

The Use of Confessions in Contemporary Japan

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Coerced confessions are common in Japan and it is routine practice for the interrogators to use coercive tactics to illicit confessions. There are numerous cases, many of recent origins, where false confessions were forced from the accused, who then was convicted based on the confession, served time in prison, and who was eventually determined to be completely innocent of all charges.

At the outset it is important to note that in Japan a confession alone is not sufficient grounds for an arrest or conviction. Article 38 (3) of the Constitution provides that no person shall be convicted or punished where the only proof is a confession.

It is equally noteworthy that the confession is considered to be the “King of Evidence” (*shouko no ou*). The authorities will go to great lengths to obtain a confession, often getting the accused to admit to a crime he/she didn’t commit. The interrogation can occur before or after the suspect has been arrested. In most cases the police ask the suspect to voluntarily come to the station for questioning. The suspect has the right to refuse, but as we will see in the following cases, the exercise of that right is rare.

The police prefer to conduct an investigation on a voluntary basis without having to resort to arrests and warrants. The main motive behind this practice concerns time. There is no provision in the Code of Criminal Procedure which limits the length of time the police can question someone who has voluntarily agreed to be questioned. On the other hand, if an arrest is made the police have only two days to question the person. After two days they must either send the suspect to the prosecutor or release the person (Article 203, Code of Criminal Procedure). Thereafter, the prosecutor has only 24 hours in which to examine the suspect without obtaining a warrant authorizing further detention (Article 505, Code of Criminal Procedure). If further detention is necessary a warrant of detention must be obtained from the court.

In a 1979 case, a suspect was stopped by the police while driving to work one morning (*Toyama District Court Judgment, July 26, 1979*). The police told him that they wanted to question him about a certain matter, and he agreed to come to the station. He rode in the police car and an officer drove his car. At the station the police questioned the man all day taking breaks only for meals and when the suspect needed to use the toilet. When he went to the toilet he was always under observation by a policeman.

Late that evening the police obtained an arrest warrant and executed it just after midnight. The next day the police transferred the case to the prosecutor. The prosecutor applied for a warrant of detention. The district court judge who heard the matter denied it because the length of pre-arrest interrogation had been too long. Even though the suspect was theoretically at the police station “voluntarily”, the facts indicated that the police used compulsion and intimidation as means to have the suspect remain at the station. The police never asked him if he wanted to leave or contact someone. They also knew that he would be late getting home for dinner.

This case indicates that there are some judges in Japan who feel that the practice of lengthy pre-arrest interrogation is wrong. If the police want to do more than just ask a few questions a proper arrest should be made so that a thorough interrogation can be conducted. The prosecutors generally oppose this idea and feel that it is in the best interest of the suspect not to be formally arrested. In this way the individual would not be subjected to the same degree of embarrassment and shame associated with a formal arrest. However, the court in this case, saw through this and realized that the police simply planned to conduct unlimited interrogation without making an arrest.

Once the suspect is arrested the police can begin the interrogation in the hopes of extracting a confession. However, there are some safeguards against convicting a person based on a false confession as we shall see in the next case.

A good example of this is the landmark case known as the “The Takanawa Green Mansion Murder Case” decided by the Supreme Court in 1984 (*Supreme Court Judgment, February 29, 1984*). A bar hostess was murdered on May 18, 1977, in a Tokyo apartment. The leading suspect in the case was a former boyfriend who had lived with the victim. He claimed an

alibi which the police discovered to be false and suspicion surrounding him intensified.

In the early morning hours of June 7, an investigator went to the defendant's residence. He lived in a dormitory provided by his employer. At the investigator's request the man voluntarily went to the police station for questioning. At the station the man confessed to the murder. However, due to a lack of corroborating evidence he was not arrested. A written statement was prepared after a full day of questioning. At 11 p.m. the interrogation came to an end. The man stated that he didn't want to return to the dormitory and asked the police to find a nearby inn where he could sleep for the night. Arrangements were made at a local boarding house. The man went there accompanied by four or five policemen, all of whom stayed with him for the next four nights. He was subjected to questioning everyday even though no arrest had been made. When they checked out of the boarding house the police paid all the charges except for the last night.

The man was then released and returned to his home town. Six weeks later he was finally arrested and confessed again to the murder. At the trial the defendant recanted both confessions and claimed they were the result of police compulsion and torture. The court didn't believe him and he was convicted and sentenced to twelve years in prison.

On appeal to the Supreme Court the conviction was affirmed. The Court was critical of the police for their conduct in the matter, but held that pursuant to Article 198 of the Code of Criminal Procedure, the police conducted a voluntary examination of the defendant from the 7th to the 11th of June.

In determining whether the measures are voluntary the entire circumstances of the case must be carefully considered. The nature of the facts, the degree of suspicion, and the suspect's attitude are all factors relating to the question of volition.

The Court declared that even though the period of interrogation was extreme, and the intent of the police in putting up the defendant at the boarding house was not the most desired approach, there was no evidence of compulsion. The defendant went to the inn voluntarily, never complained about the questioning, and never demanded that he be allowed to leave.

There are two important points to be learned from this case. The first

one is that even though a suspect confesses to a crime, an arrest cannot be made until there is sufficient corroboration. The second point concerns the issue of voluntary measures. Contrary to the holding in the previous case, the police can legitimately conduct very long interrogations provided the suspect consents.

However, there was a dissenting opinion which held that the methods employed by the police in this case had extended over the limit of what was reasonably acceptable. The fact of the investigators slept with the suspect was an important factor which the minority used to show that the authorities had exceeded socially accepted standards.

In addition, the majorities' opinion was severely criticized by scholars. For example, Professor Kageaki Mitsudo, in his text book, "(Kojutsu) Keiji Soshō Ho (jo), 1987, states that evidence obtained by unreasonable police procedure should be inadmissible, and that the minorities' opinion in this case was correct.

Confession Based on Promise

In Japan, the concept of plea bargaining has not yet been accepted. Until now it has been thought that to negotiate a sentence between the government and the criminal is contrary to justice. If a person is guilty, he should confess regardless of the consequences, and shouldn't be motivated by promises of leniency. Another reason plea bargaining hasn't been used in Japan is because the prosecution can't be trusted to keep a promise. The following case is an example. The defendant, an employee of the tax bureau, was indicted in connection with a bribe he received from a taxpayer in exchange for favorable treatment he had given to the taxpayer on his income tax return. The taxpayer involved in the case had an attorney who had a meeting with the prosecutor. At the meeting the prosecutor stated that if the defendant quit lying and showed some remorse, the prosecution would seriously consider suspending the prosecution of the case.

The attorney for the taxpayer and the defendant's attorney went to meet with the defendant while he was being confined. At the meeting the taxpayer's attorney relayed what the prosecutor had said, and advised him to accept the prosecutor's offer. The defendant did so; he confessed, and

expected to have his case dismissed.

At the trial, the confession was admitted as evidence. The High Court upheld the admissibility of the confession stating that even though the defendant may have been motivated to confess by what the prosecutor had said, the prosecutor's conduct was not illegal. The Supreme Court upheld the conviction, but excluded the confession because it hadn't been given voluntarily (*Supreme Court Judgment, July 1, 1966*). The Court held that it was reasonable to question the admissibility of a confession which is based upon a promise to suspend prosecution. The decision was based on an early high court judgment dealing with the same issue wherein it was held that a confession based upon a promise could not have been given voluntarily. Even though the confession was excluded, there was sufficient other evidence to confirm the conviction.

This case is considered to be important in Japan because it was the first case dealing with the question of voluntariness decided by the Supreme Court concerning a confession given pursuant to a false promise. While the result in this case tends to support plea bargaining, the practice has not yet caught on in Japan. Perhaps, the low volume of criminal cases attributes to this result, and plea bargaining might be an attractive device if court congestion becomes a serious problem.

Confessions Obtained by Trick

Confessions obtained by trick may not be admissible in Japanese courts. For example, in one case a husband and wife were accused of possessing illegal firearms and ammunition (*Fukuoka High Court Judgment, March 10, 1954*). Initially, the husband claimed that the wife had secretly bought the contraband and that he had told her to return them. However, the prosecution believed that both were culpable and wanted to prosecute the husband as well. The husband refused to confess until he was told that if he did so there was a good chance that the wife would not be punished. As a result of this prodding by the investigators, the husband confessed.

The husband appealed his conviction to the Supreme Court claiming that the confession lack the necessary volition in that he had been psychologically coerced into confessing. The Supreme Court agreed and reversed the

conviction (*Supreme Court Judgment, November 25, 1970 (Grand Bench)*). The Grand Bench panel held that investigator's tactics had violated both the Code of Criminal Procedure and Article 38 (2) of the Constitution. Pursuant to Article 319 (1) of the Code of Criminal Procedure, a confession that is made under compulsion, torture or threat, or is made after an unreasonably long arrest or detention, or that is doubtful of having been not made voluntarily may not be used as evidence. In this case, the Court stated that it was doubtful that the husband's confession, which was the only substantial evidence against him, had been given voluntarily.

Confession Obtained During Commitment

In Japan a person who has been indicted may be held for two months. This is known as commitment and the time begins to run from the commencement of public prosecutions. During this period the defendant may make a confession which can be used against him at trial. But what happens if the arrest is illegal, is the subsequent confession tainted by the prior illegality? This issue was resolved against the defendant in the following Supreme Court case (*Grand Bench Supreme Court Judgment, November 25, 1970*).

The defendant in the case had a girl friend who worked as a bar hostess. In the early morning hours of March 14, 1973, a fire broke out in her home and destroyed it and several dwellings in the vicinity. The authorities suspected the cause of the fire was arson. She was not home at the time and the prime suspect in the case was the defendant, her boyfriend. Apparently there was some grudge between them. The police didn't have enough evidence to obtain an arrest warrant so they resorted to the use of a "bekken taiho". A "bekken taiho" refers to an arrest made for a different charge in order for the authorities to interrogate the defendant concerning the target offense. The woman complained to the police that five months earlier the defendant had entered her apartment without permission while she was sleeping. Based on this evidence, the police obtained an arrest warrant for trespassing. After he was arrested, the defendant was interrogated concerning the fire and confessed to the crime of arson. Thereafter, the defendant was released for the trespassing charge and simultaneously rearrested (*sai-*

taiho) for arson. He again confessed to the arson and an indictment was issued against him. He was also committed into custody pending trial. During this period he was questioned again, this time by the fire department officials who wanted to determine the nature and cause of the fire. He admitted setting fire to her futon (Japanese bedding), but didn't know that the fire had cause so much damage. He was convicted and the evidence used against him was this last confession. The defense appealed claiming that the entire period of confinement had been tainted by the illegal arrest and that nothing stemming from such illegality could be used against the defendant. They claimed that the entire proceeding was inseparable. The Supreme Court agreed that the first confession was illegal because it was the fruit of a *bekken taiho* (arrest for different crime). But, the Court held that questioning during commitment is separate and independent from the general interrogation conducted by the authorities prior to indictment. The Court ruled that in the absence of some special circumstances, a confession of this nature was admissible and that there was no reason to attach the prior illegal police conduct to this confession.

The Discovery of Physical Evidence from an Involuntary Confession

In the next case we will see how the "Fruit of the Poisonous Tree" doctrine is used in Japan. If a confession is given under force, torture, or threat it is doubtful that the confession can be relied upon as trustworthy. An involuntary confession should always be inadmissible, but the question sometime arises as to whether physical evidence discovered as a result of such a confession should also be excluded. There is a great cost to society when a violent criminal is allowed to go free when there is evidence of guilt.

In this case the defendant was indicted for 1) the theft of explosives, 2) the bombing of a rival gang, 3) battery, and 4) the possession and manufacturing of an explosive. At the trial the defendant was convicted on counts 1 through 3, but, due to the exclusion of evidence based on an involuntary confession, two bombs and explosive materials could not be admitted into evidence against the defendant. The confession had been obtained pursuant to a "*bekken taiho*", and therefore it was inadmissible.

The Osaka High Court held that evidence which is obtained illegally as

well as any derivative evidence should be excluded. This thinking is based on the notion that the derivative evidence would not have been discovered had there been no original evidence. In other words, the original illegality taints the derivative evidence. However, the court did recognize the independent source doctrine. If the discovery of the evidence can be link to a source other than the original illegal source, than the taint is said to have been dissipated. In this case the defendant confessed twice. The first time his confession was obtain using illegal interrogating techniques. The second confession was made in open court at the trial. This confession was used by the Court to justify the admission of the two bombs. It held that the second confession was independent from the first one.

The Court spoke of sliding scale for the application of the “fruit of the poisonous tree” doctrine. When the degree of violation by the authorities increases so does the need to exclude evidence. The greater the infringement of the rights of the accused the greater is the need to protect the individual by excluding whatever evidence is thereby obtained.

Corroborating a Confession

In Japan, the accused cannot be convicted of a crime when the only evidence against him is his own confession (*Article 38 (3) of the Constitution, and Article 319 (2) of the Code of Criminal Procedure*). The question then arises as to what kind of evidence is sufficient to corroborate a confession. Must the evidence prove merely that the confession is truthful or must the evidence actually go toward proving the question of guilt? We will take a look at three cases dealing with this question.

In the first case the defendant was indicted for dealing in black market rice in 1951 (*Supreme Court Judgment, November 2, 1957*). He confessed to the crime and a notebook he used to record the transactions was used as corroboration. The defense argued that the notebook was to remind the defendant of his accounts, and that as such it was linked closely with the confession and could be considered as part of the confession. Therefore, the notebook should not be used to corroborate it since it was a type of confession itself.

The Supreme Court dismissed the defendant’s appeal and rejected his

argument. It held that the notebook was documentary evidence which supported the defendant's in-court confession, and as such it was good corroborating evidence.

Corroboration of an In-Court Confession

Before 1967, the courts treated in-court confessions differently from confessions made outside of the courtroom. In-court confessions were considered more trustworthy and corroboration was not required.

In a 1967 decision, the Supreme Court eliminated the distinction and required that in-court confession be corroborated too (*Supreme Court Judgment, December 21, 1967*). The defendant was an assistant driver for a truck company even though he had no driver's license. While he was driving a large size-vehicle he collided with a bicycle killing the rider. He was indicted for criminal negligence and for driving without a license. The only real evidence against him concerning the driving without a license charge was his own in-court confession; he was convicted.

The defendant claimed that such a ruling was contrary to Article 38 (3) of the Constitution. The trial court held, based upon earlier Supreme Court precedent that an in-court confession does not need to be corroborated. The Supreme Court upheld the conviction, but stated that the trial court had committed a harmless error in deciding that in-court confessions don't need to be corroborated. It held that all confessions must corroborated in order to comply with Article 319 (2) of the Code of Criminal Procedure. The trial court had ruled that the fact of whether the defendant had a license or not could be proved by his confession alone. It reasoned that the act of not being a licensed driver is not a crime. A crime is not committed until an unlicensed driver attempts to drive a motor vehicle. The Supreme Court held this reasoning to be in error, and stated that even the fact of not having a license must be corroborated. Since a fellow worker of the defendant had given a statement that he knew the defendant did not have a license, such was sufficient to corroborate the in-court confession of the defendant. With this case the old distinction between in-court and out-of-court confession was eliminated.

Corroboration by Co-Defendant's Confession

The last of three cases dealing with the corroboration of a confession concerns the question of whether an accomplice's confession alone is sufficient evidence for a conviction. In this case four individuals, whom we shall call A, B, C, and D, were charged with insurance fraud in connection with a scheme wherein a traffic accident was staged. A, B, and C all confessed to the crime at trial, but D refused to confess or acknowledge that he was part of a staged accident. Nevertheless, all four were convicted by the trial court. The High Court upheld the conviction and the defendant appealed to the Supreme Court (*Supreme Court Judgment, December 21, 1967*). D contended that it was improper to find him guilty based on the confession of the accomplices alone. In an earlier opinion by the Grand Bench of the Supreme Court, it was held that confessions by two or more accomplices were sufficient to convict, and that no violation of Article 38 (3) occurs when such evidence is the only basis for a conviction.

In this case there were three accomplices who confessed; this was enough to convict the fourth. While the First Petty Bench reached an unanimous opinion as to the propriety of using the accomplices confession for a conviction, there was a great difference of opinion as to the reason. Justice Yasuo Kishigami held that the term "by his own confession" in Article 38 (3) of the Constitution did not include the confession of accomplices, and therefore, there was no need to corroborate the confession of an accomplice. On the other hand, Justice Shigemitsu Dando held that the confessions of accomplice are the same as the defendants within the meaning of the phrase, "by his own confession". Kishigami explained that while Anglo-American law may prohibit the use of accomplices' confessions, such was not the case in Japan. He held that it was not unreasonable for a judge to decide that the defendant is guilty when the only evidence against him is the confession of two or more accomplices. Based on the principle of free discretion, judges should be allowed to evaluate the evidence and attach the weight they deem appropriate under the circumstances. Dando, on the contrary, has continued to advocate that the confession of an accomplice is the same as a confession by the accused for purposes of Article 38 (3). The question, accord-

ing to Dando is whether the accomplices' confessions can be used to corroborate each other. He answer this question in the affirmative. He says that the confession of an accomplice, like the defendant must be corroborated, but the confessions of two or more accomplices may be used to corroborated each other. Since there were three confessions which corroborated each other in this case, they could be consider trustworthy and could be used to convict D, who refused to confess.

The difference between the two schools of thought could be seen more clearly if there had been only one confession. In that case Kishigami would have held that since the confession of an accomplice doesn't need to be corroborated, it would be sufficient evidence, standing alone, to convict the other person. Dando, on the other hand, would hold that where there is only one confession, some other corroborating evidence must be produced before a guilty verdict can be reached.

The Shibushi Vote Buying Case (*Kagoshima Dist. Court Judgment, Feb. 23, 2007*)

This case clearly demonstrates that forced confessions are currently occurring in Japan. Shibushi is a small town in southern Japan and many of its residents were suspected of being involved in a vote-buying scandal. The suspected individuals were subjected to repeated interrogations, and in some cases, to months of pretrial detention. The police ordered one woman to shout her confession out of a window and forced one man to stomp on the names of his loved ones.

In all, thirteen men and women ranging in age from early 50s to late 70s, were arrested and indicted. Six of them were overwhelmed at the ordeal and confessed to a complicated scheme of buying votes with liquor, cash, and parties. One man died during the trial, apparently from the stress of the ordeal.

However, the remaining twelve were all acquitted on February 23, 2007. The three-judge panel found that their confessions had been entirely fabricated. The presiding judge, Toshiyuki Tani, said that the defendants had made confessions in despair while going through marathon questioning.

The investigation started when the police accused Sachio Kawabata,

whose wife, Junko, was the assemblyman's cousin. The police accused them of giving cases of beer to a construction company in exchange for votes. Kawabata admitted to giving the beer because the company had sent guests to an inn he owns, a custom of giving thanks. He was called in for questioning at the local police station and had to endure nearly 15 hours of interrogation a day. He refused to confess and was never indicted.

One of the first to confess was Ichiko Fujimoto who had worked for the assemblyman. After being interrogated for a couple of days she crumbled and admitted to distributing alcohol and cash to her neighbors, and also admitted that she had hosted four parties at her home to gather support for the assemblyman.

Everything in her confession was made up in order to please her interrogators who insisted that she confess. This encouraged the police to extract other confessions from those who supposedly received alcohol and cash at the parties. Her neighbor, Toshihiro Futokoro, was subjected to three days of "voluntary" interrogation began to cave in. The police told him that everyone else had confessed and that there was nothing he could do but confess. On the third day, Toshihiro jumped into a river in order to commit suicide, but was rescued by a fisherman. After the incident he soon confessed.

Eiko Hamano, age 65, was threatened with arrest unless she cooperated. The police said that her grandson would be bullied at school, that her son would be fired from his company, and that her entire family would suffer forever. On the fourth day of questioning she became so sick that she could barely walk and confessed to accepting the money. In an effort to bolster their case the police wanted to prove that she had spent the money and asked her to produce a receipt for an 8000 yen purchase. She produced a receipt for that amount for the purchase of adult diapers for her mother. Others did not confess, including Assemblyman Nakayama who was jailed for 395 days, and his wife, Shigeko, for 273 days. The village postmaster, Tomeko Nagayama spent 186 days in jail and was held in solitary confinement in a windowless cell that she was forced to clean every night after being subjected to a full day of interrogation. The police put pressure on her and told that her refusal to confess was harming the family and that her

sick husband could not live alone. Her daughter had to quit her job in order to care for her father and run the post office. However, in spite of this pressure Nagayama never confessed.

The Saga Murder Case
(*Fukuoka High Court Judgment, March 19, 2007*)

In November of 1989, the defendant, Teruhiko Matsue, had confessed to a triple murder after 17 days of interrogation that went on for more than 10 hours a day. The bodies of three women who had disappeared between 1987 and 1989 were discovered in a mountainous area in Kitagawa and he was suspected of being involved in the case. However, the Fukuoka High Court, on March 19, 2007, upheld the acquittal of the Saga District Court of May 10, 2005, and declared that the confession was illegally obtained and unreliable.

Presiding Judge Katsuhiko Sasaki said there were no errors in the fact finding process of the district court where the confession was held to be inadmissible due to having been illegally obtained. The prosecution had demanded the death penalty, but the district court said that guilt had not been proven beyond a reasonable doubt.

When Matsue wrote the confession he was being held on an unrelated drug charge in 1989. This technique is known as a *bekken taiho*, an arrest on a different charge. He was dating one of the victims at the time of the killings and his body fluid was found on her body. However, the defense counsel claimed that the prosecutors had concealed forensic evidence indicating that Matsue was not the killer.

Matsue was arrested for the murder in June 2002, just a few months before the 15-year statute of limitations was due to expire. (The statute of limitation for murder was eliminated in 2010.) He was charged with murder the following month and his early confession made in 1989 was the main evidence against him. He maintained his innocence from the time of his arrest until the end of his trial.

The Toyama Rape Case

Beginning on April 8, 2002, Hiroshi Yanagihara, a taxi driver in Himi,

Toyama was questioned by the Toyama police on a “voluntary” basis for three days regarding the rape of a 16 year old girl. He was 34 at the time. He was questioned from morning to night for three straight days. He was required to hold a photograph of his deceased mother, and one police officer grabbed his right hand and forced him to write a map of the crime scene. He finally confessed to the crime and was thereafter arrested. Until this point the police were conducting a voluntary investigation. As you can see there is a unique and twisted notion of voluntariness in Japan.

When the case was transferred to the prosecutor, Yanagihara denied involvement in the crime and withdrew his confession. But the prosecutors were not listening and rejected the denial. In November 2002 the Takaoka Branch of the Toyama District Court found him guilty of the crimes and sentenced him to three years in the Fukui Prison. He was paroled in January 2005.

In November of 2006, Eiichi Otsu, 52, was arrested by the Tottori Police and confessed to the Toyama rape cases. He was a serial rapist and is serving a 30- year sentence.

The case drew intense media coverage and clearly showed how forced confessions are leading cause of miscarriages of justice. Yangihara was relying on the courts to protect him and he said it made him sick that the judge displayed a “not my problem” attitude at his trial.

The Ashikaga Rape-Murder Case

Toshikazu Sugaya was 62 at the time of his release from prison in May 2009 after serving 17 years for a crime he did not commit. On May 12, 1990 a four year old girl became missing from the parking lot of a pachinko parlor and her dead body was found in a nearby river the following day. On December 2, 1991, a bus driver for a kindergarten was arrested for the kidnapping and murder of the little girl. The reason for the arrest was that his DNA (body fluid) was found on the victim’s body. The results of the DNA test showed that there was only a 1.2/1000 that someone other than the defendant committed the crimes.

When he was confronted with this evidence he confessed under police pressure, but later withdrew his confession at the time of the trial. How-

ever, the court did not accept his retraction of the confession even though he claimed his innocence. His lawyers had argued that the DNA test was not reliable. However, both the Tokyo High Court and the Supreme Court (*Supreme Court Judgment, July, 17, 2000*) held that the DNA test was admissible. This was the first Supreme Court case which addressed the issue of DNA reliability. His life sentence was confirmed by both of these courts and the judgment was finalized (*kakutei hanketsu*).

As a result of media pressure that called into the question the results of the DNA test and demanded that a second test be conducted, the Tokyo High Court order a re-test in October of 2008 (17 years after Sugaya's arrest). In February 2009 the prosecutor and defense counsel each select an expert on DNA to conduct a second test. In May of 2009 both experts determined that Sugaya's DNA did not match the DNA left on the victim's body.

It is interesting to note that due to the 15-year statute of limitations for murder that was in effect at the time, the authorities lost the chance to every punish the real killer if he/she is every found. In 2005, the 15-year statute of limitations was revised to 25 years, as set forth in Article 250 of the Code of Criminal Procedure, and was eliminated for the crime of murder in 2010.

The head of the Tochigi Prefectural Police Department, Shoichiro Ishikawa, bowed deeply and apologized to Sugaya who thanked him for his gracious words. However, he declared to never forgive the police officers and prosecutors who put him away.

Conclusion

Japan has a good system of criminal justice and it has served the residents of Japan very well. However, from a western point of view, it could be said that the reliance on confessions should be lessened and more emphasis should be placed on hard evidence, including DNA. Since the criminal procedure in Japan has seen a lot of change recently, there will be change too regarding interrogation practices and the extraction of cases.