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National Report, Japan

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1. Country Information

Information about your country (region or state)*				
Country	Population (by the end of 2022)	GDP (by the end of 2022)	Poverty line & population living in poverty	Total no. of practicing lawyers
Japan	124,947,000 ¹	549.2 trillion JPY ²	1.27 million JPY/15.4% of the population ³	44,101 ⁴ As of May 3, 2022
* In addition to the country information given above, for countries with federal systems where the legal aid organization described below is not a national organization, please provide data for the state/province/area where the legal aid organization operates.				
Information about the legal aid organization				
Name of legal aid organization	Date of establishment	Total no. of applications received in 2022	Total no. of applications approved in 2022	Total no. of applications rejected in 2022
Japan Legal Support Center (Houterasu)	April 10, 2006	No Data	Mentioned Below	No Data
Total no. of employees	Total no. of Legal Aid Lawyers	Government funding for the legal aid organization in 2022	Total legal aid expenses in 2022	Proportion of government funding to the total legal aid expenses
1,476	Mentioned Below	Mentioned Below	Mentioned Below	No Data

¹ <https://www.stat.go.jp/data/jinsui/2022np/index.html>

² <https://www.esri.cao.go.jp/jp/sna/menu.html>

³ <https://www.mhlw.go.jp/toukei/saikin/hw/k-tyosa/k-tyosa22/dl/03.pdf>
(<https://www.mhlw.go.jp/toukei/saikin/hw/k-tyosa/k-tyosa22/index.html>)

⁴ https://www.nichibenren.or.jp/document/statistics/fundamental_statistics2022.html

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Number of Cases

Types of Services in JLSC		Provided Cases
Information Provision	Call Center	399,812
	District Offices	226,110
Civil Legal Aid	Legal Consultation	309,762
	Representation	102,090
	Documentation	3,258
Criminal Legal Aid	For Detained Suspects	73,775
	For Defendants	44,046
	For Juvenile	2,996
Crime Victim Support	Support Dial	20,889
	Information Provision in District Offices	14,644
	Referral to Well-versed Attorneys	1,529
	Legal Consultation for Specific Crime Victims	1,292
	Attorney for Participating Victims	691

Number of Lawyers

		Contracted Lawyers
Civil	Civil and Family Panel Attorney	24,293
	Judicial Scrivener	7,555
Criminal	Criminal Panel	31,755
	Juvenile Panel	16,150
Crime Victim Support	Well-Versed Attorneys	3,963
	Panel for Specific Crime Victims	2,263
	Panel for Participating Victims	5,756

Financial Situation in the Past Year (FY 2022)

Government Budget for the JLSC

Grants for operational expenses: 15,664 million JPY

Funds for entrusted business relating to court-appointed defense counsel: 16,792 million JPY

In total 32,455 million JPY

Expenses

Business expenses: 30,918 million JPY

General management expenses: 3,786 million JPY

Labor cost: 9,073 million JPY

In total 43,777 million JPY

2. Impacts of the Covid-19 Pandemic

- (1) In Japan, though the government declared the emergency, most of the measures taken to prevent the infection are not mandatory but request-basis where governors of the pandemic areas ask for the cooperation to practice “self-restraint.” Thus, essential businesses, such as super market and pharmacies, were running their business as usual. The government services were also running, while some of the services changed from face-to face to online or appointment-basis. The court and correctional facilities were also managed almost as usual.

But in the beginning of the pandemic, the Ministry of Justice decided to limit the visitation of the detained persons in their correctional facilities only with their lawyers. The Japan Federation of Bar Associations showed its deep concern on this decision⁵. Due to the stress under the pandemic, the number of suicide and domestic violence were increased during the pandemic⁶.

- (2) Restaurants and entertainment related businesses were financially damaged a lot. The workers of these businesses lost their jobs or got their income decreased. The government provided various financial support while “requesting (not ordering)” to shorten their opening hours. There were also financial supports⁷ for people financially damaged by the pandemic, such as support to single-parent households, students, and business owners. While the information on these aids is widely available, there are people who cannot choose suitable aid for them. Groups of private organizations including lawyers has set hotlines to support such people.
- (3) The New Influenza Special Measures Law allows the local governments to order facilities used by a large number of people to take necessary measures “only when it is deemed particularly necessary in order to avoid turmoil in people's lives and the national economy (the New Influenza Special Measures Law, Article 45-3⁸). However, this order was rarely used during the pandemic. There was a case where Tokyo Governor had ordered a company to close its restaurants and the company sued the governor that the order is unfair as well as illegal. Tokyo District Court decided the order was illegal. The lawsuit was supported by cloud-funding⁹.
- (4) There were issues where people became overly vigilant. They attacked or discriminated people who became COVID-19 infected and people who did not follow the government’s request. The former one was severe especially in rural areas. The latter one was often called “self-restraint police.” It was concerned that these discriminative activities violated the human rights¹⁰.

3. Other crises endangering democracy and violating human rights

- (1) It must be mentioned that former prime minister Mr. Shinzo Abe was assassinated on July 8, 2022. It was first time for Japan to experience its former or active prime ministers assassinated in 86 years (last one was Mr. Makoto Saito, assassinated in 1936).
- (2) The motive was explained by the attacker that he and his family had been victimized by a cult. Thus, the problems caused by cults became a prominent social issue and the government set a hotline where multiple government departments and agencies, including the JLSC, responded the call together. After a while, the hotline was handed over to the JLSC. The JLSC is now managing the consultations for cult victims in the collaboration with the bar associations.

4. The Changes in the JLSC Since the COVID-19 Outbreak?

- (1) Due to the pandemic, it was difficult to conduct face-to-face legal consultations. Thus, we revised the rule so that legal consultation services can be provided through the phone and online. Still, the number of the aid application was decreased as below. Since our budget is

⁵ <https://www.nichibenren.or.jp/en/document/statements/200507.html>

⁶ https://www.nichibenren.or.jp/document/assembly_resolution/year/2021/2021_1.html

⁷ E.g. <https://corona.go.jp/action/>, <https://www.meti.go.jp/covid-19/>, <https://www.npo-homepage.go.jp/news/coronavirus/keizai-taisaku>

⁸ <https://elaws.e-gov.go.jp/document?lawid=424AC0000000031>

⁹ https://www.call4.jp/info.php?type=items&id=I0000071#case_tab

¹⁰ https://www.moj.go.jp/JINKEN/jinken05_00055.html

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calculated by the number of cases in recent years, even after the pandemic, the JLSC is still being under the its financial impact.

FY	Free Legal Consultation	Representation Aid
2019	366,029	112,337
2020	337,961	106,308
2021	313,260	104,264
2022	309,762	102,090

- (2) The government requested people to stay at home (not mandatory), we tried to install the remote work. However, the most of the information we deal with is very sensitive, such as personal information of our clients. So, other than the headquarters, it was difficult to manage the work from home. Still the covid-19 brought about the online meeting practices.
- (3) Because our clients and lawyers are satisfied with the phone/online legal consultation, we again modify the rule to make this new service available even when normal time.

5. Beside the impacts of the pandemic, has the organization you work for or the legal aid organization in your country undergone other major changes in the following areas in the past five years (i.e., since the last Forum)? If yes, please describe what the changes are and explain why they occurred and what the impacts are.

➔ No

6. Does the organization you work for or the legal aid organization in your country employ modern information and communications technology (ICT) in providing legal aid services to the general public, or provide modern ICT to the users of legal aid services? If yes, please share your experiences, including, but not limited to, the following:

➔ No

7. Modern ICT used in the JLS

➔ Unfortunately, the use of modern ICT system is quite limited within the JLSC and the judicial community as a whole. The COVID-19 pandemic has brought about the Teams System to the court and now in the civil trial, the online meeting system is used very often. The JLSC installed the telephone/online free legal consultations after the pandemic as mentioned above. However, other than these, the use of ICT cannot be seen in the judicial community. In May 18, 2022, the Parliament has accepted revisions of Civil Procedure Act that aim at making civil lawsuit more suitable with ICT¹¹. The Ministry of Justice set a high-rank committee to examine how to utilize the ICT system in criminal procedure and the committee announced its final report on March 15, 2022¹². Supreme Court is also accelerating its planning to install modern ICT into the court systems¹³. The JLSC is working on how to expand ICT system utilization for your clients and lawyers' convenience. We may be able to report drastic changes in the next meeting.

¹¹ <https://www.moj.go.jp/content/001386866.pdf>

¹² https://www.moj.go.jp/keiji1/keiji07_00011.html

¹³ <https://xtech.nikkei.com/atcl/nxt/column/18/02121/070800003/>

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8. Does the organization you work for or the legal aid organization in your country provide legal aid for specific vulnerable groups, or provide services concerning specific legal issues?

Target clients may include women, children and juveniles, indigenous peoples, laborers, migrants, migrant workers, refugees and stateless persons, social welfare dependents, people with disabilities, people in debt, victims of crime, victims of disasters and environmental hazards. Please present **not more than three** targeted legal services for specific vulnerable groups, with attention to the following:

(1) For the Elderly and People with Disabilities

Since Japan is an aging society, we have focused how to reach out to the elderly people and people with disabilities. Our staff attorneys' efforts to reach out these people were recognized as the legal social work, officially documented in the Third Midterm Plan, and ultimately recognized by law as the services for the people with insufficient cognitive functions.

One of the key stakeholders of these activities is the community general support center that was established in 2005, a year older than the JLSC, based on the Long-Term Care Insurance Act to offer the comprehensive support to the elderly in the community. From the very beginning, community general support centers and the JLSC's local offices have made close relationships, and nowadays there are many community general support centers assigned as designated places for the legal consultation aid.

Legal Social Work is no longer staff attorneys' activities, but also activities of our non-legal staff as well. The district offices analyze the usage of the free legal consultation in their district and find areas where our services are not sufficiently delivered. We collaborate local authorities and communities to reach out such areas.

(2) For Foreigners

The number of foreign residents has been drastically increased, ensuring the access to justice has become our new target. The JLSC provides information for free on relevant Japanese laws and the justice system in response to questions. This service is now provided in ten languages: English, Chinese, Korean, Spanish, Portuguese, Vietnamese, Tagalog, Nepalese, Thai and Indonesian with a three-way call between the user, interpreter, and the information provision staff in District Offices. We have also installed the online-interpretation system for the free legal consultation service.

The JLSC also set the International Affairs Office in its headquarters. It opened inside the Foreign Residents Support Center (FRESC) in July 2020, when the FRESC was established. The International Affairs Office collaborates with the government agencies within the FRESC such as the Immigration Bureau and Labor Bureau to support the foreigners. It has also implemented a series of online seminars for the supporters of the foreigners, which provide basic legal information to the "supporters" who daily meet foreigners having legal issues. The number of the inquiry to the International Affairs Office has been increased.

9. Does the organization you work for or the legal aid organization in your country engage in strategic litigation or class actions on specific issues? If that is the case, please provide examples and explain how it was done.

➔ NO

10. Citizen Participation in Trials

- (1) We have a lay judge participation system, called "Saibanin Trial," since May 2009. In this system, six lay citizens and three professional judges decide a felony case together. For the attorneys who work for Saibanin Trial, the JLSC uses a higher table for their remuneration,

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compared to other normal criminal trials. The reasons we have installed Saibanin Trial were 1) reflecting the people's view and feeling on the criminal trial and 2) making the court system more familiar and reliable to the people¹⁴.

(2) For the details, please refer Mr. Ono's presentation.

11. Crime Victim Support

(1) Article 6 of the Act stipulates JLSC crime victim support service, "In implementing comprehensive legal support and establishing a comprehensive legal support framework, it must be undertaken to ensure that full use can be made of the systems that allow victims and their families (meaning persons who have sustained an injury due to a crime or their spouses, lineal relatives, or siblings, if such a person has died or suffered serious physical or mental harm; the same applies hereinafter) to appropriately participate in criminal proceedings as well as helping them recover from the damage or alleviate the pain they have suffered, and to ensure that full use can be made of other systems for assisting victims and their families." Considering this provision, the JLSC, depending on the needs and situations of the crime victims and their families, provides different services and support measures.

(2) Providing Information on Victim Support

The JLSC provides information regarding participation in criminal proceedings, as well as information about the legal systems that help victims and their families recover from the damage or alleviate the pain they have suffered (such as an explanation of criminal procedures and information on the consulting systems). Moreover, in cooperation with other organizations and persons helping crime victims, the JLSC manages a database of local consultation contact details and refers victims to appropriate points of contact (Article 30, paragraph 1, item 8 of the Act).

A "Crime Victim Support Line" is available at Houterasu Support Dial as a designated helpline for victims of crime, and operators with knowledge and experience in supporting crime victims assist callers. Since 2022, we changed this hotline to toll-free number.

(3) Referral to Attorney

If a victim of crime needs support from legal experts, depending on her/his specific situation, the JLSC refers her/him to an attorney who is well-versed in assisting victims and their families (Article 30, paragraph 1, item 8 of the Act).

(4) Financial Aid

If certain criteria are met, a victim of crime may receive financial aid from the JLSC as follows:

A. Court-Appointed Attorney for Victims

When a crime victim, allowed to participate in a criminal trial by the court (a participating victim), has financial difficulties, s/he can request the court to appoint an attorney to support her/him. Entrusted by the government, the JLSC is required to listen to the participating victim's requests, nominate a candidate attorney, coordinate with the court, and manage the processing of payment to the appointed attorney.

B. The Reimbursement of Transportation Cost to the Participating Victims

¹⁴ https://www.moj.go.jp/keiji1/saibanin_seido_gaiyou01.html

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Participating victims can request the state to reimburse transportation and accommodation costs. The JLSC manages the process by calculating the cost and sending cash to the applicants.

C. Civil Legal Aid

Civil legal aid can be used by crime victims as financial support (please refer to Section 3-2. (Civil Legal Aid)).

D. Legal Consultation for the Victims of Specific Crimes

The JLSC provides legal consultation for the victims of specific crimes, including domestic violence, stalking, and child abuse, regardless of their financial situation (when their financial resources exceed a certain amount, the JLSC may charge them the legal consultation fee). The legal consultation is conducted to avoid further damages. In this consultation service, the victims can confer with attorneys about criminal procedures against the offender, while the free legal consultation provided by civil legal aid is limited to civil matters.

E. Entrusted Service by the JFBA

The services entrusted by the JFBA have components to support crime victims (please refer to Section 3-6. (Entrusted Services)).

12. In the past five years, has the organization you work for or the legal aid organization in your country ever conducted surveys on the legal needs of the public or specific vulnerable groups and their behavioral patterns in seeking legal services, or has it conducted studies on the historical service data?

➔ No (as long as I know)

13. How does your country fulfill the requirements to provide specific legal aid to specific vulnerable groups in line with the international human rights instruments (e.g., Convention on the Elimination of all Forms of Discrimination Against Women, International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities, etc.)? What is the progress in the implementation of these requirements?

➔ We provide legal aid to the people as long as they satisfy the criteria of civil/criminal legal aid. These services are not specifically installed to fulfill the requirement of the international human rights instruments, but often used to explain by the government how Japan, as a whole society, is working to fulfill the requirements. The following is the list of ratified international conventions and Ministry of Foreign Affairs' website where the government of Japan explains how it has worked on each convention. You can also see lawyers' representative opinions and concerns on JFBA' website (https://www.nichibenren.or.jp/activity/international/library/human_rights.html).

Convention on the Elimination of all Forms of Discrimination Against Women

<https://www.mofa.go.jp/mofaj/gaiko/josi/index.html>

International Convention on the Elimination of All Forms of Racial Discrimination

<https://www.mofa.go.jp/mofaj/gaiko/jinshu/index.html>

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Convention on the Rights of the Child

<https://www.mofa.go.jp/mofaj/gaiko/jido/index.html>

Convention on the Rights of Persons with Disabilities

https://www.mofa.go.jp/mofaj/gaiko/jinken/index_shogaisha.html

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

<https://www.mofa.go.jp/mofaj/gaiko/gomon/index.html>

International Convention for the Protection of All Persons from Enforced Disappearance

<https://www.mofa.go.jp/mofaj/gaiko/shissou/index.html>