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*Support for Victims of Crime in Asia discusses international developments, the degree to which support for victims of crime is an import into Asia from the west, and developments in a range of countries, including Thailand, Korea, Taiwan and Japan, India, China, Singapore, Malaysia, Indonesia, and the Philippines.*

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**Chapter 2 : Support our Work**

*Support for Victims of Crime in Asia (Routledge Law in Asia Book 3) - Kindle edition by Wing-Cheong Chan. Download it once and read it on your Kindle device, PC, phones or tablets.*

Series preface Support for Victims of Crime in Asia is part of a larger project consisting of a series of volumes that compares the legal systems in several Asian countries, European Union countries, and the US across a wide range of issues. Specifically, the project seeks to examine legal system development and rule of law in Asia, using Western legal systems as comparison points. Given the great diversity among legal systems, the purpose is to understand how rule of law is conceived and implemented, and the role of law and the legal system with respect to economic growth, political reform and democratization, the protection of human rights, geopolitical stability, and the engagement of Asian countries with other countries in the international arena. The project will also address the Euro-American centricism of comparative law by replacing outdated stereotypes with empirically grounded, in-depth and up-to-date analyses of Asian legal systems across a wide range of issues and areas of law. In terms of methodology, each volume involves specialists in the relevant area of law from different Asian countries or jurisdictions along with specialists from Western countries. The first volume “Asian Discourses of Rule of Law RoutledgeCurzon” sets the stage for later volumes by providing a general overview of the dominant conceptions of law, organized around the theme of rule of law. The second volume “Human Rights in Asia Routledge” examined the performance of Asian countries and select Western countries across a wide range of human rights and other indicators of well-being. Subsequent volumes will examine specific areas of law or topics in law to determine: Support for Victims of Crime in Asia is a much welcome addition to the series, addressing as it does the important topics of restorative justice and the rights and role of the victim in the criminal process. Wing-Cheong Chan xii Series preface has assembled an impressive group of international experts in law, criminology, and related fields. Like its predecessors, this volume demonstrates the complex interplay between international practices and trends and local factors, and the wide variation within Asian legal systems. This volume will be of great interest to legal scholars and others working in the fields of criminal justice, criminology, social policy, public administration, and social work. Randall Peerenboom Series General Editor 1 Introduction Wing-Cheong Chan Overview In the short space of twenty years, there has been a sea change in the attitudes towards victims of crime in many developed nations. However, not all of the developments have met with universal approval. Such groups see these developments as compromising the fundamental role of the criminal law, which is to act in the public, and not private, interest and as infringing on the due process rights of the offender Ashworth ; Ashworth and Redmayne ; Chapter 10 of this volume. It comes as no surprise that the same issues are being confronted “to varying extents” in Asian countries as they reform their own criminal justice systems to accommodate the interests of victims of crime. The questions raised include: Does greater emphasis given to the victim mean that the rights of the offender and the interests of the State are correspondingly diminished? Do the measures fit in with the existing structure of the criminal justice system? What other pressing reforms are needed, in terms of legal, administrative or monetary support for victims of crime? Is there a way to ensure that the recognition given to victims of crime is entrenched in the criminal justice system and not merely a passing fad or part of law and order concerns? It can be comfortably predicted that twenty years from now, the same questions will continue to be raised “in Asian as well as nonAsian countries around the world” as they seek to balance the rights of the offender and the rights of the victim. Before I elaborate on the essays in this volume, a few observations on this book and the state of victim support and victim rights in Asia are ventured. First, Asia is a truly huge continent, encompassing billions of people, a score of different legal systems and traditions, and with countries at different stages of socio-economic development ranging from the highest to the lowest in the world. It is beyond the scope of this volume to cover every country in Asia. Instead, only about half of the countries in Asia have been selected for study “but those selected encompass more than half of the population and land mass of Asia, and include those whose legal systems are based on the common law as well as the civil law and socialist traditions. These jurisdictions can be said to be

representative of the region. For some of these jurisdictions, it may be the first time that up-to-date information on their criminal justice system is presented and critically analysed in the English language. Second, it is not possible to study the domestic legal developments without an appreciation of the international trends and developments taking place. To this end, essays from non-Asian experts are included to set out the theoretical and contextual background to the development of victim support and victim rights. Societies for the study of victimology exist in Japan, Korea and India, but have failed to spread to other parts of Asia. It is a truism that laws are of no use unless their existence is made known to those who need them the most and that those who need them are Introduction 3 assisted in taking advantage of those laws. Furthermore, victimological research, which is so important to the study of victims, is rare in Asia. It is hoped that this volume which admittedly is dominated by analyses on the legal issues relating to victims will spur victimological studies and further developments in Asian countries. As noted above, the reforms which have taken place in Japan, Korea and Taiwan in the last ten to fifteen years are particularly impressive. The recently published report by Mr Justice Malimath who was commissioned by the Indian government to recommend reforms to the Indian criminal justice system also contains recommendations for securing justice for victims of crime see Chapter 2 in this volume. Several countries in the Asian region, such as Thailand, the Philippines and Indonesia, have in recent decades undergone democratic reform, following the breakdown of the old political and legal order. An emerging rights consciousness has come with these democratic changes, including a call for rights for victims of crime. In Korea and Thailand, this even involved a redrafting of the national constitution where provisions on justice for victims of crime are now entrenched see Chapters 5, 8 and 9. In Indonesia, the breakdown of the old order meant the uncovering of abuses by the State, and a backlash of shocking crimes committed against innocent people by both State and citizens see Chapter 13 in this volume. In Japan and Korea, heinous crimes which sometimes injured many people indiscriminately led to an outpouring of sympathy for and attention to the plight of the victims Chapters 5 and 8. In Malaysia and the Philippines, crimes committed against women and children have sparked reforms for these groups Chapters 14 and Reforms in favour of the victim can also be said to be motivated by the wish to regain the public trust in the legal system to encourage cooperation with law enforcement agencies see Chapters 8 and Hence, these reforms can be criticized for not having the interests of the crime victim in mind. However, one should nevertheless note that crime victims also benefit from the reforms, which may not have been made otherwise. While Asian governments are by no means leaders in this field, they may not wish to be seen as laggards. Essays in this volume The essays in this volume are divided into the following sections: Specific Victims of Crime Chapters 14 and Support Services for Victims of Crime Chapters 16 and Compensation and Restorative Justice Chapters 18 and In Chapter 2, Waller highlights the international developments relating to victim rights. He describes how national governments can reallocate their budgets to pay for victim support and crime prevention, and the role which the World Society of Victimology plays in the realization of this goal. In Chapter 3, Garkawe discusses the vexed issue of whether rights for victims of crime can coexist with rights of the offender. He uses two examples to illustrate his point that they can coexist: In Chapter 4, Sebba gives a stimulating discussion on the transferability of legal and social institutions from one nation and culture to another. This is a largely neglected issue in victimology discussions, but a particularly important one because reforms in one jurisdiction are quickly adopted in others, as can be seen in the victim impact statement and restorative justice measures. More details on these countries can be found in the next section. On the other hand, Satish in Chapter 7, points out that no reforms have been made to date to the Indian criminal justice system to specifically cater to victims of crime. The Malimath report recommends expanding the former; the latter is based on a Supreme Court of India judgment delivered in in which the State did not challenge the locus standi of the petitioner. Further developments in India can no doubt be expected. In Chapter 8, Cho describes the reforms in Korea relating to victims of crime. Particularly noteworthy is the amendment to the Korean constitution granting victims the right to State compensation as well as the right to testify in court. The impact of these measures is analysed. The most recent law, the Crime Victim Protection Act , which provides comprehensive assistance to victims of crime, and the Victim Support Centres in Korea are also described. In the case of Thailand, described in Chapter 9 by Boonyobhas, the right of victims of

crime to State compensation can also be found in the national constitution enacted in However, Boonyobhas notes that many practical difficulties arise and that further reforms are needed. In Chapter 10, Hor questions four devices in Singapore which involve the victim in the criminal justice system: In contrast, the next two chapters on Taiwan and Japan by Wang and Ota respectively describe the many rights which victims of crime in these jurisdictions enjoy. In the case of Japan, the comprehensive Crime Victim Basic Act is expected to give rise to more developments in the future. In Chapter 13, Harkrisnowo notes the difficulties caused when there is distrust of the criminal justice system. Victims refuse to testify at trial, leading to collapse of the prosecution, and there is retaliation and intimidation of victims who do. New laws enacted such as the Human Rights Court in and the Eradication of Domestic Violence in are therefore empty shells. A new law to protect crime victims in general and to encourage their participation is therefore needed, as well as a fundamental change in the attitudes of the police and judges to cater to the needs of victims of crime. In Section 3, victims of child abuse in Malaysia and victims of domestic violence in the Philippines are considered. In both countries, wide-ranging legal reforms have taken place in the last few years to better protect such victims. But, as Nazeri and Aguilin-Pangalangan point out in Chapters 14 and 15 respectively, legal reforms are only the first step to be taken. Prevention programmes, sensitivity training of officials and the political will to eradicate such abuse are needed. Section 4 contains two chapters dealing with support services for victims of crime. In Chapter 16, Young uses the example of developments in the United States to explain the types of victim services and victim rights that are needed most. Victims need to have their sense of control over their lives restored and their fear of victimization diminished. In Chapter 17, Chung reminds us of the importance that support services such as counselling be practised in a culturally sensitive way. In the case of the Korean people, the traditional status of women means that victims of sexual and domestic violence are not forthcoming in seeking help. Cultural prejudice and social stigma against those with mental illness means that those who exhibit post traumatic stress disorder PTSD do not get much needed psychiatric help. Young victims and elderly victims also require different ways of being engaged. In Section 5, two measures which appear to hold the most promise for regaining victim satisfaction with the criminal justice system are discussed. He argues that this measure need not be seen as undermining the central role of the criminal law, which is to punish the offender, but as fulfilling a subsidiary aim of the criminal law to cater to the needs of crime victims. In the final chapter, Dignan points out the various misunderstandings that have arisen as to what is restorative justice, what are its aims and how it should be carried out. If properly understood, there is no danger that restorative justice can replace the investigative and adjudicatory functions of the traditional criminal justice system. However, much more can be done to ensure the success of restorative initiatives, such as making sure they are consistent with other policy objectives, giving field workers adequate time to prepare for their new roles and making clear what are the aims to be achieved. Dignan concludes by identifying some key lessons for policy-makers who may wish to promote restorative justice as a means to support victims of crime. The contributors to this volume have sought to take into account the law and other developments up to May Acknowledgments I would like to acknowledge the generosity of the National University of Singapore in providing a research grant which made it possible to hold a symposium in Singapore on 25â€”26 May on Support for Victims of Crime in the Asian Region. The essays in this volume are the edited papers presented at the symposium. I am also indebted to Associate Professor Tee-Liang Ngiam, co-organizer of the symposium; the Ministry of Community Development, Youth and Sports; the Subordinate Courts of Singapore; Ms Elizabeth Chua; and the following research assistants for their assistance in making the symposium a success: Finally, I would like to thank the Law Faculty of the University of British Columbia for providing me with the facilities to complete this project during the academic year â€”7 while I was a visiting associate professor there. Ministry of Home Affairs, Government of India. Part I International norms and policy perspectives 2 International standards for victims What norms? It must be remembered that international standards exist and that much more can be achieved, particularly through what the WSV is doing. We are at a turning point in promoting the implementation of international standards for victims.

## Chapter 3 : Support for Victims of Crime in Asia : Wing-cheong Chan :

*Support for Victims of Crime in Asia Giving victims of crime a greater role in the criminal justice system is a relatively recent development, a trend likely to continue and increase in the foreseeable future.*

Subjects Description Giving victims of crime a greater role in the criminal justice system is a relatively recent development, a trend likely to continue and increase in the foreseeable future. In many jurisdictions it has led to compensation schemes funded by the state, support for victims of crime to help them recover from their ordeal, and involvement of victims in decisions as to how offenders should be dealt with. This book examines developments in support for victims of crime in Asia. It shows how, contrary to the widely-held belief that Asian jurisdictions shy away from a rights based approach, there has been considerable progress in support for victims of crime in Asia, especially in Thailand and Korea, where rights for victims of crime are entrenched in constitutional provisions, and in Taiwan and Japan. Support for Victims of Crime in Asia discusses international developments, the degree to which support for victims of crime is an import into Asia from the west, and developments in a range of countries, including Thailand, Korea, Taiwan and Japan, India, China, Singapore, Malaysia, Indonesia, and the Philippines. Without exception, each of the chapters provides a thorough, yet accessible account of the recent victim-related developments in Asia. It is anticipated that this book will provide a much needed contribution to a particular area of comparative scholarship that has been sadly neglected by many western commentators. As such, it should be of interest to academics, policymakers, victim support workers, and other criminal justice stakeholders. It should also form a valuable part of the collection of all reputable law and criminology libraries. Introduction Wing-Cheong Chan Section 1: International Norms and Policy Perspectives 2. International Standards for Victims: A View from the Crossroads Leslie Sebba 5. Victims of Crime in the Criminal Justice System 6. Specific Victims of Crime Support Services for Victims of Crime The Needs of Victims of Crime in Korea: Compensation and Restorative Justice Compensation Orders in Singapore, Malaysia and India: He specializes in criminal law and family law. He has published extensively on issues relating to criminal law and family law in international journals, and is a regular speaker at conferences and forums on criminal law and family law.

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*/ Leslie Sebba --The development of victim support and victim rights in Asia / Tatsuya Ota --Victims of crime in China's criminal justice system / Guoling Zhao --The role of the victim in the Indian criminal justice system / Mrinal Satish --Assistance for victims of crime in Korea / Kyoon-seok Cho --Victims of crime in the Thai criminal justice.*

Chapter 8 : Victim Support |

*Victim Support Asia. 93 likes. promote the development of effective services for victims of crime throughout Asia and promote fair and equal compensation Jump to Sections of this page.*