# Japan: Information for victims of rape and sexual assault

If you've been sexually assaulted it's important to remember that it was not your fault. Rape and sexual assault is always wrong – no matter who commits it or where it happens. It is traumatic and it can affect you both physically and emotionally. Do not be afraid to get help.

This information is provided to help British nationals overseas make informed decisions about whether and how to:

* seek medical advice and attention
* report to local police
* engage with foreign legal authorities following a rape or other form of sexual assault overseas.

For information on support available in the UK, see Rape and Sexual Assault: Returning to the UK (<https://www.gov.uk/government/publications/rape-and-sexual-assault-abroad-returning-to-the-uk>).

### *First steps*

It is your choice about what you do next, but this information may help you in coming to a decision. The most important thing is to make sure that you are as safe as you can be. You can:

* contact the police on 110; if you require urgent medical assistance dial 119 for emergency services
* contact your tour operator if you are travelling with one
* contact the British embassy, on +81(0)3 5211 1100 and select the option for Consular assistance. Embassy staff will be empathetic, and non-judgmental, and can provide information on local police and medical procedures. Anything you tell them will be treated in the strictest confidence. They can contact your family or friends for you if you wish.

<https://www.gov.uk/world/organisations/british-embassy-tokyo>

*If you want to report the incident to the police in Japan*

* If you have a tour operator, they should be able to arrange for someone to support you. If you are in an area where there is a British embassy, they will try to send a consular officer to support you, where timing and location allow. You will always be able to speak to trained consular staff on the telephone 24/7 by calling +81(0)3 5211 1100.
* If you approach the police directly, you can also ask them to inform the British Embassy Tokyo on +81(0)3 5211 1100 and they can offer you consular support.
* In Japan, the police prefer you to report the incident to the nearest police station to where the incident occurred.
* If you choose to report the crime, try to do so as soon as possible, so forensic evidence can be retained. Washing yourself or your clothes may make it difficult for the police to obtain forensic evidence. If you change your clothes, think about taking those you were wearing to the police. You may wish to preserve evidence by retaining items such as condoms, toothbrushes, or texts.
* All prefectures have a Victim Support Center which is operated by the National Network for Victim Support (a public-service corporation). This organisation offers various kinds of support (including legal advice, counselling etc.). However, the service level (including English language ability) varies at each Center. The location of Victim Support Centers is not shared with the public.
* The Japanese police force has a dedicated hotline operational 24/7 known as Heart 8103. This hotline is solely dedicated to victims of sexual assault. Through Monday – Friday from 8:30 – 17:15, you will be guaranteed to speak with a female officer by dialling 8103 from a Japanese phone, however there is no guarantee that an English speaking officer will be available. You can access a Japanese phone from the Embassy or your hotel.
* Japan has strict laws around drug use so there is the chance that the police could arrest you if an illegal substance is found in your body. This is regardless of your consent or awareness of having consumed any drugs. The police should caution you of this before taking any tests, and give you the option of whether or not you would like to take a drugs test. You may be able to get tested for drugs at certain medical institutions but the medical institutions are obliged to report if an illegal substance is detected..
* Insist you get a police report number, as police reports can be difficult to obtain as a victim of crime in Japan. If you have difficulty, the Embassy can help you make a request.
* If you want to, you can request to speak to a female police officer or you can ask us to call the police station in advance to request a female officer, but please be aware that not all police stations can accommodate this request, especially as several officers may be involved in handling your investigation.
* Not all police stations will have English-speaking officers available and you may have to wait for an interpreter. We can call a police station in advance to request that an interpreter be made available. However, there is no guarantee of the quality. This may be done in person or by an interpreter over the phone. If you wish, you may take a Japanese speaking friend with you to the police station to help with interpretation if the police are unable to provide one.
* In June 2023, Japan adopted legislation which redefined rape as non-consensual sexual intercourse and came into effect as of July 13, 2023, removing the earlier requirement that the crime includes assault or intimidation. The revisions also increased the age of consent from 13 to 16. The British Embassy has received feedback from some rape and sexual assault victims that they have found the process of reporting the assault at times difficult, and quite different from what they would expect of UK police proceedings.
* You will be asked to provide a written statement. Physical evidence (such as clothing and DNA samples) may also be requested.
* The crimes of rape and sexual assault are treated differently in Japan than they would be in the UK: the legal definition of rape in Japan is not the same as in the UK, and the authorities here may treat you in a different way than what you expect. To establish a case, victims may be asked to give detailed account of the incident which they may find uncomfortable to do so. We will do our best to help you, and provide advice about what to expect when dealing with the process.
* If you would like us to, a consular officer can accompany you to the police station and be there during your interview with the police. Our role will be to support you. We are not able to provide formal interpretation, but can help you to communicate what it is you wish to report to the police officers.
* You may be able to have friends or family with you when you are interviewed. If you want to, we can ask to stay with you during your interview.
* You may be asked to present your passport or resident card and the police may take a copy of it.
* Victims must hire a lawyer themselves, if necessary.

*If you do not want to report the incident to the police in Japan*

* The British embassy will be able to help you. This includes helping you to contact your insurance company, your family, making arrangements to travel back to the UK and/or provide you with information on local support in the UK.
* They can provide you with lists of English-speaking medical facilities, lawyers and translators.
* If you are travelling with a tour group, you can also report the incident to your tour operator and ask them for assistance. If you wish, the tour operator may accompany you to the local hospital. If you wish, and depending on location and timing, a member of consular staff may be able to accompany you.
* It is your choice on whether to report the crime. If you do not report it, your case is unlikely to be investigated.
* In Japan, you must report the crime before leaving the country. It is difficult to get a police report number after you have left the country and the police may only accept a report when you are in Japan.
* You will still be able to receive medical attention if you do not report the crime, but hospitals may not be able to provide full assistance without first consulting the police. If you do report the crime to the police, medical costs incurred may be covered by the police up to three years after the crime is reported.

### *If you want to report the incident to the police in the UK*

* The support available to you, and your access to justice may vary according to where you report the crime. In Japan, you need to report the crime before you leave the country, if you want it to be investigated and police to obtain important evidence.
* If you are staying in the country where the crime took place, you should report the crime in that country. If you are a British national and you need help to report the crime, you can contact the nearest [British embassy, high commission or consulate](https://www.gov.uk/world/embassies), or the Foreign, Commonwealth & Development Office in London.
* If you do not report the crime in the country where it happened and you return to the UK, you can still report the matter to your local UK police.
* The UK police should send the information you provide to the country where the crime happened. However, it is for foreign police forces to decide whether to investigate a crime in their jurisdiction and they may not take action.
* You can report the crime to the UK police even if you are not seeking an investigation abroad. The UK police can offer you access to victim support in the UK. They may still send some details of the crime to police in the country where it happened. This might be necessary in order to protect vulnerable people, or to stop more crimes being committed.

### *Reporting the crime in Japan - what happens next?*

* If you choose to report the crime, try to do so as soon as possible, so forensic evidence can be retained. Washing yourself or your clothes may make it difficult for the police to obtain forensic evidence.
* If you change your clothes, think about taking those you were wearing to the police. You may wish to preserve evidence by retaining items such as condoms, toothbrushes, or texts and social media messages.
* Japan has strict laws around drug use so there is the chance that the police could arrest you if an illegal substance is found in your body. This is regardless of your consent or awareness of having consumed any drugs. The police should caution you of this before taking any tests, and give you the option of whether or not you would like to take a drugs test. You may be able to get tested for drugs at certain medical institutions.
* Insist you get a police report number, as police reports can be difficult to obtain as a victim of crime in Japan. If you have difficulty, the Embassy can help you make a request.
* When you report a crime in Japan as part of the police investigation, they will want to interview you about what happened. This will include full details of the incident and you will be asked for a description of the attacker(s).The interview may take several hours and could be conducted in a regular interrogation room with a number of police personnel present. They also may take pictures of any injuries or bruising.
* The police may ask to keep some of your clothes or belongings if they are to be used as evidence, such as your phone.
* The police may take you to a hospital for treatment and examination. A police officer may accompany you when speaking to the doctors. Although hospitals are in all major cities, English speakers may not be readily available.
* Local police may inform UK police or ask UK police to undertake police checks on you.

*The medical examination – what to expect*

* Not all hospitals and medical centres are able to help victims of rape and sexual assault as they do not all have rape kits. You may be required to pay for a kit – the cost of which is around £200. If your case goes to court, the cost of the rape kit may be reimbursed by the police.
* Hospitals will not automatically report what has happened to the police. So it is sometimes useful to go to the police first and have them direct and accompany you to the hospital.
* You will be examined by a doctor who will check for external injuries, the possibility of sexually transmitted infections, pregnancy, and will help collect any evidence with swabs and DNA samples. In some cases, the police station where you report the incident may have a resident doctor and a medical area where they can conduct a medical examination. There is no guarantee that a female medical staff member will be present during the examination, and the process should be the same for both male and female victims.
* We can accompany you to the hospital but we cannot provide medical interpretation. Support from local tour operators will differ depending on the company.
* Medical costs incurred may be covered by the police up to three years after the crime is reported.

### *Treatment*

* Hospital staff will be able to provide advice on sexually transmitted infections, including HIV, AIDS, and pregnancy and abortion. Post Exposure Prophylaxis (PEP) are available in Japan by prescription and your doctor will discuss with you whether these are appropriate for you. Prescriptions will need to be paid for and are not covered by the Japanese health insurance system.
* HIV PEP medication needs to be taken within 72 hours of the incident for it to be effective. The NHS may be able to commence or continue the 28 day treatment on return to the UK
* Emergency contraception needs to be taken within 72 hours of the incident for it to be effective.
* Emergency contraception is prescription only and not available in all clinics and the costs are not covered by Japanese national health insurance, the costs vary clinic to clinic.
* Japan has a national health insurance system that will cover some of the costs for hospital treatment if you are a resident, though contraception and STI testing is not covered under the scheme. If you are a visitor to Japan, you will either be expected to cover the costs of care yourself, or claim through insurance. It is not uncommon for hospitals to refuse to provide treatment until you have proved you can pay.
* STI testing and treatment in Japan is available at Urology (male) and Gynaecology (female) clinics. Costs vary greatly from 15,000-40,000yen and are not covered by Japanese health insurance. Some public health clinics offer free testing services.
* If you have had medication administered overseas, you should keep the label or make a note of the name of the medication, so that you let your local health provider know when you return home.

*Police investigations in Japan – what to expect*

* It is common practice by police in Japan to ask a victim to recreate the incident using dolls (“dummy ningyo” which means “dummy dolls”). During the investigation, you may be also asked to visit the location of the assault to look for evidence with the police. Some victims have told us that they find these parts of the investigation particularly difficult.
* You may also be asked to go to the police station where the attacker is located. However you should not be asked to meet directly with the suspect.
* If the police make an arrest, they will take the suspect before the public prosecutor and a court within 48 hours. The prosecutor can then request the suspect be detained for a further 10 days. This can then be extended for an additional 10 days for a total of 23 days before they must decide whether to charge the suspect.
* The public prosecutor may ask you to make a statement and ask you questions. If you would like to, you can speak to a lawyer before you do this. In a criminal trial, you may be required to attend court hearings as a witness.
* Lawyers cannot make a statement to the prosecutors on your behalf.
* Your lawyer will have access to all the evidence and statements disclosed by the prosecutor once a court proceeding starts. The law does not prohibit the accused’s attorney from contacting you. However, in practice, the accused’s attorney often does not have your direct contact information and therefore usually cannot contact you without the cooperation of the prosecutor.
* Some lawyers provide an initial consultation for free as a pro bono service. Also, the Japan Legal Support Center (Houterasu) can provide initial consultations to victims for free. In addition, local bar associations and the Public Prosecutor’s Office also have free telephone counselling services for victims.
* You are free to leave Japan after reporting what has happened to the police. You may be asked to remain in the country during the police investigation and court proceedings, but you are not obliged to do so. You may be required to attend court hearings as a witness and return to Japan if your case goes to trial.
* The process of investigating and bringing charges can take many months. We can help liaise with your lawyer and the police during this time particularly if you are no longer in Japan.

*Court procedures – what to expect*

* If a case goes to trial, you may be asked to attend the trial as a witness. You may be able to testify through video link from another part of the court, or through video link from within Japan. You can ask for your name not to be mentioned in court, but the court will be open to the public including the press.
* We can help you communicate with your lawyer and the police, particularly if you are no longer in Japan.
* If the case is referred to further investigation, you may need to give an additional statement. For example, the police or the prosecutors may request additional interviews with the victim. The interview may be conducted remotely, such as by phone. Therefore you do not necessarily have to be in Japan.
* If you file charges against your assailant, you can drop them at any time. However, if you decide to do this, you will not be able to reinstate them.
* Usually you will not face charges for dropping charges. However, for example, if your complaint contains any false content, you may be charged with a false complaint or defamation.
* Under Japanese law, defamation and making false allegations are illegal. If the accused is found not guilty, they may be able to make a claim against their accuser.
* You may be encouraged to reach a settlement with your assailant that could involve them paying you a certain amount of money as compensation. This would take the place of any criminal investigation.

***Additional Legal information***

### *How can my case be taken to trial?*

* In Japanese criminal law, sexual offences do not require a complaint by the victim in order to be filed for prosecution. Extra information concerning the victim could be submitted by either party as evidence or a factual allegation, this information could work positively or negatively for victims. In criminal trials, it will be filed by the prosecutor and the defendant’s lawyer. In civil trials, it will be filed by the victim (plaintiff) or their lawyer and the accused or their lawyer.
* There is no legal deadline for filing a damage report or complaint. However, there is a provision regarding the statute of limitations, whereby prosecutors cannot file prosecutions after a certain period has elapsed from the time that a crime has been committed. The period of time varies depending on the severity of the statutory penalty. It is possible to do this from the UK, however it will be very costly and you might be requested to attend court proceedings in Japan. Legally it is not required to have local legal representation to make any filing in a civil court, but all documentation should be submitted in Japanese pursuant to the provisions of the Code of Civil Procedure. Therefore, in practice, it is usually necessary to be represented by a local attorney, and all filings must be done in Japanese.

*Trial procedures*

* It can vary as to when you will know whether there will be a trial or not. If there is, the trial will be conducted in Japanese.
* In civil trials, you, or your lawyer need to be present at every court session. In criminal trials, you are not allowed to participate in the proceedings, except when you appear as a witness or as a victim participant. It depends on the individual case, but for example in criminal trials, you may be asked to testify in court.
* You will not be able to testify from the UK. The examination of the witnesses should take place in the presence of a judge, therefore, you would have to return to Japan.
* There are some circumstances where some assistance may be provided if you do have to travel to Japan for a trial. For example, if you attend a criminal trial as a victim participant, there is a system under which the government provides the victim with money for such travel and other expenses to a certain extent.
* All prefectures have a Victim Support Center which is operated by the National Network for Victim Support (a public-service corporation). This organisation offers various kinds of support (including legal advice, counselling etc.). However, the service level (including English language ability) varies at each Center. The location of Victim Support Centers is not shared with the public.
* It depends on the individual case how long it takes a case to come to trial.
* It also depends on the individual case how long it takes for a final sentence tobe passed. However, as far as the first trial is concerned, for civil trials, the average is six months to one year. On the other hand, for criminal trials, the average is 2 to 3 months.
* There are two appellate courts (the second instance and the last instance) where the accused can appeal their sentence. However, appeals to the supreme court may be filed only when statutory grounds for an appeal exist, and appeals are often not accepted.

### *Hiring a lawyer*

* Lawyers can represent a victim’s interests at court proceedings.
* There are lawyers who have extensive experience in rape and sexual assault cases.
* We publish a list of English-speaking lawyers in Japan: <https://www.gov.uk/government/publications/japan-lawyers/japan-lawyers>

### *Communication*

* In criminal cases, it will usually be the police officer or the prosecutor who will communicate with you. In civil cases, most communications will be with your lawyer.
* By law, investigation procedures for non-residents of Japan are the same as for residents of Japan. However, in practice, the procedures may vary according to the police and prosecution.
* You are not legally required to give an address in Japan. When filing a damage report, your address must be given to the investigating agency, but your lawyer’s address can be included along with your own address as contact information.
* If you do not want to appoint a lawyer, in criminal cases, you can be kept updated by enquiring directly with the prosecutor. In civil cases, usually you can be kept updated by enquiring directly with the court (though this would be limited to finding out the status of the legal proceedings).

### *Legal aid*

* Victims are not entitled to legal aid. However, there are various forms of aid available for victims. For example, the Legal Support Centre (Houterasu) might offer one-off consulations on pro bono bases to victims, but it is not legal aid through a court proceeding. In addition, privately hired lawyers may offer pro bono services.
* When using the Houterasu system, there is an examination of financial and other requirements. As for the financial requirements, it depeneds on which service in the Hourterasu system the victim intends to use. There are various ways to evaluate a victim’s financial situation. For example, the Legal Assistance for Crime Victims Program is available when a victim’s financial resources (total amount of case, deposits, etc) minus the amount of expenses (medical expenses etc) expected to be incurred within one year from the date of the application concerning the criminal act in question is less than 3 million yen.
* Houterasu provides a victim with financial aid for their lawyer’s fees related to criminal (using the victim participant system) and civil trials. Most lawyers will charge an initial fee.

### *Sentencing*

* Generally speaking, sentences are not weighted in favour of either punishment or rehabilitation. From the perspective of penal theory, it is commonly understood that the Japanese penal system is based primarily on the concept of retribution, and secondarily on the concepts of general preventive purpose (punishment for crime deterrence) and special preventive purpose (education of offenders for rehabilitation).
* The ‘types’ of crime the perpetrator would be found guilty of include:  non-consensual indecency, non-consensual sexual intercourse, guardian obscenity, guardian intercourse, and inducement to illicit intercourse..
* The statutory penalties under the criminal code are as follows: for non-consensual indecency and indecency by a person having custody of a person under 18, imprisonment for not than less than 6 months but more than 10 years. Non-consensual sexual intercourse and sexual intercourse by a person having custody of a person under 18, imprisonment for a definite term of not less than 5 years. Non-consensual indecency causing death or injury, imprisonment for life or for a definite term of not less than 3 years. Non-consensual sexual intercourse causing death or injury, imprisonment for life or for a definite term of not less than 6 years..
* Under Japanese law, defamation and making false allegations are illegal. If a defendant is found not guilty, they may be able to make a claim against their accuser.

### *Compensation*

* You may be encouraged to reach a settlement with your assailant that could involve them paying you a certain amount of money as compensation. This would take the place of any criminal investigation.
* There is a government-funded benefit system for crime victims. If you meet certain conditions, you may be entitled to claim benefits under this system. Information is available through the [Ministry of Justice](https://www.moj.go.jp/content/900000797.pdf).

### *When you return home to the UK*

* You may want to let your GP or a Sexual Assault Referral Centre (SARC) know what has happened to you so that you can talk about the experience and seek further support and advice where you live.

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| England | NHS Choices website, or search the internet for ‘NHS SARC’  <https://www.nhs.uk/service-search/other-services/Rape%20and%20sexual%20assault%20referral%20centres/LocationSearch/364> |
| Scotland | Archway SARC: phone 0141 211 8175  <https://archway.sandyford.org/what-is-archway/> |
| Wales | New Pathways SARC: phone 01685 379 310  <http://www.newpathways.org.uk/sexual-assault-referral-centre/>  [Ynys Saff Sexual Assault Referral Centre - Cardiff and Vale University Health Board](https://cavuhb.nhs.wales/our-services/sexual-health/services-provided/ynys-saff-sexual-assault-referral-centre/)  <https://cavuhb.nhs.wales/our-services/sexual-health/services-provided/ynys-saff-sexual-assault-referral-centre/> |
| Northern Ireland | Rowan SARC Northern Ireland: phone 0800 389 4424  http://therowan.net/ |

* If you believe you may be at risk of having contracted a sexually transmitted infection (STI), you should ask your local health provider to test you. You should do this even if you have been tested in the country that the assault took place in.

### *Support organisations in Japan*

* It is your choice to let people know. If you are ready to talk about it, these organisations may be able to help you.

**Name of support organisation**

* Address
* Telephone number
* Hours of contact and language of service
* Description of services offered

**Sexual Assault Relief Centre (SARC)** · <http://sarc-tokyo.org/>

· +81(0)3-5607-0799

· English support is sometimes available. Embassy staff can help to arrange this.

· SARC offer support and are able to direct you to medical services, help report the incident to the police, and connect you with legal specialists.

**Tokyo Rape Crisis Centre** – [www.tokyo-rcc.org](http://www.tokyo-rcc.org)

· +81(0)3-3207-3692

· Wed 18:00 - 21:00 / Sat 15:00 – 18:00

· English support available on their website. They offer medical and legal information.

**Tsubomi Rape Crisis Centre (Tokyo)** · <https://www.crisiscenter-tsubomi.com/>

· +81(0)3-5577-4042

· Mon-Fri 14:00-17:00

· They can offer counselling in English, however the variability varies from month to month.

**Counselling Centre for Women** - [English | Counseling Center for Women (ccwjp.net)](http://ccwjp.net/?page_id=8)

· 0120-123-397 (toll-free, from Japanese phone only)

· Mon-Fri 10:00 - 17:00

· The organisation offers free and anonymous multi-lingual telephone consultation services, and may be able to refer to other support organisations.

**AMDA International Medical Information Centre** · <http://amda-imic.com/lng_eng/>

· Tokyo: +81(0)3-5285-8088; Kansai: +81(0)6-4395-0555

· Mon-Fri: 09:00-17:00. English available.

· AMDA provide information on medical services available in Japan.

**Nagomi Sexual Violence Crisis Center (Nagoya)** · <https://nagomi.nissekinagoya.jp/face.html>

· 24/7 Hotline – +81(0)52-835-0753 (Japanese only)

· Based in Nagoya, they offer information and support to victims. Currently only Japanese available.

**Kyoto Sexual Assault Relief Assistance (SARA)** · <http://www.pref.kyoto.jp/kateishien/news/kyotosara.html>

· +81(0)75-222-7711

· Mon – Sun 10:00 – 22:00 (Japanese only)

· Can provide counselling and help find medical facilities

**Tokyo Metropolitan Health and Medical Information Centre Foreign Language Assistance (Himawari)** · <http://www.himawari.metro.tokyo.jp/qq/qq13enmnlt.asp>

· +81(0)3-5285-8181

· Mon-Sun: 09:00-20:00. English available. Emergency interpretation available on +81(0)3-5285-8185, weekdays 17:00-20:00; Weekend/holidays 09:00-20:00. Himawari provide information in English about medical services in Tokyo.

**Tokyo English Life Line (TELL)** · <http://telljp.com/>

· +81(0)3-5774-0992

· 9:00 – 23:00 daily; English available.

· Free, anonymous, confidential telephone counselling in English. [Online TELL chat](https://telljp.com/lifeline/tell-chat/) services are also available every Friday, Saturday and Sunday from 22:30 – 02:00.

**Police Prefectural Consultation Services** · <https://www.npa.go.jp/consultation/sousa1/index.htm>

· Contact details for each prefecture are listed in the link above.

· Various hours; English rarely available.

· These are free consultation services offered by the police in each prefecture in Japan. They can advise you on the best course of action for your individual situation in Japanese.

**The Japan Legal Support Centre (Houterasu)** · <http://www.houterasu.or.jp/>

· +81(0)570-07-8377

· Mon-Fri: 09:00-17:00. English available.

· Houterasu offers legal assistance by appointment in English.

**The Japan Federation of Bar Associations** · <http://www.nichibenren.or.jp/en/legalinfo/counceling.html>

· +81(0)3-5312-5850

· Hours vary by location. English available.

· Legal counselling for foreign nationals.

Disclaimer: This information has been prepared by HMG officials who are not legally or medically trained. It should therefore never be used as a substitute for professional medical or legal advice. It is intended to help British nationals overseas make their own informed decisions. Neither HMG nor any official of the Consulate accept liability for any loss or damage which you might suffer as a result of relying on the information supplied.

Medical information has been provided by The Havens Sexual Assault Referral Centres of Kings College Hospital NHS Foundation Trust and was accurate at the time of production (02/02/2022).