

**Lecture by a foreign researcher:**

‘Les roles reciproques du juge et des parties dans le process civil francais’

Herve CROZE (Universite Jean Moulin Lyon3)

Coordinator: Kazuyuki Tokuda (Doshisha University)

Interpreter: Yasutaka Machimura (Hokkaido University)

Assistant interpreter: Shinobu Ohama (Kwansei Gakuin University)

**Symposium:**

‘Issues relating to the Future Reform of Civil Procedure Law’

Coordinator: Koichi Miki (Keio University)

- (1) ‘Points to be Revised in Future Reform on a Claim Process and Proceedings for Arranging Issues’

Shusuke Kakiuchi (Tokyo University)

- (2) ‘Revision of proceedings to collect evidence - Examining mainly the s the submission of documents -’

Hiroshi Sakata (Tohoku University)

- (3) ‘Points to be Revised in Future Reform on Mass Litigation’

Koichi Miki (Keio University)

- (4) ‘Protection of a third party who is affected by the legal effects of a judgement’

Etsuko Sugiyama (Hitotsubashi Univeisity)

Commentators: Wataru Murata (Legal Training and Research Institute) Naoki Idei (Daiichi Tokyo Bar Association)

**5. Criminal Law and Procedure**

The *Criminal Law Society of Japan* held its 90th General Meeting at Osaka University on May 19 and 20, 2012.

**Individual Reports:**

- (1) “One Profile of the Criminal Law Theory by Franz von Liszt: Focusing on the Theories of Culpability and Doli Capax”  
Ryo Kosaka (Associate Professor, Toyo University).
- (2) “Concept of Conspiracy Constituting Co-conspirator and Criminal Procedure”  
Gentaro Kamei (Professor, Keio University).
- (3) “Reconstituting the Exclusionary Rule of Confession”  
Kazunori Sekiguchi (Associate Professor, Ehime University).
- (4) “Theory of Criminal Attempt in the United Kingdom”  
Youhei Shibuya (Associate Professor, Kumamoto University).
- (5) “Origin of the Punitive Authority in the International Criminal Law: Discussion of Crimes of Aggression”  
Taiko Ando (Professor, Aoyama Gakuin University).
- (6) “Records Showing the Investigation Process and Discovery of Criminal Evidence”  
Tsukasa Saitoh (Associate Professor, Ryukoku University).
- (7) “Suspension of Execution of Sentence from the Perspective of the Theory of Sentencing”  
Shintaro Koike (Associate Professor, Keio University).

**Lecture:**

“Future of the Criminal Law Based upon the Culpability Principle: This Criminal Law and Neuroscience”

Wolfgang Frisch (Professor, University of Freiburg).

**Joint Studies:****Section One: Concurrence of Negligence**

Introduction by Katsunori Kai (Professor, Waseda University).

- (1) “Concurrence of Negligence”  
Katsunori Kai (Professor, Waseda University).
- (2) “Discussing and Deciding the Overlapping Relationship among Duties of Care in the Case of Concurrence of Negligence”  
Nobuhiko Furukawa (Associate Professor, Nagoya University).
- (3) “Concurrence of Negligence and the Problem of How to Specify the

Subject of Responsibility”

Kayoko Kitagawa (Professor, Waseda University).

- (4) “Concurrence of Negligence: Particularly on Concurrence of Negligent Omission”

Takaaki Matsumiya (Professor, Ritsumeikan University).

## **Section Two: Outlook for a “New Age of Criminal Justice”**

Introduction by Morikazu Taguchi (Professor, Waseda University).

- (1) “‘Japanese Way’ of Criminal Justice and a ‘New Age of Criminal Justice’”

Yutaka Osawa (Professor, University of Tokyo).

- (2) “Reforms of the Investigations and Trials Over-dependent on Interrogation”

Yutaka Matsumoto (Director of the Judicial System Division, Judicial System Department, Minister’s Secretariat, Ministry of Justice).

- (3) “How the Interrogation (of Suspect and Witness) Should Be Conducted”

Shinichi Oka (Attorney and Visiting Professor, University of Tokyo).

- (4) “How a New Age of Investigations and Trials Should Be Conducted”

Ritsuro Uemura (Former Judge of the Tokyo High Court, and Professor, Gakushuin University).

## **Section Three: Crime Victims and Sentencing**

Introduction by Masao Okumura (Professor, Doshisha University).

- (1) “Crime Victims and Sentencing”

Nobuyuki Yokota (President, Nagasaki District Court).

- (2) “From the Perspective of the Theory as to the Nature of Sentencing and the Substantive Criminal Law”

Yuji Shiroyoshi (Professor, Hokkaido University).

- (3) “Crime Victims and Sentencing: Focusing on Its Relationship with the Lay Judge System”

Hiromi Mine (Professor, Tokyo Metropolitan University).

- (4) “Crime Victims and Sentencing: From the Standpoint of the Procedural Jurisprudence”

Ryo Ogiso (Professor, Chuo University).

**Workshops:**

- (1) “Live Organ Transplants”  
Yuji Shiroshta (Professor, Hokkaido University).
- (2) “Trends Concerning Criminal Fraud”  
Mitsue Kimura (Professor, Tokyo Metropolitan University).
- (3) “Juveniles and Culpability”  
Nobuhito Yoshinaka (Professor, Hiroshima University).
- (4) “The So-called ‘Theory of Risk Society’ and the Theory of Crime”  
Soichiro Shimada (Professor, Waseda University).
- (5) “Sound and Visual Recordings of Interrogation”  
Shintaro Ueda (Professor, Okayama University).
- (6) “Discretion to Prosecute in the Era of the Lay Judge Trial”  
Naoya Yamaguchi (Professor, Ritsumeikan University).
- (7) “Discovery of Evidence”  
Masae Matsushiro (Professor, Kansai University).
- (8) “Reversal Judgment of the Second Instance”  
Takahiro Nakagawa (Professor, Kokugakuin University).
- (9) “Rehabilitation of Mentally-disabled Offenders: Cooperation between the Criminal Justice and Welfare Services”  
Tatsuya Ota (Professor, Keio University).
- (10) “Life Sentence”  
Masami Okaue (Professor, University of Tsukuba).
- (11) “Problems with the Sentence to Pay a Fine”  
Tetsuro Kawamoto (Professor, Doshisha University).

**6. Commercial Law**

The Annual Congress of the *Japan Association of Private Law* held its 76th General Meeting at Hosei University on October 13 and 14, 2012.

**Symposium**

“Various Aspects of Company Accounting Law — Harmony of its legality and internationality”