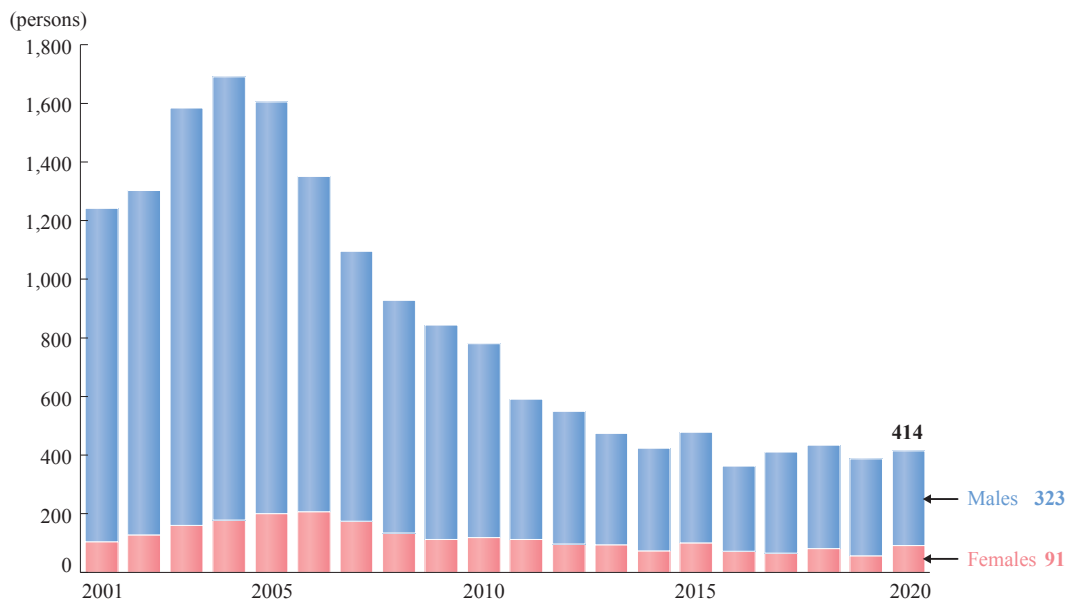
## 2 Corrections

The number of newly sentenced foreign national inmates was 718 in 2020 (Source: Annual Report of Statistics on Correction).

Foreign national sentenced inmates who require different treatment from that of Japanese sentenced inmates are categorized as F-class and provided with treatment in accordance with their culture and life style (See **Table 2-4-2-1**). **Fig. 4-9-2-2** shows the trend in the number of newly sentenced and F-class categorized inmates.

**Fig. 4-9-2-2 Newly sentenced and F-class categorized inmates (male/female)**

(2001-2020)



Source: Annual Report of Statistics on Correction

## Chapter 10 Offenses by Those with Mental Disorders

### Section 1 Trends in Offenses

Table 4-10-1-1 shows the number of persons with mental disorders or suspected mental disorders cleared for Penal Code offenses in 2020 and the percentage thereof among the total number of persons cleared for Penal Code offenses by type of offense.

**Table 4-10-1-1 Penal Code offenses by persons with mental disorders, etc.: cleared persons by type of offense**

(2020)

Category	Total	Homicide	Robbery	Arson	Rape/ forcible indecenty	Injury/ assault	Intimidation	Theft	Fraud	Others
Total cleared persons (A)	182,582	878	1,654	582	3,937	43,709	2,862	88,464	8,326	32,170
Persons with mental disorders, etc. (B)	1,345	61	17	86	21	426	55	267	33	379
Persons with mental disorders	940	37	11	58	12	318	32	162	22	288
Persons suspected to have mental disorders	405	24	6	28	9	108	23	105	11	91
B/A (%)	0.7	6.9	1.0	14.8	0.5	1.0	1.9	0.3	0.4	1.2

Note: "Persons with mental disorders, etc." refer to "persons with mental disorders" (persons with schizophrenia, acute intoxication or addiction to psychoactive substances, intellectual disabilities, personality disorders, or other mental disorders, who are diagnosed by a designated psychiatrist as a person to be subject to medical treatment or protection) or "persons suspected to have mental disorders" (persons to be notified to a prefectural governor under Article 23 of the Act on Mental Health and Welfare of Persons with Mental Disorders (Act No. 123 of 1950) other than persons with mental disorders).

Source: Criminal Statistics of the National Police Agency

## Section 2 Medical Care and Treatment System for Mentally Ill

The medical care and treatment system for the mentally ill covers, [1] a person who has committed a designated act (arson, forcible indecency, rape, homicide and robbery, including attempting to commit these offenses, and injury) but a public prosecutor has decided not to prosecute the person for reason of insanity or diminished capacity at the time of the act, and [2] a person who was either sentenced not guilty on the grounds of insanity or received a mitigated sentence on the grounds of diminished capacity at the time of the designated act (excluding a person who was sentenced to imprisonment without full-suspension of execution), and whose judgment has been finalized.

A hearing for both [1] and [2] will be held by a panel, consisting of a judge and a mental health expert (psychiatrist), in a district court, basically in response to an application by a prosecutor, which determines necessity and contents of medical treatment in accordance with the **Act on Medical Care and Treatment for Persons Who Have Serious Cases Under the Condition of Insanity** (Act No. 110 of 2003). At a hearing, the panel may request a director of a probation office to research living conditions of those persons.

**Table 4-10-2-1** shows the trend in the number of persons for whom public prosecutors applied for a hearing and the number of persons whose cases were conclusively disposed at the hearing, and those numbers by type of designated act in 2020.

**Table 4-10-2-1 Persons for whom public prosecutors applied for a hearing and whose cases were disposed at district court hearings (by type of designated act)**

(2020)

Type of designated acts	Persons for whom public prosecutors applied for a hearing				Dispositions at district court hearings							
	Total	Non-prosecution	Finalized judgments		Total	Decision to hospitalize	Decision for outpatient care	Decision not to provide medical treatment	Rejection		Withdrawal	Rejection due to illegal application
			Not guilty	Full suspension of execution of sentence					Not found to have committed the designated act	Not recognized as an insane person, etc.		
Total	323	290	5	28	309	236	33	31	1	7	1	-
Arson	97	91	1	5	86	61	10	14	-	1	-	-
Rape	7	5	-	2	6	3	-	3	-	-	-	-
Homicide	67	53	3	11	72	55	9	7	-	1	-	-
Injury	147	136	1	10	139	113	13	6	1	5	1	-
Robbery	5	5	-	-	6	4	1	1	-	-	-	-

Notes: 1. "Designated acts" are to come under the respective articles of the Penal Code (Cf. Article 2, paragraph (1) of the Act on Medical Care for Persons with No or Diminished Capacity).

2. "Arson" refers to arson of inhabited buildings, arson of uninhabited buildings, and setting fire to objects other than structures (excluding preparation for such acts), but does not include obstruction of firefighting.

3. "Rape" includes forcible indecency.

4. "Homicide" does not include preparation for homicide.

5. "Injury" does not include incitement of injury.

6. "Robbery" refers to robbery and constructive robbery (excluding preparation for these acts), but does not include robbery by causing unconsciousness.

7. "Full suspension of execution of sentence" includes those who are sentenced to imprisonment with/without work without full suspension of execution but, in effect, have no term to serve.

8. Persons who committed multiple designated acts are accounted for based on the act with the heaviest statutory penalty or if those acts have equivalent penalties, then the person is accounted for based on the act listed first in the column of "type of designated acts".

Source: Annual Report of Judicial Statistics

The Criminal Affairs Bureau, Ministry of Justice

The General Secretariat, Supreme Court



Those for whom it is decided at a hearing that there is a need for hospitalization are hospitalized in designated inpatient care hospitals (designated by the Minister of Health, Labour and Welfare. As of April 1, 2021, there were 33 designated inpatient care hospitals nationwide (Source: Social Welfare and War Victims' Relief Bureau, Ministry of Health, Labour and Welfare).) where they receive specialized medical care in accordance with the system.

The managers of designated inpatient care hospitals are required to apply for a confirmation every six months of the need for subject persons to be hospitalized. They are also required to apply for discharge of subject persons from the hospitals immediately after it is deemed no longer necessary for them to be hospitalized to receive medical care.

Those who receive a decision by a panel on their need for outpatient treatment or permission to be discharged from a hospital must then receive outpatient medical care at a designated outpatient care hospital (designated by the Minister of Health, Labour and Welfare. As of April 1, 2021, there were 3,854 designated outpatient care hospitals nationwide (Source: Social Welfare and War Victims' Relief Bureau, Ministry of Health, Labour and Welfare).) for three years, in principle, and are placed under mental health supervision by probation offices during the period, which aims to secure continuous medical care.

## Chapter 11 Offenses by Public Officials

Offenses committed by public officials could include both offenses committed in their capacities as public officials and offenses unrelated to their profession (e.g., negligent driving offenses causing death or injury).

**Table 4-11-1** shows the number of persons received and conclusively disposed by public prosecutors for bribes in 2020.

**Table 4-11-1 Acceptance of bribes: persons received/disposed by public prosecutors**

(2020)

Category	Newly received			Conclusive dispositions							
	Total	Referred from judicial police officers	Complaints, accusations, etc. directly received by public prosecutors	Total	Prosecuted	Prosecuted for public trial	Request for summary order	Not prosecuted	Suspension of prosecution	Others	Referral to family court
Total	33	30	3	32	30	30	-	2	-	2	-
Members of the Diet	2	-	2	2	2	2	-	-	-	-	-
Members of the assembly of local public entities	1	1	-	1	1	1	-	-	-	-	-
National public employee	1	1	-	1	1	1	-	-	-	-	-
Local public employee	20	20	-	18	16	16	-	2	-	2	-
Persons deemed as public service personnel	9	8	1	10	10	10	-	-	-	-	-

Notes: 1. The figures include any offense of “acceptance of bribes”.

2. “Local public employee” includes the governor of local public entities.

3. Every police official, including those employed by the national Government, is included in “local public employee”.

4. “Persons deemed as public service personnel” are persons deemed to be personnel engaged in public service pursuant to laws and regulations.

Source: The Criminal Affairs Bureau, Ministry of Justice

## PART 5

### Repeat Offenders



#### Online Streaming of a Discussion on Re-offending Prevention

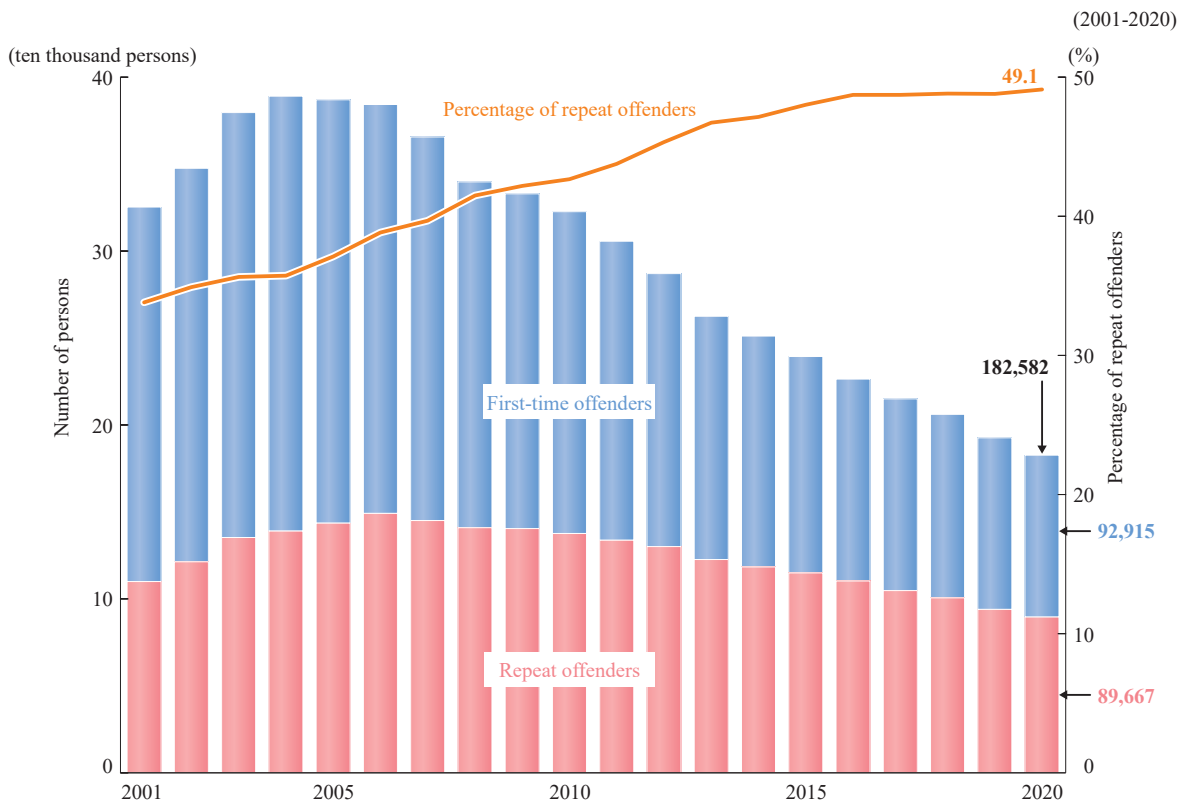
Source: Secretarial Division, Minister's Secretariat, Ministry of Justice



## Chapter 1 Cleared Offenders

Fig. 5-1-1 shows the trend in the number of repeat offenders (those who had previously been cleared for an offense excluding violations of the Road Traffic Act and were cleared again) cleared for Penal Code offenses and the **percentage of repeat offenders** (the percentage of repeat offenders among the total number of cleared persons for Penal Code offenses).

**Fig. 5-1-1 Penal Code offenses: repeat offenders among cleared persons, and percentage of repeat offenders**



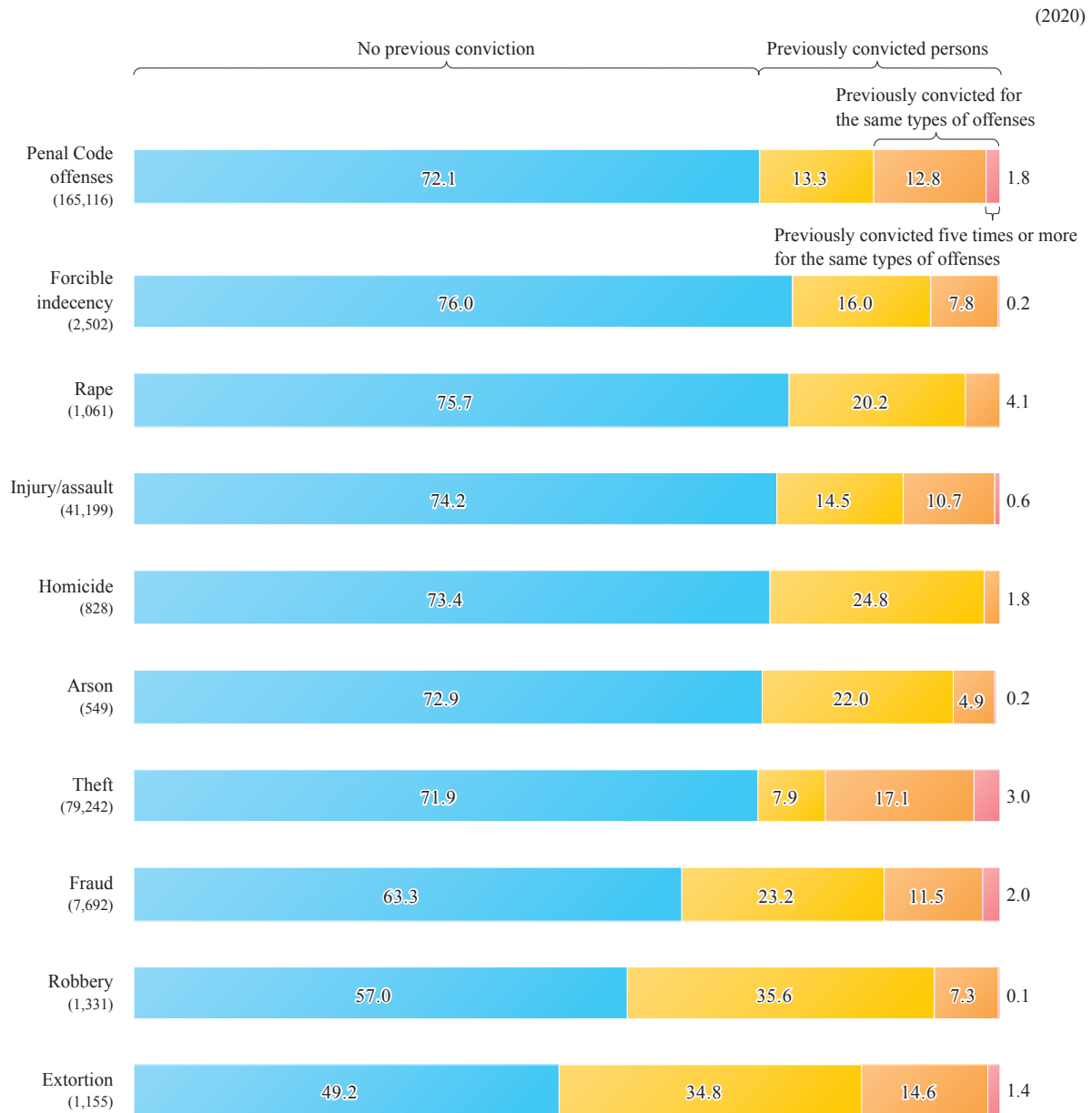
Notes: 1. "Repeat offenders" refer to those who had previously been cleared for an offense other than Road Traffic Act violations and were cleared again for a Penal Code offense.

2. "Percentage of repeat offenders" refers to the percentage of repeat offenders among persons cleared for Penal Code offenses.

Source: Criminal Statistics of the National Police Agency

Fig. 5-1-2 shows the composition by person with or without a previous conviction among cleared persons for Penal Code offenses, by type of offense in 2020.

**Fig. 5-1-2 Penal Code offenses: composition by cleared adult person with/without previous convictions (by type of offense)**



- Notes: 1. The figures are based on the age at the time of clearance.  
 2. "Previously convicted persons" refer to adults who have previously been convicted for an offense other than Road Traffic Act violations and are cleared again.  
 3. "Previously convicted for the same types of offenses" refers to adults who have previously been convicted for the same types of offenses.  
 "Previously convicted five times or more for the same types of offenses" refers to adults who have previously been convicted five times or more for the same types of offenses.  
 4. The figures in parentheses indicate the number of persons cleared for the types of offenses.

Source: Criminal Statistics of the National Police Agency

## Chapter 2 Prosecution

**Table 5-2-1** shows the number of persons prosecuted in 2020 (excluding those prosecuted for negligent driving causing death or injury or road traffic-related violations; hereinafter the same applies in this Chapter) who had a previous conviction (the penalty for the previous conviction was a fine or heavier) and the percentage thereof among the total number of prosecuted persons, by type of offense for which they were prosecuted.

**Table 5-2-1 The number and percentage of previously convicted persons among persons prosecuted (by type of offense)**

(2020)

Offenses	Prosecuted persons	Previously convicted persons	Previous conviction				Percentage of previously convicted persons
			Imprisonment with/without work			Fines	
			Imprisonment without suspension of execution	Imprisonment with partial suspension of execution	Imprisonment with full suspension of execution		
Total	105,572	46,441	19,819	121	13,162	13,339	44.0
Penal Code offenses	64,765	29,651	12,437	26	8,711	8,477	45.8
Arson	229	67	31	-	15	21	29.3
Breaking into a residence	2,184	965	425	-	258	282	44.2
Forcible indecency	1,226	405	144	1	132	128	33.0
Rape	502	156	65	-	41	50	31.1
Giving/accepting of bribe	89	19	2	-	1	16	21.3
Homicide	278	80	44	-	13	23	28.8
Injury	6,218	2,536	904	1	671	960	40.8
Assault	4,152	1,791	553	2	470	766	43.1
Intimidation	806	391	158	1	109	123	48.5
Theft	31,223	16,161	7,225	13	4,879	4,044	51.8
Robbery	726	277	132	-	90	55	38.2
Fraud	6,902	2,585	1,195	1	881	508	37.5
Extortion	452	218	113	-	61	44	48.2
Embezzlement	1,378	602	216	1	195	190	43.7
Act on Punishment of Physical Violence and Others	584	364	208	-	63	93	62.3
Others	7,816	3,034	1,022	6	832	1,174	38.8
Special Acts offenses excluding traffic-related violations	40,807	16,790	7,382	95	4,451	4,862	41.1
Public Offices Election Act	19	4	-	-	1	3	21.1
Minor Offenses Act	1,035	336	79	-	77	180	32.5
Amusement Business Act	673	238	18	-	90	130	35.4
Firearms and Swords Control Act	1,051	479	196	-	105	178	45.6
Anti-Prostitution Act	177	85	26	3	30	26	48.0
Child Welfare Act	126	27	2	-	14	11	21.4
Pharmaceuticals and Medical Devices Act	125	33	10	-	10	13	26.4
Cannabis Control Act	3,194	984	293	7	434	250	30.8
Narcotics and Psychotropics Control Act	687	203	72	3	92	36	29.5
Stimulants Control Act	10,364	7,980	5,432	75	2,046	427	77.0
Poisonous and Deleterious Substances Control Act	179	150	69	2	31	48	83.8
Others	23,177	6,271	1,185	5	1,521	3,560	27.1

Notes: 1. The figures exclude juridical persons, persons prosecuted for negligent driving offenses causing death or injury and road traffic-related violations, and offenders whose records are not clear about their previous convictions.

2. "Previously convicted persons" refer to persons with previous convictions for which a fine or heavier penalty was imposed.

3. "Percentage of previously convicted persons" refers to the percentage of previously convicted persons among persons prosecuted.

4. Offenders with multiple previous convictions are counted under the first "offense" to be selected according to the following order: "imprisonment without suspension of execution", "imprisonment with partial suspension of execution", "imprisonment with full suspension of execution", and "fines".

5. "Imprisonment without suspension of execution" does not include "imprisonment with partial suspension of execution".

6. "Embezzlement" includes embezzlement of lost property.

Source: Annual Report of Statistics on Prosecution

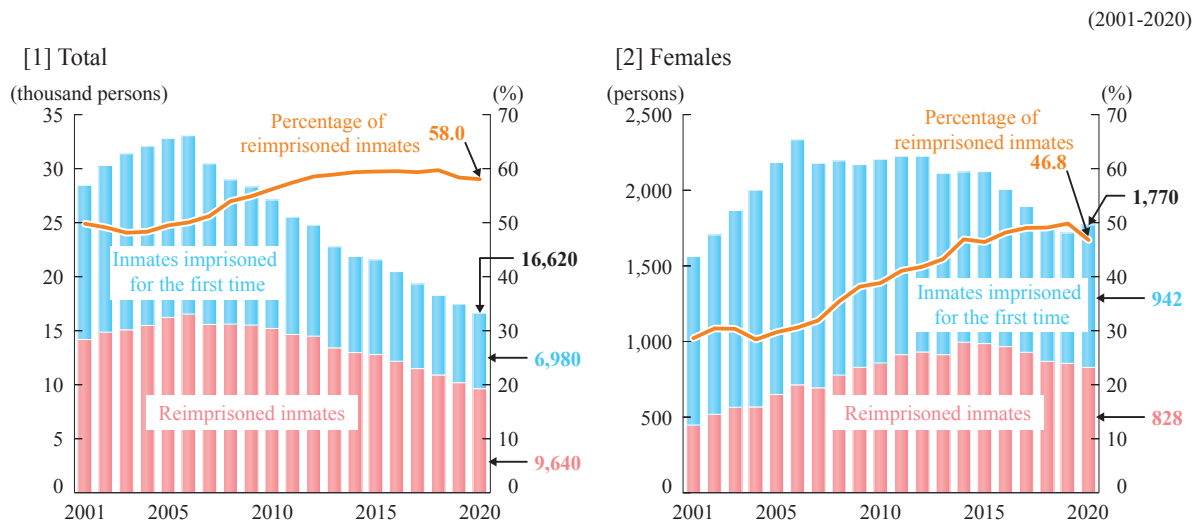


# Chapter 3 Correction

## Section 1 Reimprisoned Inmates

Fig. 5-3-1-1 shows the trend in the number and percentage of reimprisoned inmates (percentage refers to the percentage of reimprisoned inmates among the total number of newly sentenced inmates), by total/female inmates.

**Fig. 5-3-1-1 Reimprisoned inmates among newly sentenced inmates, and percentage of reimprisoned inmates (total/female)**



Source: Annual Report of Statistics on Correction

Part  
5

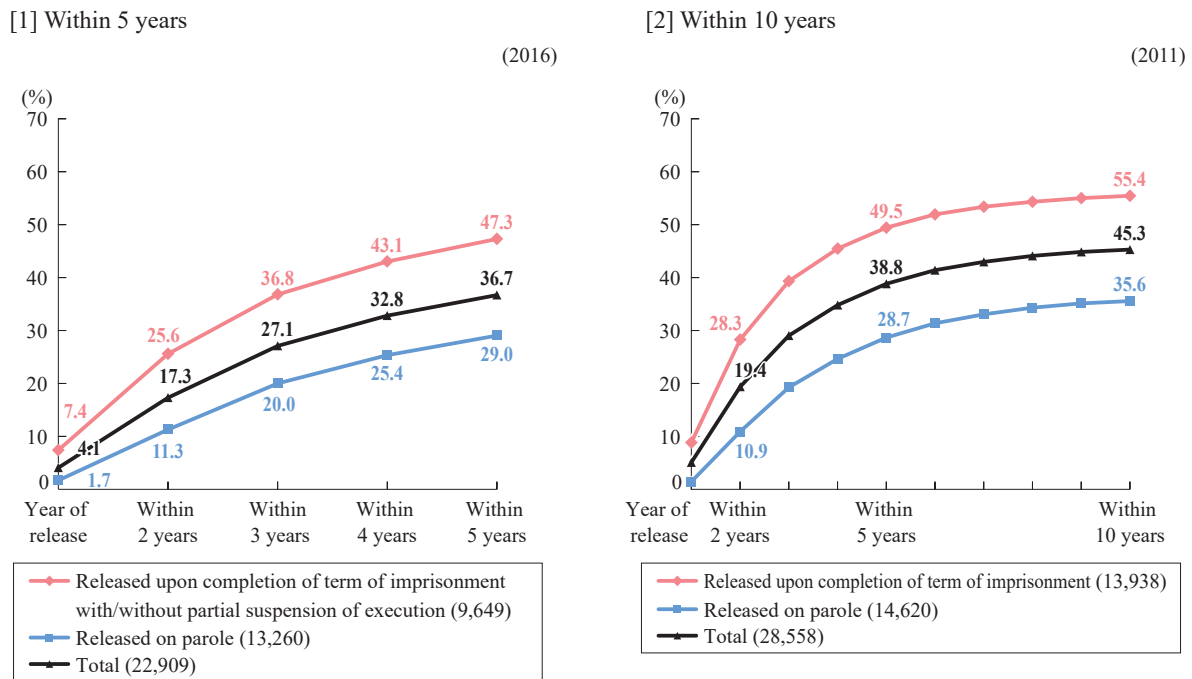


## Section 2 Reimprisonment of Released Sentenced Inmates

In this Section, the **rate of reimprisonment** means the percentage of inmates reimprisoned to serve sentences for offenses committed after release among the released sentenced inmates of a given year.

Fig. 5-3-2-1 shows the rate of reimprisonment within the period of five and 10 years after the release of sentenced inmates released in [1] 2016 and [2] 2011 by reason for the previous release (either released upon completion of the term or released on parole; hereinafter the same applies in this Section).

**Fig. 5-3-2-1 Rate of reimprisonment of released sentenced inmates by reason for previous release**



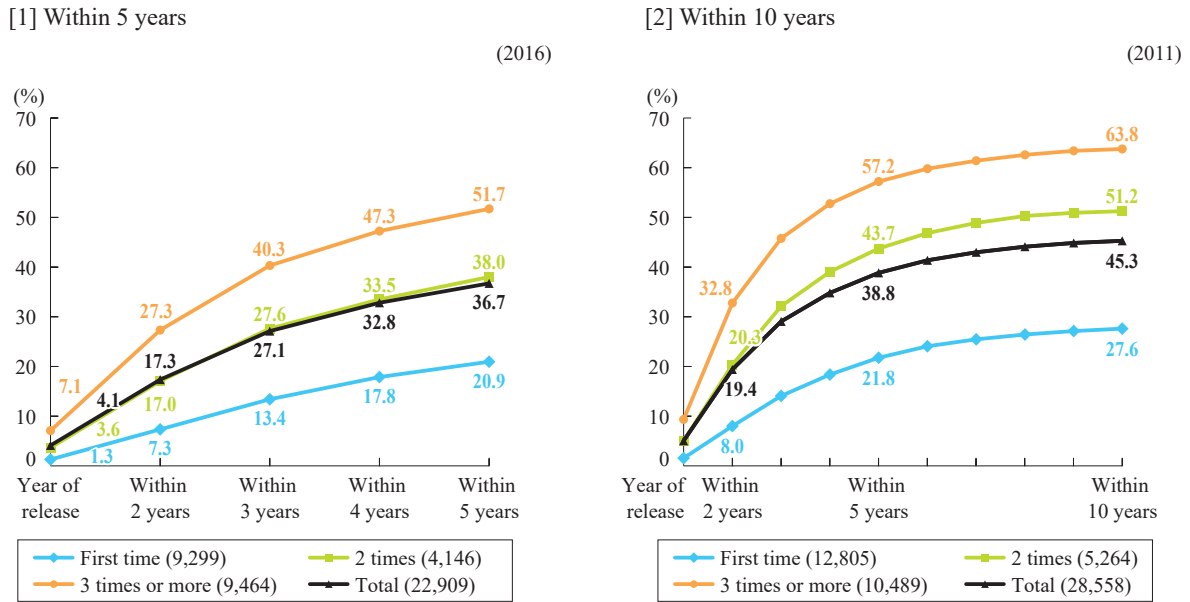
Notes: 1. The figures count inmates released upon completion of their term with/without partial suspension of execution or on parole and then reimprisoned for offenses committed after release.

2. "Rate of reimprisonment" is the percentage of persons released from a prison in 2016 for [1] or 2011 for [2] and reimprisoned by the year-end of 2020 for an offense committed after release among the total number of sentenced inmates released in 2016 or 2011.

Source: The Judicial System Department, Minister's Secretariat, Ministry of Justice

Fig. 5-3-2-2 shows the rate of reimprisonment within the period of five and 10 years after the release of sentenced inmates released in [1] 2016 and [2] 2011, by the number of time(s) the sentenced inmate had been imprisoned at the point of previous imprisonment.

**Fig. 5-3-2-2 Rate of reimprisonment of released sentenced inmates, by number of time(s) imprisoned**

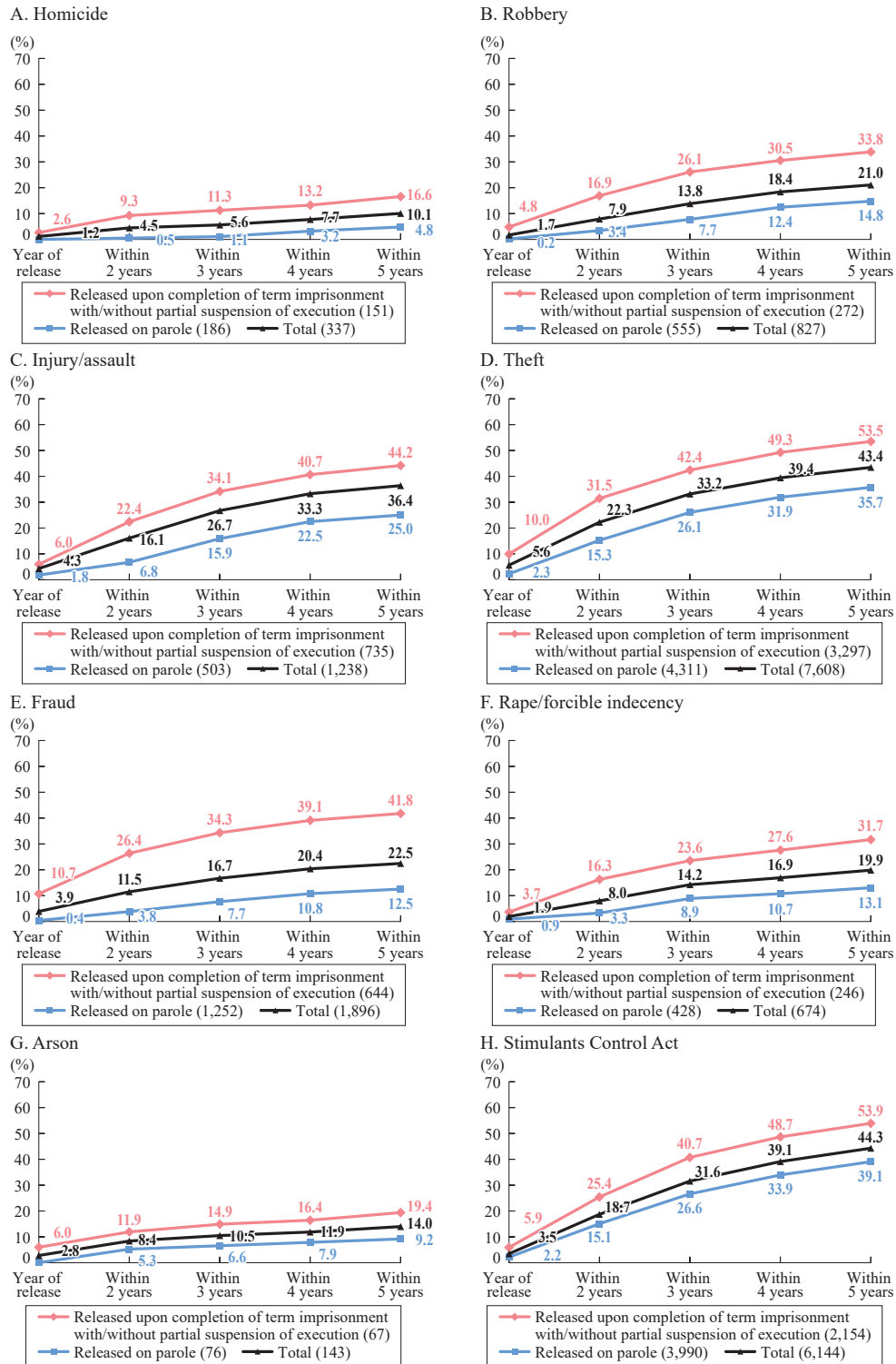


Note: See Notes and Source 5-3-2-1

Fig. 5-3-2-3 shows the rate of reimprisonment within the period of five years after the release of sentenced inmates released in 2016, by reason for the previous release and type of offense.

**Fig. 5-3-2-3 Rate of reimprisonment of released sentenced inmates within five years after released, by reason for the previous release (by type of offense)**

(2016)



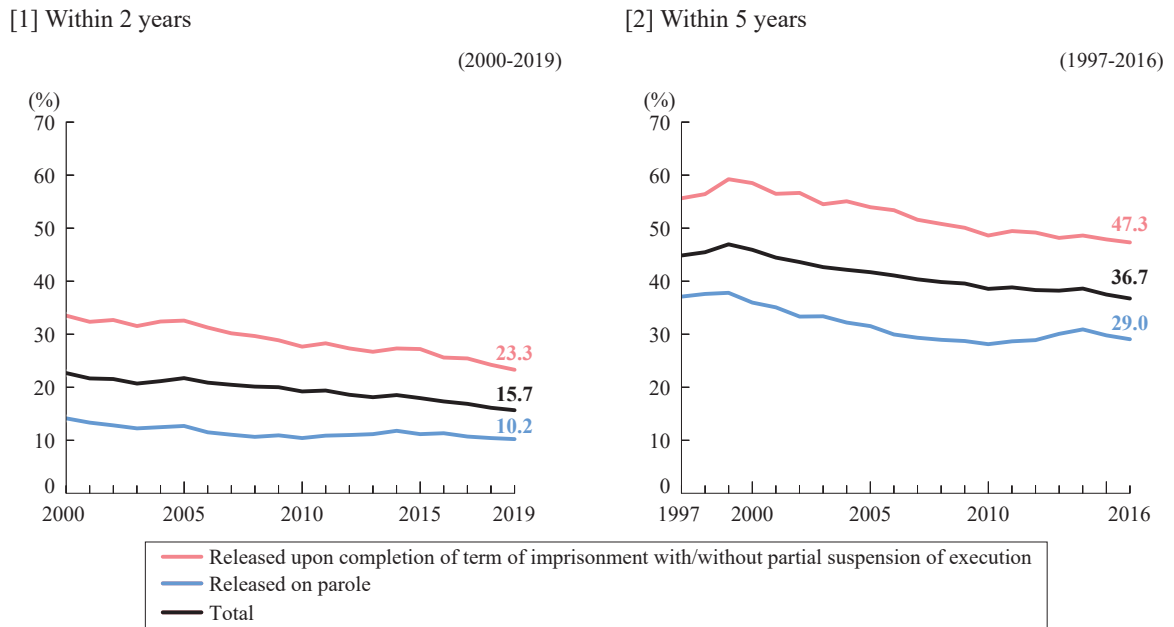
Notes: 1. See Notes 1 and Source of Fig. 5-3-2-1.

2. "Rate of reimprisonment within five years after release" is the percentage of persons released from a prison in 2016 and reimprisoned by the year-end of 2020 for an offense committed after release among the total number of released sentenced inmates in 2016.

3. Among homicide and arson offenders who were released on parole in 2016, no one was reimprisoned by the year-end of said year.

Fig. 5-3-2-4 shows the trend in the rate of reimprisonment within the period of [1] two years and [2] five years after release, by reason for the previous release.

**Fig. 5-3-2-4 Rate of reimprisonment of released sentenced inmates by reason for previous release**

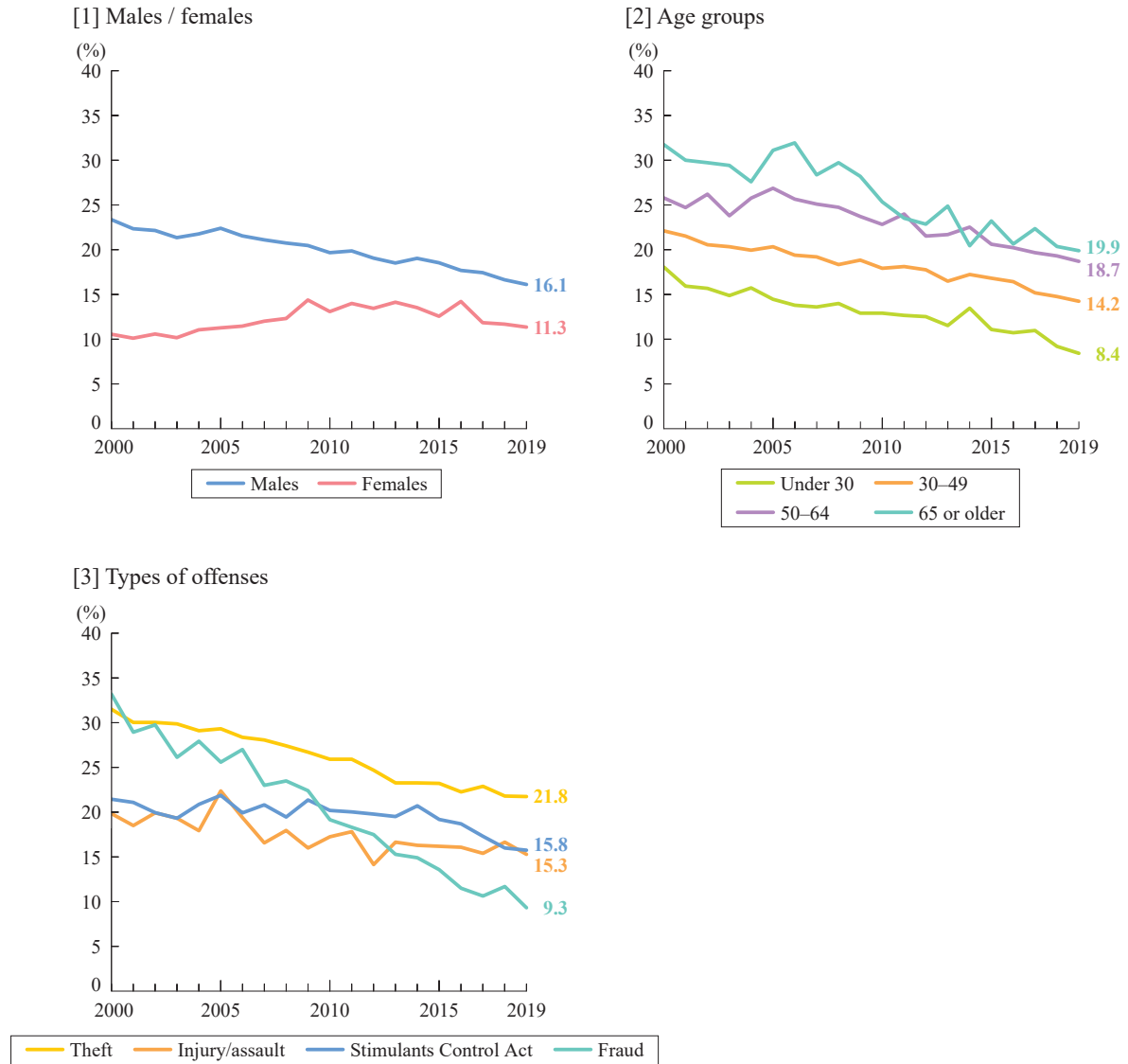


Notes: 1. The figures count inmates released upon completion of their term of imprisonment with/without partial suspension of execution or released on parole and then reimprisoned for offenses after release.  
 2. "Rate of reimprisonment" is the percentage of persons who were reimprisoned by the year-end of the second (next) year for [1] and the fifth year for [2] after their release, among the total number of released sentenced inmates of respective years.  
 Source: The Judicial System Department, Minister's Secretariat, Ministry of Justice

Fig. 5-3-2-5 shows the trend in the rate of reimprisonment within the period of two years after release during the years of 2000 -2019, [1] by male/female, [2] by age group and [3] by type of offense.

**Fig. 5-3-2-5 Rate of reimprisonment of released sentenced inmates within two years after release, by male/female, age group and type of offense**

(2000-2019)



Notes: 1. See Notes 1 and Source of Fig. 5-3-2-4.

2. "Rate of reimprisonment within two years after release" is the percentage of persons reimprisoned by the year-end of the second year from the year of release for an offense committed after release among the total number of released sentenced inmates of respective years of release.

3. [2] is based on the age at the time of previous release, which is estimated from the age at the time of reimprisonment and the interval from the previous release as recorded.

# Chapter 4 Probation/Parole Supervision

## Section 1 Probationers and Parolees with Previous Convictions

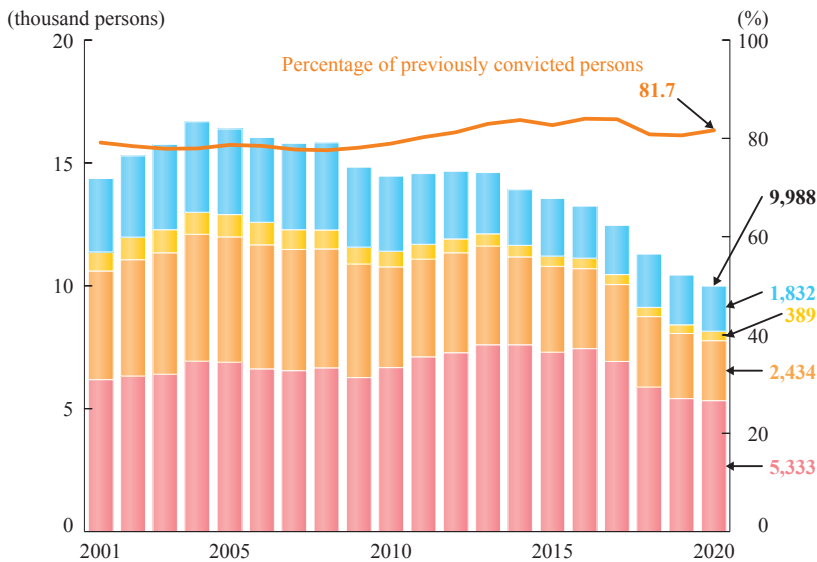
Fig. 5-4-1-1 shows the trend in the number and percentage of previously convicted persons (refers to those with previous convictions for which a fine or heavier punishment was imposed) among the number of probationers/parolees newly placed under probation/parole supervision.

**Fig. 5-4-1-1 Probationers/parolees newly placed under probation/parole supervision, with/without previous conviction and percentage of previously convicted persons**

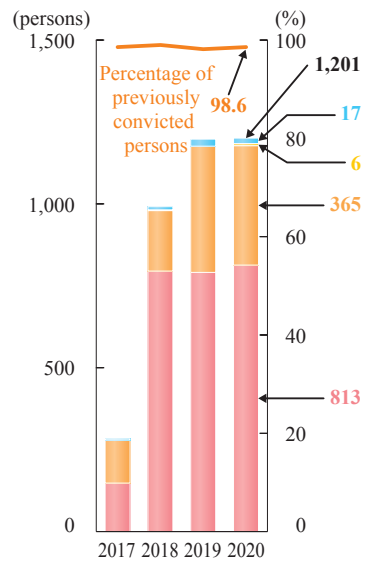
(2001-2020)

[1] Parolees

A. Parolees (imprisonment without partial suspension of execution)

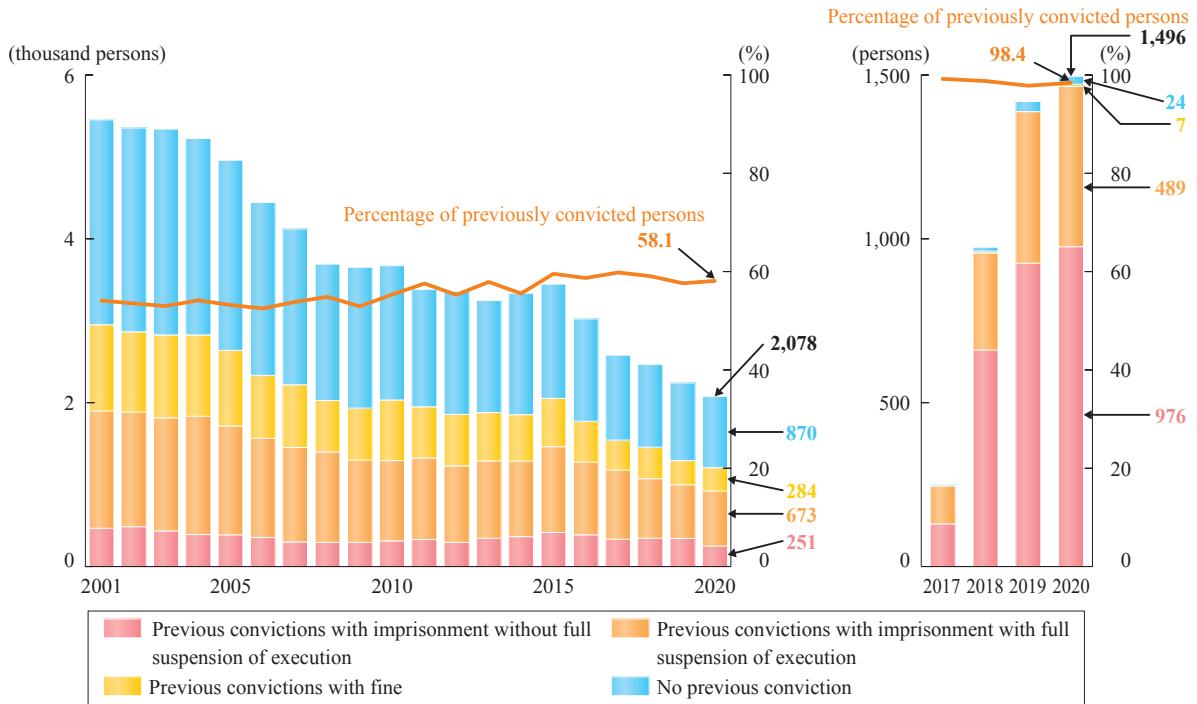


B. Parolees (imprisonment with partial suspension of execution)



[2] Probationers granted full/partial suspension of execution

A. Probationers granted full suspension of execution



- Notes: 1. "Previously convicted persons" refer to persons with previous convictions for which a fine or heavier punishment was imposed.  
 2. "Percentage of previously convicted persons" refers to the percentage of previously convicted persons among the total number of probationers/parolees newly placed under probation/parole supervision.  
 3. The figures exclude parolees/probationers whose records are not clear about their previous convictions.  
 4. Offenders with multiple previous convictions and whose every previous conviction had been penalized with fines are counted under "previous convictions with fine". If any of the previous convictions had been penalized with imprisonment without full suspension of the execution of their sentence, they are counted as "previous convictions with imprisonment without full suspension of execution". Others with multiple previous convictions are counted under "previous convictions with imprisonment with full suspension of execution".  
 5. There were no parolees (imprisonment with partial suspension of execution) and probationers granted partial suspension of execution in 2016 following the commencement of the partial suspension of execution of sentence system.

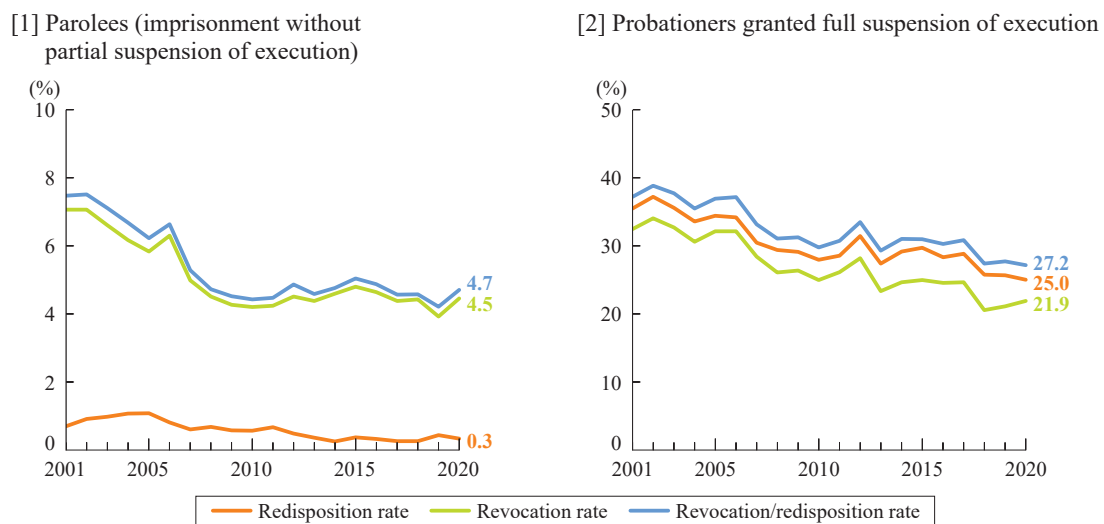
Source: Annual Report of Statistics on Rehabilitation  
 The Judicial System Department, Minister's Secretariat, Ministry of Justice

## Section 2 Redisposition or Revocation during Probation/Parole Supervision

Fig. 5-4-2-1 shows the trend in three types concerning rates of probationers and parolees whose supervision period terminated during the years of 2001-2020: [1] **redisposition rate** (the percentage of those who committed an offense during their probation/parole supervision period and were subjected to criminal dispositions for the offense (including suspension of prosecution; for those who received a sentence, the number is limited to those whose sentence was finalized during their probation/parole supervision period) among the total number of probationers/parolees whose probation/parole supervision terminated in the respective years), [2] **revocation rate** (the percentage of those whose full-suspension of execution of their sentence or parole was revoked due to either a violation of their conditions for probation/parole supervision or re-offending), and [3] **revocation/redisposition rate** (the percentage of those who fall under either redisposition or revocation; a person falling under both categories is counted as one person).

**Fig. 5-4-2-1 Redisposition/revocation rate of probationers/parolees**

(2001-2020)



- Notes: 1. "Redisposition rate" refers to the percentage of those who committed an offense during their probation/parole supervision period and were subjected to criminal dispositions for the offense (including suspension of prosecution; for those who received a sentence, the number is limited to those whose sentence was finalized during their probation/parole supervision period) among the total number of probationers/parolees whose probation/parole supervision terminated in the respective years.
2. "Revocation rate" refers to the percentage of probationers/parolees whose full suspension of the execution of their sentence or parole was revoked due to either a violation of their conditions for probation/parole supervision or re-offending, among the total number of probationers/parolees whose probation/parole supervision terminated in the respective years.
3. "Revocation/redisposition rate" refers to the percentage of probationers/parolees whose full suspension of the execution of their sentence or parole was revoked due to either a violation of their conditions for probation/parole supervision or re-offending, or those who committed an offense during their probation/parole supervision period and were subjected to criminal dispositions for the offense (including suspension of prosecution; for those who received a sentence, the number is limited to those whose sentence was finalized during their probation/parole supervision period) (persons falling under both categories are counted as one person) among the total number of probationers/parolees whose probation/parole supervision terminated in the respective years.

Source: Annual Report of Statistics on Rehabilitation  
The Judicial System Department, Minister's Secretariat, Ministry of Justice



# PART 6

## Crime Victims

いじめ、虐待などを見聞きしたときも  
情報をお寄せください

差別

暴行・虐待

セクハラ  
パワハラ

いじめ  
体罰

インターネットによる  
誹謗中傷

ひとりでも悩まず  
電話してください

人権イメージキャラクター  
人KENまるる君

人権イメージキャラクター  
人KENあゆみちゃん

みんなの人権110番  
ゼロゼロみんなのひゃくとおぼん

**0570-003-110**

この電話はおかけになった場所の最寄りの法務局・地方法務局につながります。

- 受付時間 平日8:30～17:15 ●一部のIP電話等からはご利用できない場合があります。
- 秘密は守ります。法務局職員又は人権擁護委員が相談に応じます。

**子どもの人権110番**  
受付時間 平日8:30～17:15  
(全国共通・通話料無料)  
**0120-007-110**  
子どもの人権についての専用相談電話です。いじめや体罰などの子どもの人権についての相談はこちらへどうぞ。

**女性の人権ホットライン**  
受付時間 平日8:30～17:15  
(全国共通)  
**0570-070-810**  
女性の人権についての専用相談電話です。セクハラやDVなどの女性の人権についての相談はこちらへどうぞ。

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インターネット人権相談 検索Q

インターネットによる人権相談はこちらへどうぞ。パソコン・スマートフォン・携帯電話からご利用できます。

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法務省人権擁護局・全国人権擁護委員連合会

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Human Rights Counseling Advertisement  
Source: Human Rights Bureau, Ministry of Justice

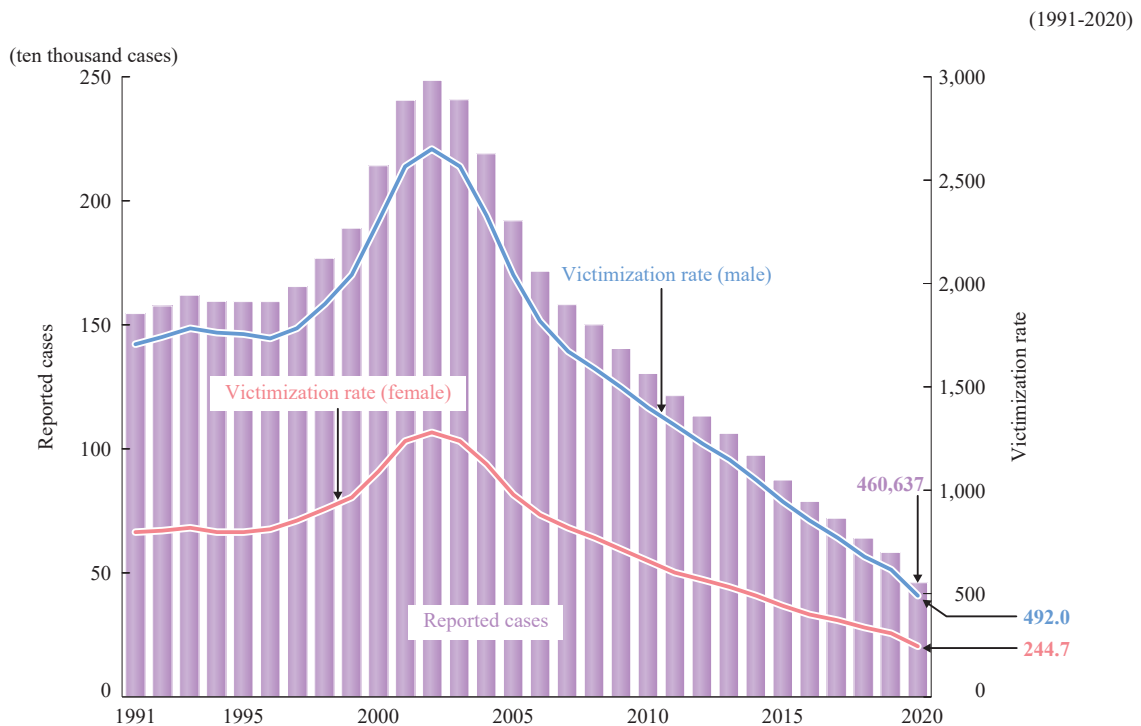


# Chapter 1 Crime Victimization

## Section 1 Number of Cases Involving Human Victims

Fig. 6-1-1-1 shows the trend in the number of reported cases of Penal Code offenses involving human victims and the victimization rate (number of reported cases involving human victims per 100,000 population) by male/female.

**Fig. 6-1-1-1 Penal Code offenses involving human victims: reported cases and victimization rate (male/female)**



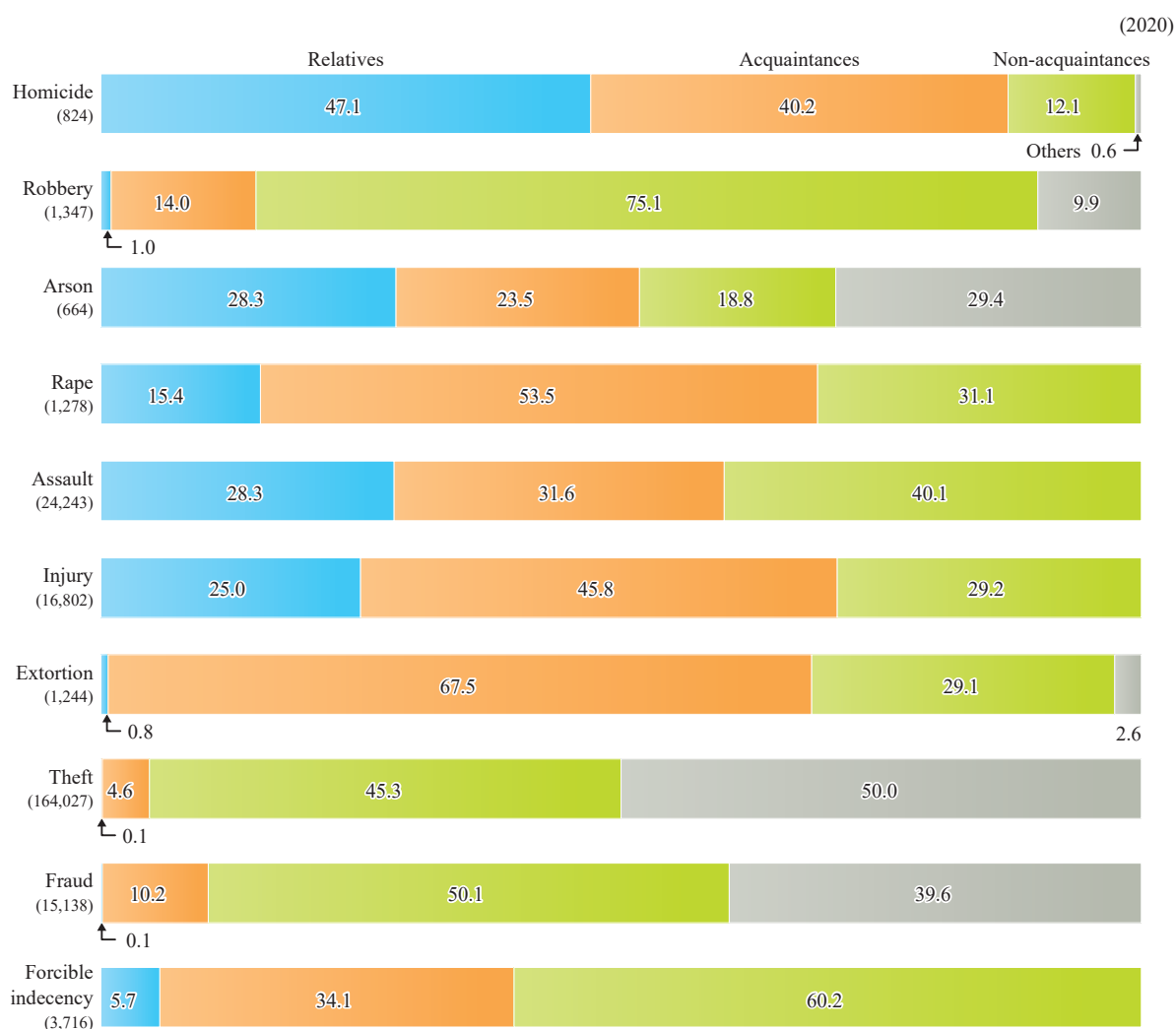
- Notes: 1. The figures exclude cases where the victim was juridical persons or any other form of organizations.  
 2. "Victimization rate" refers to the number of reported cases per 100,000 population (male/female).  
 3. The count is based on the main victim if multiple victims were involved in a case.

Source: Criminal Statistics of the National Police Agency  
 The Statistics Bureau, Ministry of Internal Affairs and Communications (population data)

## Section 2 Relationship between Victims and Suspects

Fig. 6-1-2-1 shows the composition by relationship between victims and suspects in cases cleared in 2020 (excluding cases where an investigation confirmed that an act in question did not constitute a crime or that legal conditions for prosecution or punishment were not satisfied), by type of offense.

**Fig. 6-1-2-1 Penal Code offenses: composition by relationship between victims and suspects in cleared cases (by type of offense)**



- Notes: 1. The figures exclude cases where the investigation confirmed that the act in question did not constitute a crime or that the legal conditions for prosecution or punishment were not satisfied.  
 2. "Others" consist of cases where victims were juridical persons or other types of organizations, or there was no victim. "Others" in homicide refer to preparation for homicide.  
 3. The figures in parentheses indicate the number of cleared cases.

Source: Criminal Statistics of the National Police Agency

## Chapter 2 Victims in the Criminal Justice Process

Under the **victim participation system**, a court may allow a victim or others, by its ruling, to participate in proceedings of a case, to appear on trial dates, to state an opinion relating to procedural action by a prosecutor, to examine witnesses with regard to particulars relating to circumstances, to ask a defendant questions for the purpose of stating an opinion, and to state an opinion on fact-finding or application of law.

**Table 6-2-1** shows the status of victim participation in trials at courts of first instance.

**Table 6-2-1 Victim participation at the courts of first instance**

(2016-2020)

Year	Victim participation		Witness examination	Questioning the accused	Closing statements/ recommendation of punishment	Shielding	Accompanying person	Entrustment to attorneys	Court-appointed attorneys
		(in parentheses)							
2016	1,400	(400)	228	629	708	258	107	1,102	580
2017	1,380	(333)	196	560	667	276	115	1,060	553
2018	1,485	(363)	221	605	698	362	149	1,184	649
2019	1,466	(320)	204	623	723	318	106	1,157	602
2020	1,377	(301)	205	569	685	337	135	1,116	614

Notes: 1. "Victim participation" refers to the total number of victims for each applied measure who were allowed to participate in trials at the courts of first instance. The figures in parentheses indicate the number of those who participated in *saiban-in* trials.

2. "Closing statements/recommendation of punishment" refers to the total number of participating victims who stated opinions on fact-finding or application of law pursuant to the provisions of Article 316-38 of the Code of Criminal Procedure.

Source: Annual Report of Judicial Statistics  
The General Secretariat, Supreme Court

Separately from the aforementioned victim participation, a court may take measures for witness protection in a trial, such as placing a shield in front of a witness, allowing a witness to stay in a separate room and communicate by video-link with a courtroom during his/her testimony, and/or allowing a witness to be accompanied by an appropriate person.

As another protective measure, a court, upon request, may render a ruling providing that names, addresses or other matters of witnesses shall not be disclosed in an open court.

When a victim and an offender reached a civil settlement, it could become an enforceable title of obligation if terms of the settlement are included in a trial record of a criminal case. Additionally, a court hearing a criminal case concerning a specific serious offense may, upon request by a victim of a crime, continue with a civil case by referring to the record of the criminal case after the conviction and render a compensation order.

In addition, in general, courts allow victims to inspect and copy case records.

**Table 6-2-2** shows the status of such measures taken for victims or witnesses.

**Table 6-2-2 Applied measures for victims/witnesses**

(2016-2020)

Year	Statement of opinions	Submission of documents instead of oral statement	Witness protection			Decision to conceal the identities of victims	Decision to conceal the identities of witnesses	Civil settlement in criminal proceedings	Compensation order	Inspection/copying of trial records
			Shielding	Video-link	Accompanying person					
2016	1,181	616	1,623	303 (...)	128	3,976	4	23	306	1,486
2017	1,072	526	1,105	225 (...)	78	3,351	116	26	295	1,254
2018	1,169	546	1,461	317 (15)	144	3,846	174	18	309	1,281
2019	1,130	544	1,505	341 (23)	118	4,025	240	18	318	1,180
2020	920	536	1,237	302 (38)	107	3,923	156	25	289	1,140

Notes: 1. Until 2016, “statement of opinions”, “submission of documents instead of oral statement”, “witness protection”, “decision to conceal the identities of victims”, “civil settlement in criminal proceedings”, and “inspection/copying of trial records” were counted as of the day of the court decision on each measure, while they have been counted as of the day of final judgment since 2017. If a court rendered its decision on the measure in or before 2016 and its final judgment was rendered in or after 2017, such case are counted by the day of decision.

2. The figures for “statement of opinions”, “submission of documents instead of oral statement”, “witness protection”, “decision to conceal the identities of victims” and “decision to conceal the identities of witnesses” indicate the total number of victims or witnesses at high courts, district courts and summary courts.

3. The figures for “civil settlement in criminal proceedings” indicate the number of cases at high courts, district courts and summary courts in which civil disputes between victims and the accused reached settlements whose terms were included in criminal trial records.

4. The number of “decision to conceal the identities of witnesses” has been counted since December 2016 with the commencement of the measure.

5. The figures for “compensation order” indicate the number of (criminal) cases at district courts in which victims requested compensation orders for their damage.

6. The figures for “inspection/copying of trial records” indicate the number of cases where victims or other applicable persons inspected or copied trial records at a high court, district court, or summary court.

7. The figures in parentheses in “video-link” indicate the number of witnesses who were summoned to places outside of courts and examined thereat (included in the number of “video-link”). The number has been counted since June 2018 with the commencement of the measure.

Source: Annual Report of Judicial Statistics

The General Secretariat, Supreme Court

# PART 7

## Kyoto Congress



**Kyoto Congress Logo**

Source: International Affairs Division, Minister's Secretariat, Ministry of Justice





## Chapter 1 Congress Overview

The **United Nations Congress on Crime Prevention and Criminal Justice** (the **Congress**), held once every five years since 1955, is the largest conference of the UN in the field of crime prevention and criminal justice. The United Nations Office on Drugs and Crime (UNODC) serves as the secretariat of the Congress.

## Chapter 2 Kyoto Congress

### 1 Kyoto Congress (2021)

The 14th UN Crime Congress was held in Kyoto from March 7 to 12, 2021, half a century after the 4th Congress was held in Kyoto.

At the Kyoto Congress, effective measures to deal with the current threats against the international community, such as organized crime, corruption and terrorism, were discussed under the overall theme of “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda”. The 2030 Agenda for Sustainable Development was adopted at the United Nations Sustainable Development Summit in September 2015.

### 2 Conference during the COVID-19 pandemic

Due to the COVID-19 pandemic, in March 2020, the UN decided to postpone the Kyoto Congress, originally scheduled for April 2020. The Congress was held from March 7 to 12, 2021. The Congress was the first large international conference in Japan after the COVID-19 pandemic. Many measures were taken to prevent the spread of the infection, in accordance with the guidelines set by the Japanese government and the UN. The Congress was held in a “hybrid format” combining limited in-person participants at the conference center with a large number of participants worldwide attending by means of joining an interactive online platform.

The Congress brought together over 5,000 participants registered from a record high 152 Member States through the hybrid format. No positive cases of COVID-19 were found among the in-person participants related to the Congress.

### 3 Achievement

The **Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development** was adopted as the outcome of the Kyoto Congress. The declaration includes commitments of the Member States to take concrete action to tackle the challenges the international community faces in the field of crime prevention and criminal justice. You can download the full text from the QR code.



## Various events at the Kyoto Congress

The UN Crime Congress consists of plenary meetings and workshops as a formal program and ancillary meetings held in parallel with them.

In addition to some of the workshops and ancillary meetings held at the Kyoto Congress, this sidebar introduces the youth forum held prior to the Congress in chronological order.

### 1 Kyoto Congress Youth Forum

The Youth Forum, which discusses topics related to the agenda of the UN Crime Congress, was held for the first time at the 13th Congress in Doha, Qatar, in 2015. The **Kyoto Congress Youth Forum** was held on February 27 and 28, 2021.

The general theme of the Kyoto Congress Youth Forum was “Youth engagement for our safe and secure society: towards achieving the SDGs.” Approximately 150 students from Japan and overseas participated in the Youth Forum.

Discussions took place on three specific topics: “Youth engagement in preventing youth crime and reintegrating youth offenders,” “Youth education for fostering a culture of lawfulness,” and “Youth commitment towards a safe information society.” The outcomes of the discussions were adopted as recommendations at the Plenary Session.

### 2 Ancillary meeting: World Congress for Community Volunteers Supporting Offender Reintegration

On March 7, 2021, the World Congress for Community Volunteers Supporting Offender Reintegration was held as an ancillary meeting of the Kyoto Congress, and the KYOTO Declaration on Community Volunteers Supporting Offender Reintegration was adopted as the outcome document. The World Congress was held with the participation of practitioners from around the world to discuss the usefulness of volunteer probation officers and other local volunteers participating in efforts to prevent repeat offenses and the measures to disseminate these systems throughout the world.

### 3 Workshop: Workshop on Reducing Reoffending: Identifying Risks and Developing Solutions

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) has been responsible for one of the official workshops since the 10th UN Crime Congress as one of the United Nations Crime Prevention and Criminal Justice Programme Network Institutes (PNI), and has taken a leading role in organizing its workshops. UNAFEI also worked with the United Nations Office on Drugs and Crime (UNODC) and the Thailand Institute of Justice (TIJ) at the Kyoto Congress on one of the four workshops (Workshop 2 [Reducing reoffending: identifying risks and developing solutions]).

Workshop 2 was held on March 8 and 9, 2021, and it was confirmed that reducing reoffending was critical to building inclusive, sustainable societies as envisaged in the 2030 Agenda, and that ensuring a process and environment suitable for reintegration into society at all stages of criminal justice for the reintegration of offenders is extremely important for the prevention of repeat offenses. The content of the discussions in Workshop 2 was reflected in the Kyoto Declaration. A resolution entitled “Reducing reoffending through rehabilitation and reintegration” was submitted by the Government of Japan, partially amended, and adopted, which mainly included the necessity of the new UN standards and norms on reducing reoffending and the holding of expert meetings to that end.

#### **4 Ancillary meeting: Research for the Real World**

On March 12, 2021, a meeting entitled Research for the Real World was held under the auspices of the Research Department of the Research and Training Institute of the Ministry of Justice. The purpose of the meeting was to introduce the research by experts working at government research institutions in Japan and overseas in the criminal justice field and the impact of the research to improve policies and practices on reducing crimes.

At this meeting, four panelists presented their research results, and after discussions among panelists, the meeting ended with a question and answer session with the audience. The names and titles of the four panelists and the outline of their presentations were as follows:

- (1) Dr. Jun Johnsok, Director of International Cooperation, Korean Criminal Policy Research Institute (KIC)

Under the title of “Strengthening sex offender treatment program in Korea,” the findings of a follow-up survey of sexual offense prisoners after release was introduced, which revealed that the reoffending rate differed depending on whether or not they had taken a sex offender treatment program. She explained practical measures that could be considered useful in reducing reoffending.

- (2) Dr. Rick Brown, Deputy Director of the Australian Institute of Criminology (AIC)

Under the title of “Evaluating the crime impacts of community development work in public housing areas,” the results of a survey on the number of crime cases and the impact of the programs implemented for community development in public housing areas on residents' awareness were presented, along with the measures to improve the programs based on the results.

- (3) Dr. Marie Garcia, Senior Social Scientific Analyst at the U.S. National Institute of Justice (NIJ)

Under the title of “The corrections personnel experience: understanding the impact of job-related stress and how to promote resiliency,” she presented the results of a study of effective measures to maintain and promote the mental health and resilience of correctional personnel exposed to a variety of stress and dissatisfaction throughout their work.

- (4) Mr. Reiji Ikeda, Senior Researcher, Research Department, Research and Training Institute of the Ministry of Justice (RTI)

In a survey of sentenced inmates entitled “changing communities: our desistance research,” when asked why they had been able to live without committing offenses in the past, the most common answers were “because I had someone who needed me”. The results of the survey were shared with local governments and people involved in social welfare, etc. to point out that the research contributes to creating an environment that supports rehabilitation.

After the presentations by the four panelists, discussions took place on the theme of “impact of COVID-19 on criminal justice policy.” Dr. Brown introduced a survey conducted by AIC to understand the impact on domestic violence experienced by women in Australia at the early stages of the pandemic.



## PART 8

### Special Feature: Fraud Offenders



**An Advertising Campaign for Special Fraud Prevention**

Source: Community Safety Bureau, National Police Agency



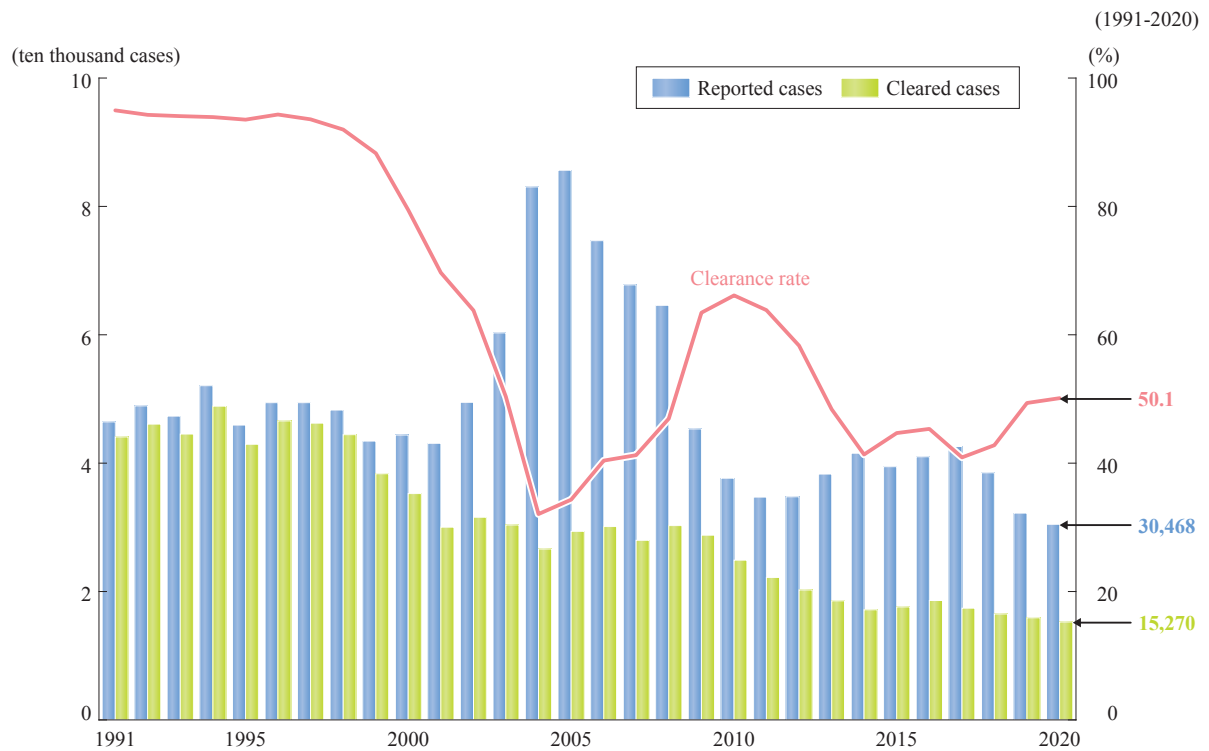
# Chapter 1 Trends in Fraud Offenses

## Section 1 Trends in Offenses

### 1 Fraud

Fig. 8-1-1-1 shows the number of reported cases, cleared cases, and clearance rate for fraud.

**Fig. 8-1-1-1 Fraud: reported/cleared cases and clearance rate**

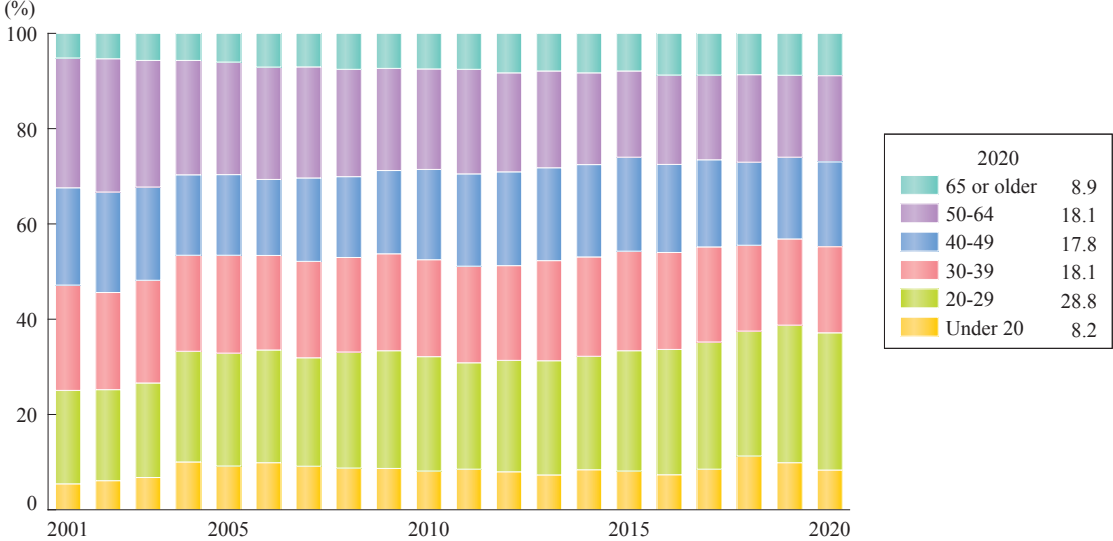


Source: Criminal Statistics of the National Police Agency

Fig. 8-1-1-2 shows the composition by age group at the time of the offense of cleared persons for fraud.

**Fig. 8-1-1-2 Fraud : cleared persons' composition by age group**

(2001-2020)



Note: The figures are based on the age at the time of the offense.  
 Source: Criminal Statistics of the National Police Agency



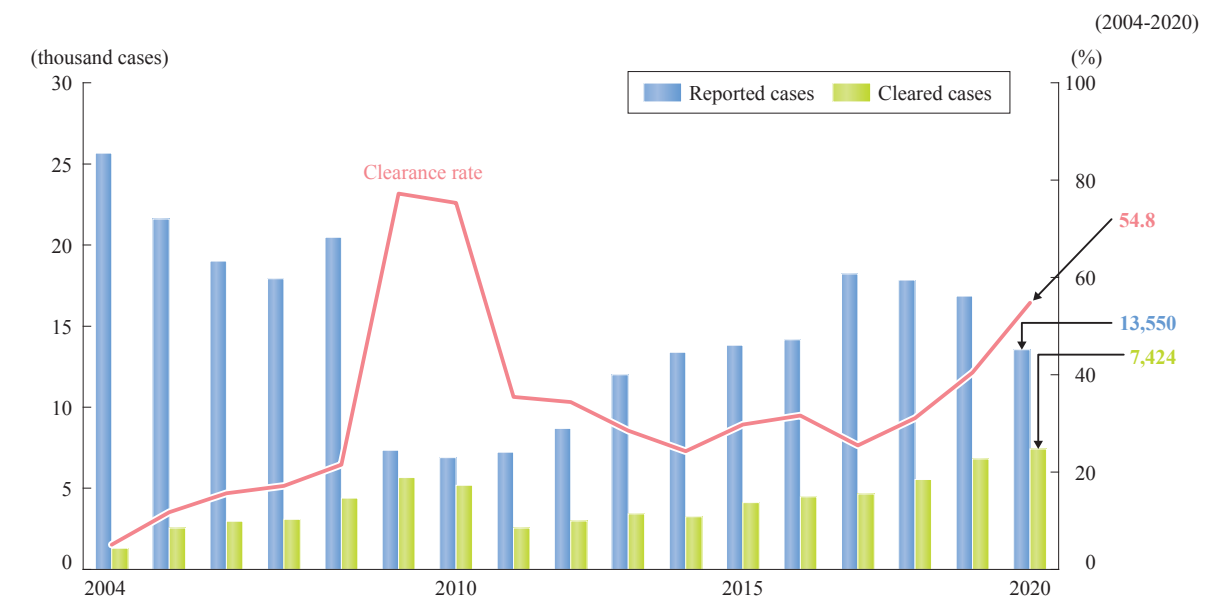
## 2 Special fraud

Fig. 8-1-1-3 shows the number of reported cases, cleared cases, and clearance rate for “special fraud”. Special fraud is a generic term that refers to certain types of fraud, extortion or theft offenses in which offenders use telephones or other devices to avoid confronting victims in person and subsequently defrauds victims into making money transfers and the like to profit offenders.

One type of special fraud, the “It’s me” fraud (an offender makes a call to a victim, pretending to be their child or someone close to them in need of urgent monetary assistance,) began to escalate around the summer of 2003, and the reported cases for special fraud reached approximately 25,700 and the amount of damage climbed to approximately 28.4 billion yen in 2004. Society has been facing the serious challenge with greater sophistication and diversity of special fraud.

Special fraud is committed systematically by a criminal group consisting of masterminds or leaders who play a central role, callers who make phone calls to defraud a victim, receivers who go to a place such as the victim’s house to collect cash, etc., drawers who withdraw money from an ATM, from an account into which the victim payed, and logistics who find and prepare a secret hideout, cellphones and bank accounts under a fictitious or third party name.

**Fig. 8-1-1-3 Special fraud: reported/cleared cases and clearance rate**



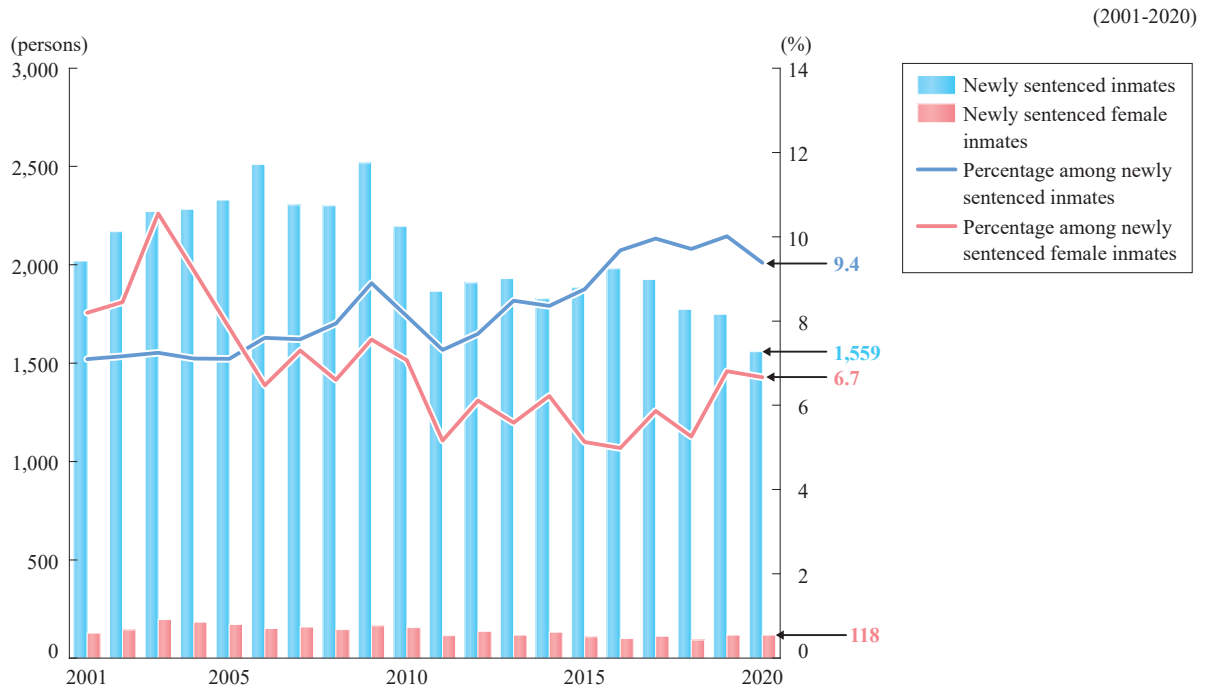
Source: The Criminal Affairs Bureau, National Police Agency

## Section 2 Treatment

### 1 Correction

Fig. 8-1-2-1 shows the trend in the number of newly sentenced inmates for fraud.

**Fig. 8-1-2-1 Fraud : newly sentenced inmates**

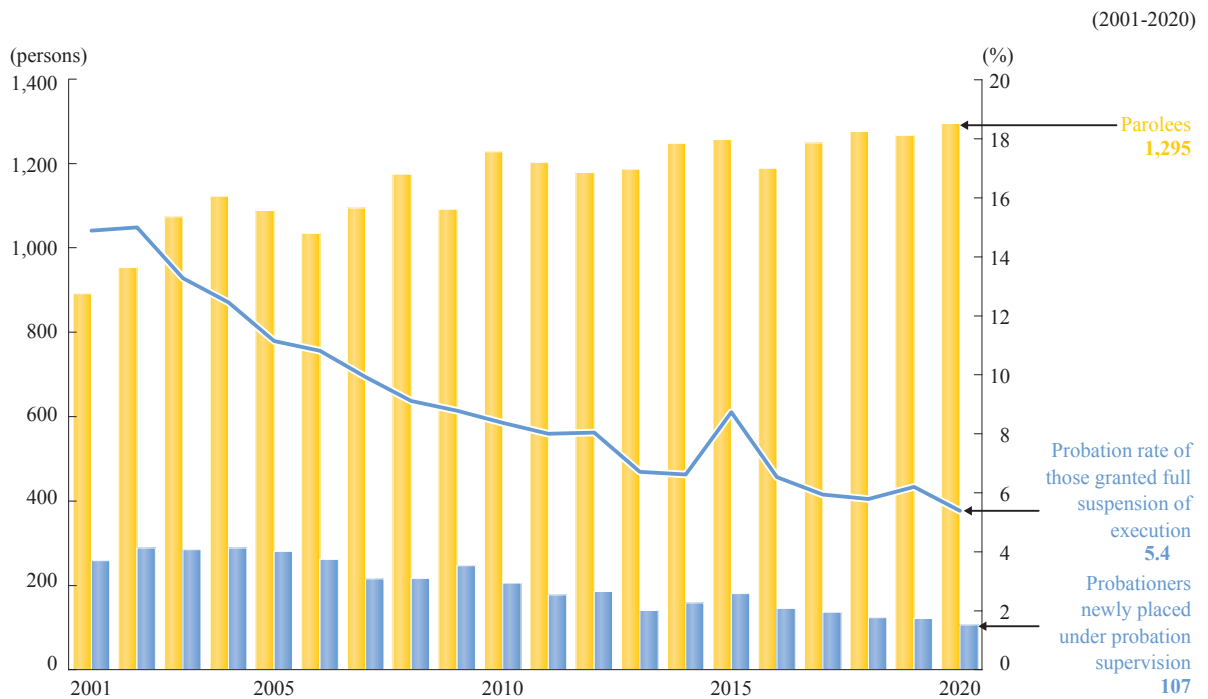


Source: Annual Report on Correction

## 2 Probation/parole supervision

Fig. 8-1-2-2 shows the trend in the number of parolees and probationers newly placed under probation/parole supervision for fraud and the trend in the probation rate among those granted full suspension of the execution of their sentence.

**Fig. 8-1-2-2 Fraud : parolees and probationers newly placed under probation supervision**

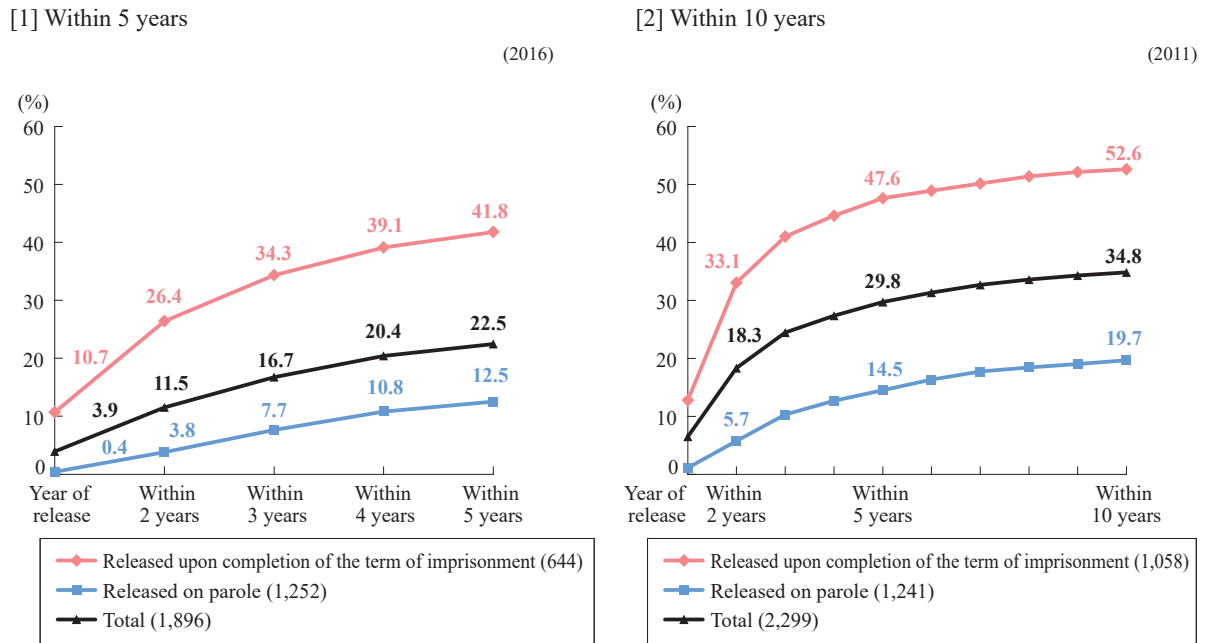


Source: Annual Report on Statistics on Rehabilitation

### Section 3 Repeat Offenders

Fig. 8-1-3-1 shows the rate of reimprisonment within the period of five and 10 years after the release of sentenced inmates released in [1] 2011 and [2] 2016 (by the end of 2020) by reason for the previous release (either released upon completion of the term or released on parole).

**Fig. 8-1-3-1 Fraud: rate of reimprisonment of released sentenced inmates, by reason for previous release**



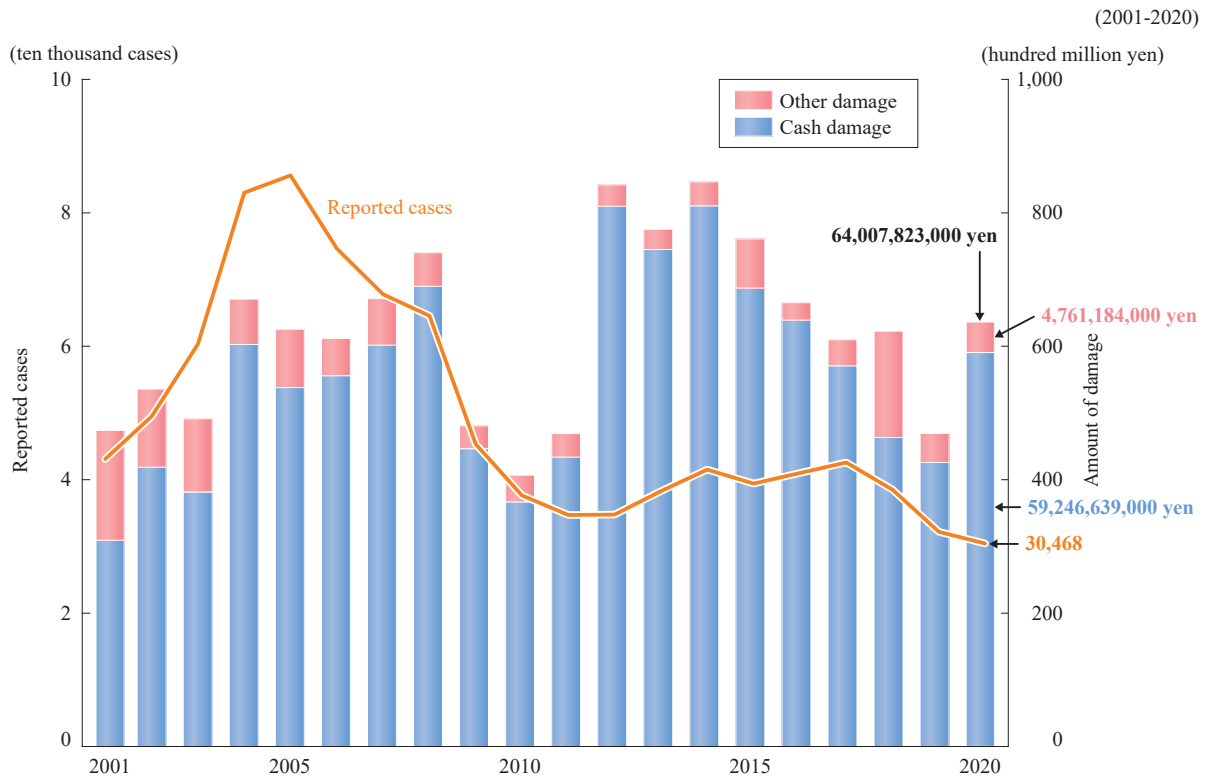
Notes: 1. The figures count inmates released upon completion of their term or on parole and then reimprisoned for offenses committed after release.  
 2. "Rate of reimprisonment" is the percentage of persons released from a prison in 2016 for [1] or 2011 for [2] and reimprisoned by the year-end of 2020 for an offense committed after release among the total number of sentenced inmates released in 2016 or 2011.

Source: The Judicial System Department, Minister's Secretariat, Ministry of Justice

## Section 4 Victims of Fraud

Fig. 8-1-4-1 shows the number of reported cases and amount of damages for fraud (including cases where the victims are juridical persons or any other organizations)

**Fig. 8-1-4-1 Fraud: reported cases and amount of damage**



Note: The figures include cases where the victim is a juridical person or any other association.  
 Source: Criminal Statistics of the National Police Agency

## Chapter 2 Special Survey on Fraud Offenders

### 1 Overview of the survey

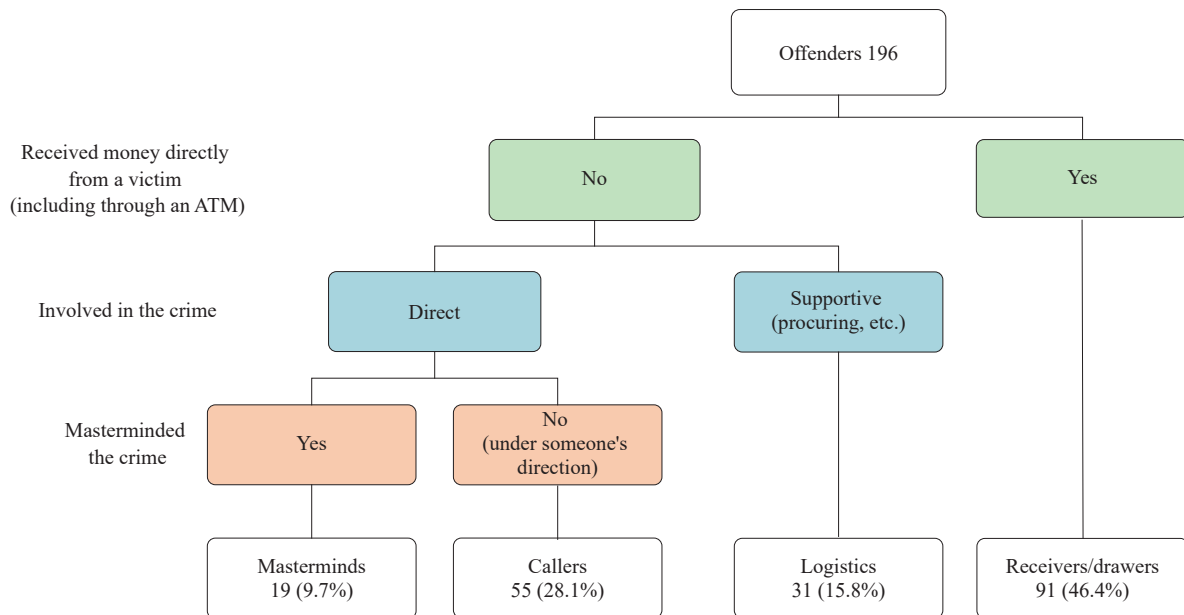
The Research and Training Institute of the Ministry of Justice carried out a survey for fraud offenders, targeting persons who were found guilty of fraud in a district court from January 1 to March 31, 2016 and whose sentence became final and binding at the time of the survey.

As a result of the survey, the actual number of the subjects in the special survey totaled 1,343. The Institute carried out a survey on the fraud cases, targeted persons, sentencing towards them, and the repeat offenses, as well as the victims as much as possible, based on the judgments of guilty from January 1 to March 31, 2016 that became final and binding.

Of all the targeted persons, 408 persons turned out to have committed special fraud. Among them, those who were found guilty in the Tokyo District Court, the Yokohama District Court, the Saitama District Court and the Chiba District Court (202 persons, 49.5%) were subject to a more detailed survey (hereinafter referred to as the “detailed survey for special fraud”), using their criminal records, etc. This paper describes only a small portion of the special survey.

Fig. 8-2-1 shows the details of the survey subjects.

Fig. 8-2-1 Special fraud offenders: their roles



Notes: 1. The figures exclude persons if their role is unknown.

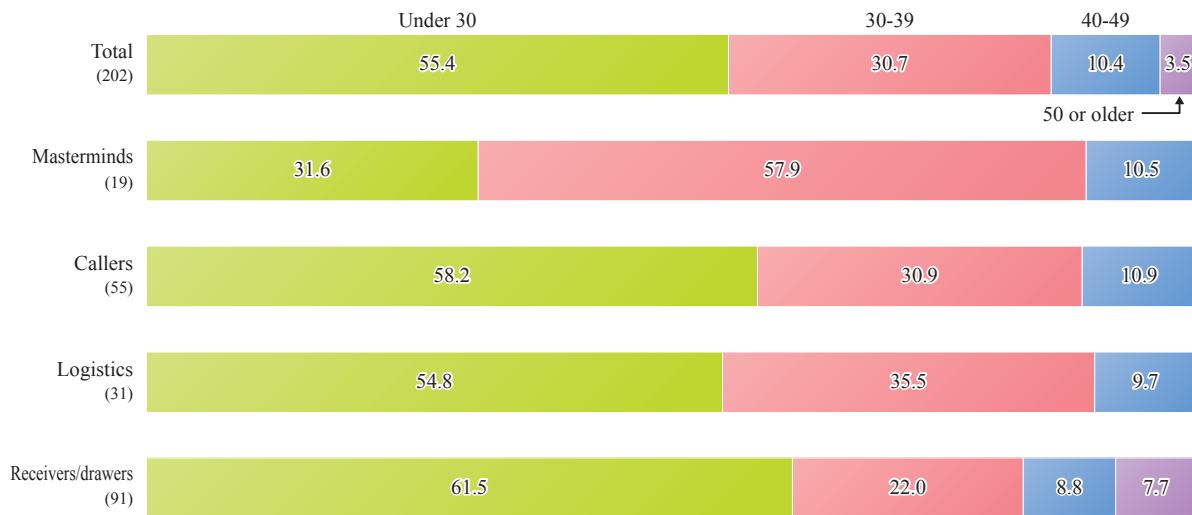
2. The figures in parentheses indicate the percentage of persons categorized in the respective categories among the total number of persons

Source: The Research and Training Institute, Ministry of Justice

## 2 Characteristics of special fraud offenders (role type)

Fig. 8-2-2 shows the attributes of the survey subjects in the detailed survey for special fraud by type of role.

**Fig. 8-2-2 Special fraud offenders: composition by age group (total, by role)**



Notes: 1. The figures exclude persons if their role is unknown.

2. The figures are based on the age at the time of the offense. When a person is charged with multiple offenses, the person is counted under the first one.

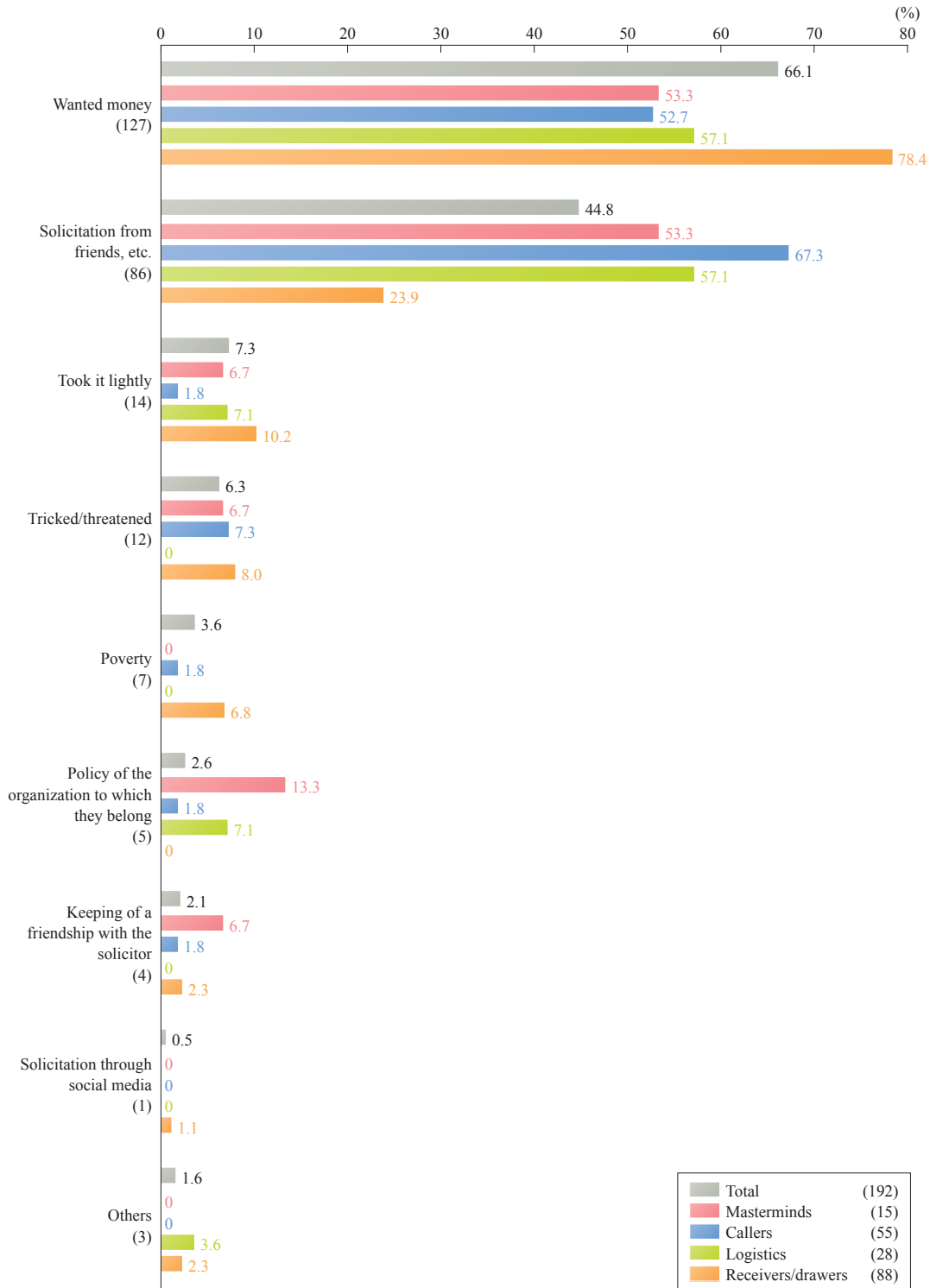
3. The figures in parentheses indicate the number of persons.

Source: The Research and Training Institute, Ministry of Justice

### 3 Motives for special fraud

Fig. 8-2-3 shows the number of motives/reasons for special fraud among the survey subjects in the detailed survey for special fraud (excluding those with unknown motives/reasons for their offenses) by type of role.

**Fig. 8-2-3 Special fraud offenders: motive/reason (total, by role)**



Notes: 1. The persons whose motive/reason is unknown exclude.  
 2. The figures indicate the percentage of persons under the respective categories and may be double counted.  
 3. The figures in parentheses in the legend and on the vertical axis indicate the number of persons.

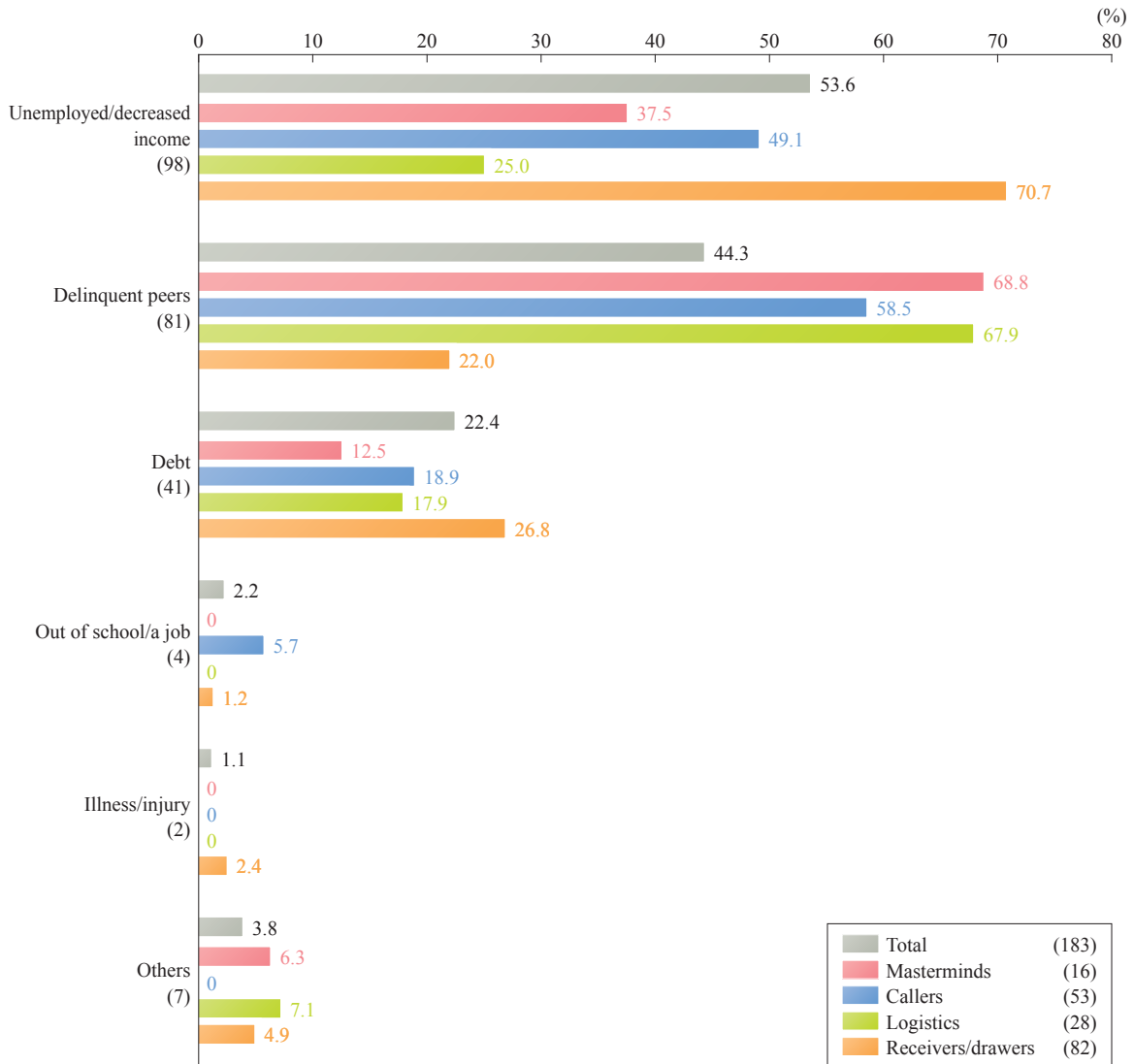
Source: The Research and Training Institute, Ministry of Justice



#### 4 Background of special fraud offenders' offenses

Fig. 8-2-4 shows the number of motives/reasons for special fraud among the survey subjects in the detailed survey for special fraud (excluding those with unknown motives/reasons for their offenses) by type of role.

**Fig. 8-2-4 Special fraud offenders: Background of committing special fraud (total, by role)**



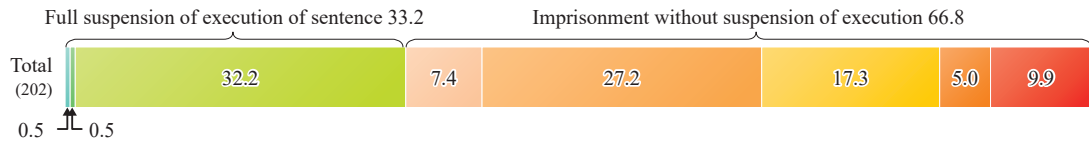
Notes: 1. The persons whose background is unknown exclude.  
 2. The figures indicate the percentage of persons under the respective categories and may be double counted.  
 3. The figures in parentheses in the legend and on the vertical axis indicate the number of persons.  
 Source: The Research and Training Institute, Ministry of Justice

## 5 Term of imprisonment of special fraud offenders

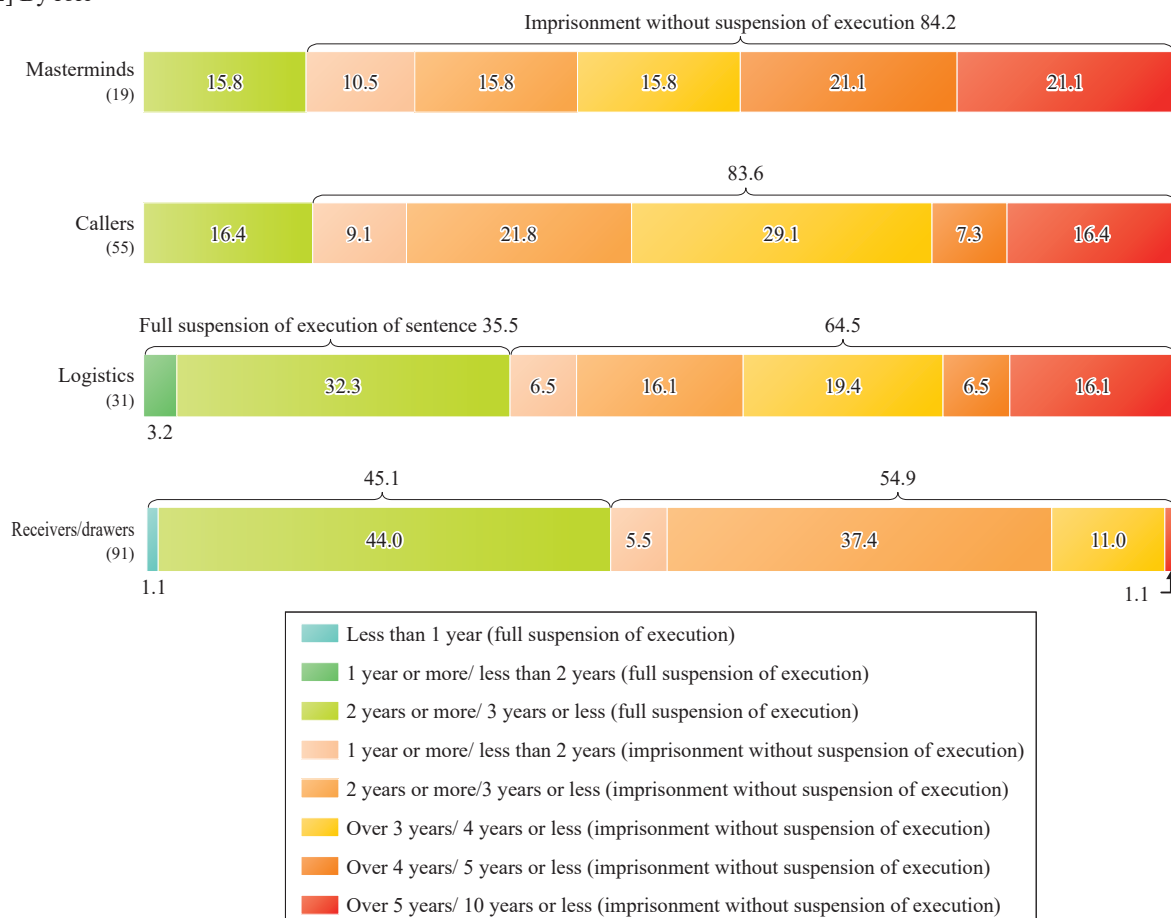
Fig. 8-2-5 shows the composition of the term of imprisonment by number of the cases and by type of role among the survey subjects in the detailed survey for special fraud.

**Fig. 8-2-5 Special fraud offenders: composition by imposing a punishment (imprisonment with work for a definite term) (total, by role)**

[1] Total



[2] By role



Note: The figures in parentheses indicate the number of persons.  
Source: The Research and Training Institute, Ministry of Justice