

# Notification of Rights and Interests of Victims in Juvenile Protection Matters

In accordance with the Juvenile Justice Act (hereinafter referred to as the “Act”), victims of juvenile protection matters are entitled to the following protections and rights during court’s investigation and trial:

## **1.The court will protect your privacy.**

The proceedings of the juvenile protection matters are not open to the public. The court will protect your personal information and privacy, such as your date of birth, residence, workplace, and ID number. Please rest assured. (Reference: Articles 34 and 49 of the Act)

## **2.You may state your opinion in person to the court.**

You, along with your statutory agent or the person currently protecting you (as defined by law as “the person who currently protects the victim”, such as your spouse, relatives, parents, family members, or teachers, provided that they have no conflict of interest with you), may appear in person or submit a written statement to express your opinion to the court.

If you indicate that you do not wish to appear in court, the court will respect your decision. Furthermore, if the court deems it unnecessary (for example, you have already appeared on an investigation date to make statements and narrated the incident sufficiently) or considers it detrimental to the juvenile’s healthy self-development (an overall consideration based on the relationship between you and the juvenile, trial circumstances, and the juvenile’s need for protection), it may decide not to summon you to appear again. (Reference: Paragraphs 1 to 3 of Article 36-1 of the Act)

## **3.You may be accompanied by a trusted person to the court session.**

You may ask your statutory agent, the person currently protecting you, spouse, lineal or collateral relative within the third degree, parents, family member, physician, psychologist, counselor, social worker, or any person you trust (such

as an attorney you appoint) to accompany you to the court session. However, if the accompanying person will disrupt the proceedings of investigation and trial or will be detrimental to the juvenile's healthy self-development, the court may require you to be accompanied by another suitable person. (Reference: Paragraph 3 of Article 36-1 of the Act)

**4. You may request an interpreter or other assistance for the court session if you have hearing, speech, or language difficulties, or other mental/physical disabilities.**

If you have hearing, speech, or language difficulties, or other mental/physical disabilities, you may contact the court in advance and ask for assistance. The court will appoint an interpreter to translate for you, arrange psychologists or other professionals to help you make your statements, or provide other necessary support. (Reference: Article 98 of the Court Organization Act and Article 50 of the Juvenile and Family Court Organization Act)

**5. You may request the court to use technological equipment or appropriate measures to separate you from the juvenile.**

If you are concerned that facing the juvenile during the court session will affect your emotions, you may inform the court in advance. The court will take the case circumstances, your and the juvenile's physical and mental conditions, and the opinions of the attendees, including you and the juvenile, into account. If the court deems it necessary that the juvenile, their statutory agent or the person protecting them not be present, or separation measures are required, it will separate you and the juvenile appropriately. (Reference: Paragraph 4 of Article 36-1 and Article 38 of the Act)

**6. You may request the court to provide information on the investigation and trial progress of the juvenile protection matters.**

During the court's investigation and trial, you may apply to the court for information regarding the progress of the case. If approved, the court will inform you in an appropriate manner; if the court deems it inappropriate to provide such

information, it will reply you accordingly. (Reference: Paragraph 5 of Article 36-1 of the Act)

The Judicial Yuan has not yet provided online inquiry services for the investigation and trial progress of juvenile protection matters.

You may file the application via other approaches; please refer to the following link and QR code for the application form and instructions:

<https://reurl.cc/W0gmRO>



## **7.You may express your opinion on whether the court should impose protective measures for victims.**

If the juvenile is involved in any of the following situations, you may request the court to impose protective measures: intentionally causing death or serious injury, violating sexual autonomy, committing an offense provided in Part 2, Chapter 28-1 of the Criminal Code, or committing an offense provided in Articles 304, 305, or 346 of the Criminal Code by using sexual images. (Protective measures may include, for example, ordering the juvenile not to jeopardize, threaten, harass, contact or stalk the crime victims or their family members, or not to approach them within a specific distance. They may also include ordering the juvenile not to reproduce, distribute, broadcast, publicly display, or use other methods to allow any other persons to view the victim's sexual image, or to present or submit such images. The court may also order the juvenile to remove, or to apply to the providers of internet platforms or internet application services to delete the uploaded sexual images of the victims.) (Reference: Paragraphs 2 to 4 of Article 26 of the Act applying mutatis mutandis Article 40 of the Crime Victim Rights Protection Act)

## **8.If you serve as a witness, you may apply for relevant fees.**

If the court summons you to testify as a witness, in principle you will be paid daily fees and travel expenses on the day your testimony is completed. If you do not receive the fees on that day, you may apply to the court within 10 days after the testimony. If you have financial difficulties, you may submit a written request to

the court before the court session for an advance payment of travel expenses. (Reference: Article 24 of the Act applying mutatis mutandis Article 194 of the Code of Criminal Procedure)

#### **9. You may apply for referral to a restorative justice process if you are willing.**

The restorative justice process in juvenile cases provides a platform, with professional assistance, for the juvenile and the victim or other persons affected (e.g., the parents or family members of both parties) to engage in communication and dialogue on equal footing. Its purpose is to help the juvenile recognize the impact of their behavior and become willing to take responsibility for their actions, as well as to heal the victim's emotional harm and compensate for material loss.

You may freely decide whether to apply for referral to or participate in the restorative justice process. You may withdraw at any time after starting the process, and the court will respect your decision. (Reference: Paragraph 3 of Article 29, Paragraph 2 of Article 41, and Paragraph 4 of Article 42 of the Act)

#### **10. After the court renders a ruling, you may file an interlocutory appeal against it.**

If you disagree with a ruling made by the juvenile court under Paragraph 1 of Article 28, Paragraph 1 of Article 29, Paragraph 1 of Article 41, or Paragraph 1 of Article 42 of the Act, you may file an interlocutory appeal within 10 days after the service of ruling. (Reference: Articles 62 and 64 of the Act)

#### **11. You may apply for crime victim compensation.**

If you are a family member of a victim who died as a result of a crime, or you are a seriously injured victim, or a victim of violation of sexual autonomy (including sexual exploitation of children and youths), you may apply for "crime victim compensation" in accordance with the law. For application guide and required documents, please visit the Ministry of Justice website or contact any Prosecutors Office or the Association for Victims Support (0800-005-850).