

History of crime victim's judicial redress in Japan and a theory of victim's relief.

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The theme of this thesis is sufferings and reliefs of crime victim. I considered the history of crime victim's judicial redress in Japan and a theory of victim's relief.

At this thesis I assume that a phenomenon of crime victim include human relation of violation that links victim and perpetrator. It is important, because, It is clarified that is insufficient only improving victim's situation in the relief of victim, and the suffering as the crime victim are based on the experience of the violation "Harm was given" and, the suffering of crime victims face is the event goes beyond the individual crime victim, that violation by perpetrators.

I described and discussed the history of the judicial redress of crime victims in Japan, from the point of view of the above. For history, I was the subject of describing the judicial redress of crime victims to 2000 from before World War II. I considered that, when the judicial redress was institutionalized, what of the crime harm that contains the relation of violation asked, and how has been answered. As a result, it became clear that crime victim's judicial redress was institutionalized as a criminal policy, the one to correct injustice of crime, crime prevention, rationalize criminal policy of correcting disproportion with the assailant's treatment.

For a theory of crime victim's relief, referring to restorative justice to deal with violations, In particular Howard Zehr's theory, I considered crime victim's suffering from the viewpoint of the violation "Harm was given". As a result, it became clear that the victim holds existing suffering by asymmetry and irreversible structure of the victim holds existing suffering. As a relief to this suffering, I presented the situation that victim is not a victim but a becoming it, in considering Zehr's viewpoint about relief that based on "Liberated".