

5. Criminal Law and Procedure

1. *The Criminal Law Society of Japan* held its 66th General Meeting at Kokugakuin University on May 28 and 29, 1988. The agenda of the meeting was as follows:

[Individual Reports]

(1) The Principle of Self-Responsibility in the Theory of Complicity, by Mitumasa Matsuo (Lecturer, Himeji Dokkyo University).

(2) Accuracy in a Suspect's Written Confession — A Comparative Study with England, by Noriyoshi Naganuma (Associate Professor, Kanazawa University).

(3) The Constituents of an Offense and Their Pertinent Explanations in Economic Criminal Code, by Norihisa Kyoto (Associate Professor, Meiji Gakuin University).

(4) New Developments in the Theory of Imagined Self-Defense, by Hiroshi Kawabata (Professor, Meiji University).

(5) A Numerical Understanding of Criminal Phenomena and the Criminal Statistics, by Kazuo Yoshioka (Professor, Kyoto University).

[Reports of Joint Studies]

(1) The Protection of Trade Secrets in the Criminal Law.

(a) An Overview, by Noriyuki Nishida (Professor, Tokyo University).

(b) Questions about Difficulties of Applying the Criminal Provisions in Force, by Yoichi Hayashi (Associate Professor, Chiba University).

(c) Legislative Proposals, by Atsushi Yamaguchi (Associate Professor, Tokyo University).

(2) Problems in Fact-Finding in Criminal Cases.

(a) An Overview, by Toshiki Odanaka (Professor, Tohoku University).

(b) Evaluating the Credibility of a Suspect's Written Confession Given to Investigating Officials, by Katsuhiko Moriya (Judge, Sendai District Court).

(c) Evaluating an Expert's Report in a Retrial Case, by Yoshitomo Ode (Associate Professor, Shizuoka University).

(d) Career Judges and Fact-Finding, by Yasuo Watanabe (Professor, Hokkaido University).

[Lecture]

Criminal Jurisprudence in Germany and in Japan, by Ryuichi Hirano (Professor Emeritus, Tokyo University).

[Workshop]

The participants in the General Meeting were divided into ten groups based on the following themes. Lively discussion took place in each group. The themes of the discussions were as follows:

- (1) The Victim's Consent.
- (2) *Actio libera in causa*.
- (3) The Number of Offenses.
- (4) Pecuniary Penalty and Other Sanctions.
- (5) Computer Crimes — New Articles in the Criminal Code.
- (6) Corruption.
- (7) Appeals and the Adversary System.
- (8) The Juvenile Delinquency Hearing and the Possibility of Retrial.
- (9) The People's Participation in the Judicial Systems.
- (10) La fonction d'instruction préparatoire.

2. *The Japanese Association of Law and Psychiatry* held its 3rd General Meeting on March 27, 1988, at Sophia University. The contents of the meeting were as follows:

[Lecture]

Criminal Responsibility, by Osamu Nakata (Professor, Tokyo Medical and Dental College).

For this lecture Mr. Takemitsu Itsumi of the WHO group chaired

the meeting. There was a debate between Kotaro Nakayama (Lecturer, Kyoto University) and Kazushige Asada (Professor, Osaka Municipal University) as the appointed panelists at the lecture.

[Symposium]

Minoru Oya (Professor, Doshisha University) and Kotaro Nakayama (Lecturer, Kyoto University) presided over lively discussions about the "Mental health Act" after five relevant reports were presented.

Prof. MINORU NOMURA
TOSHIMASA NAKAZORA

6. Commerical Law

The Japan Association of Private Law held its 52nd Congress at Nihon University on October 8 and 9, 1988. The Commercial Law Division held a symposium under the title "Reform of the Debt Security Law."

Other individual reports delivered are listed below:

- (1) Corporate Greenmail in the United States of America, by Shigemitsu Kobayashi (Lecturer, Kochi University).
- (2) The Development in English Company Law of the Regulations Concerning "Group Accounts", by Yoshiki Nishiyama (Associate Professor, Kanazawa University).
- (3) Opinión cautelosa sobre la sociedad unipersonal, by Kiyohiko Kuroda (Associate Professor, Nanzan University).
- (4) Corporate Disclosure and Civil Liability, by Etsuro Kuruuma (Associate Professor, Nagoya University).
- (5) Share Transfer Restrictions by Means of Contract, by Masahiro Maeda (Associate Professor, Kyoto University).

Prof. TAKAYASU OKUSHIMA
NOBUO NAKAMURA