

The Conditions of Preventing Child Abuse and Neglect in Japan: Difficulties and Efforts¹

Hiroaki Ishikawa

Abstract

In this article, the author purports to provide a brief description on the 10-year experience of the efforts for child abuse prevention in Japan. Describing our experience, 3 areas of child abuse and neglect will be focused. Firstly, current condition, secondly, the system and implementation for prevention and intervention, and at last, recent efforts for child abuse prevention in Japan, with some discussion on the factors that may hinder better treatment of child abuse and neglect cases.

1. Current Conditions

1.1. Raise of Awareness

As to the current condition of child abuse in Japan, one of the most drastic changes regarding child abuse and neglect in Japan is the rapid raise of awareness on this issue. It is assumed that the raise began with the establishment of non-governmental organizations (NGOs) in early 1990s. The first NGO was established in Osaka in 1990, followed by Tokyo in 1991 and Nagoya in 1995. NGOs opened hotline telephone counseling service and began to pick up previously unheard voice of the abused and the abusers. It inevitably revealed many tragic abuse cases, compelling them to work on then-reluctant statutory agencies. Sometimes cooperation between statutory and non-governmental agencies resulted successfully, sometimes not.

On the other hand, in 1994, the release of a serial cartoon titled "Frozen Watchfulness", gave people striking impact. Based on a reportage book, it invoked not only voices of sympathy from laymen, but also a lot of the survivors' and the perpetrators' voices, mainly from self-blaming mothers, all around Japan.

Recently, media coverage such as TV programs and news films on this issue are becoming more common.

1.2. Information on Prevalence

Maybe led by this raise of awareness, report on abuse cases has steadily increased these 10 years.

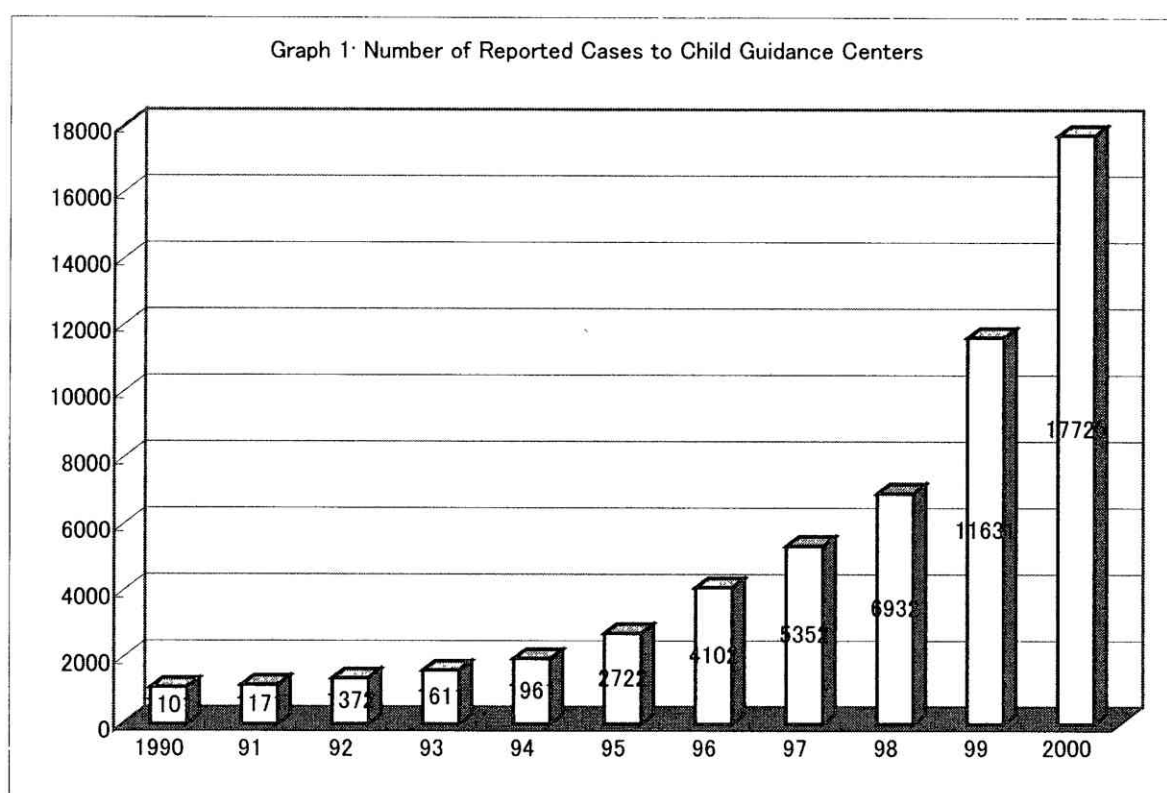
¹ This article is based on the presentation at the first Chinese Conference on Prevention of Child Abuse and Neglect, on Nov. 30, 1999, in Xi'an, China. The author greatly acknowledges the kind invitation and the assistance for the presentation by professor Jiao Fuyong, professor of pediatrics in Shaanxi University and the chair of conference committee.

After the presentation was provided, there were considerable changes in child abuse prevention system, such as enforcement of the Child Abuse prevention Law. However, the author did not fully revise the original article except some updates of statistics, as the author believes that the discussion of original article is worth being reviewed at this moment.

Unfortunately we have had no national survey and official data on prevalence yet. Though a couple of prevalence survey have been undertaken, we need to make some assumption on other data to find the reality of child abuse in Japan.

1.2.1. Reported Cases to Child Guidance Centers

Shown in graph 1 is the statistics of reported cases to Child Guidance Center. Child Guidance Center is the statutory agency for child abuse prevention. In 1990, Child Guidance Center put a new separate category of abuse in their case statistics. Since then, number of the reported cases has been continuously increasing.



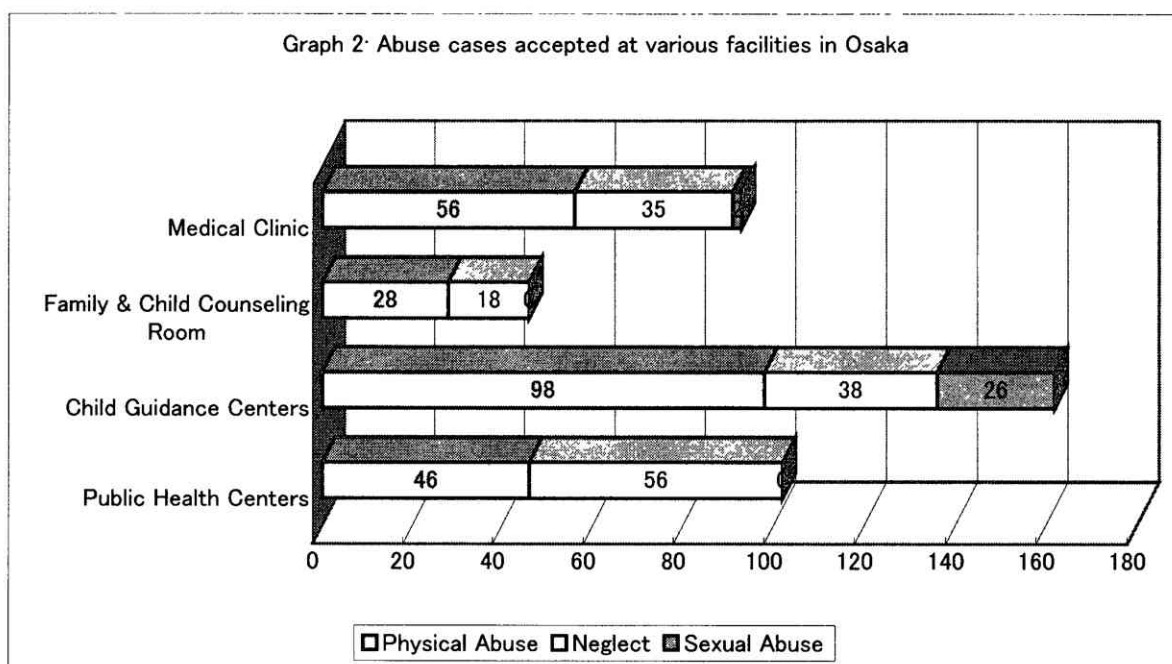
In the year of 2000, we had 17725 case reports to 174 Child Guidance Centers all around Japan, which was about 30% increase compared with the previous year, and almost 7 times of the number of 1990. This raise of number of reported cases undoubtedly indicates the urgency of the problem.

1.2.2. Difference among various facilities

Graph 2 is a data from research result published in 1988, which is one of very early endeavor. This research was conducted in Osaka, that has been the leading prefecture in the area of not only prevention but also research in Japan.

Osaka research group delivered questionnaire to the related agencies, and inspected the data very carefully to eliminate cases which may have appeared in various agencies. Consequently, this statistics was obtained, indicating number and proportion of cases by agencies at which the case newly appeared.

This shows that Child Guidance Centers accepted about 40% of new cases, and that sexual abuse cases were very likely to be accepted at child guidance centers. The age of the child involved in the case were different among agencies. Proportion of the child under 3 was 75% at public health services, 58% at pediatrician and other medical service, and 15% at Child Guidance Center. This suggests us the necessity of multi-agency cooperation.



1.2.3. Child Abuse Deaths in Japan

Graph 3 is, maybe the first, child abuse death statistics in Japan. This is very unique as this research is conducted by an NGO and the resource of the research data is newspaper reports. Because we lack reliable data on child abuse in official statistics such as crime statistics, they had searched national and local newspaper index thoroughly.

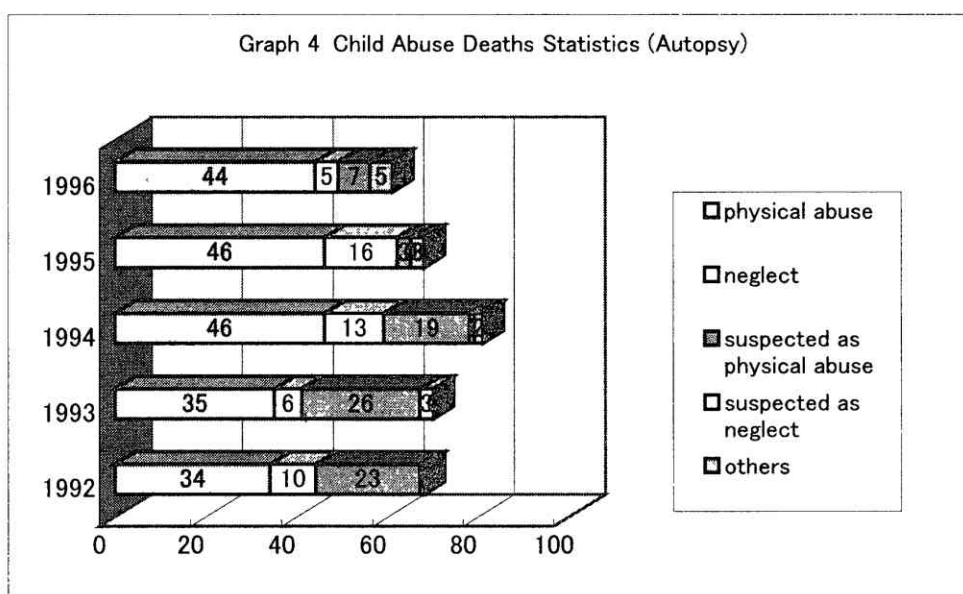
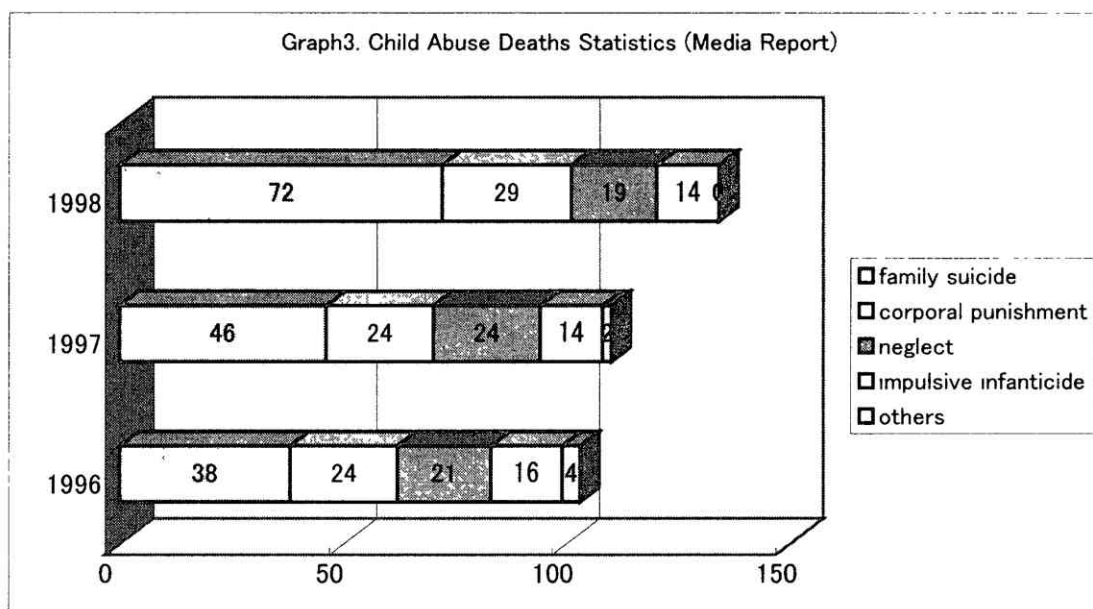
This research was designed to include family suicide and impulsive infanticide by parents into the category of child abuse death. Family suicide is a case in which a parent, or parents, committed or attempted suicide after they killed their child or children. Due to the economic recession in Japan, the number of family suicide has increased year by year.

The number of child abuse death other than family suicide is seemingly stable. For example, though total numbers are 103 in 1996, 110 in 1997, and 131 in 1998, numbers of deaths other than family suicide are 65, 64, and 59, and numbers of deaths other than family suicide and impulsive manslaughter are 49, 50, and 45.

Graph 4 indicates another child abuse death statistics in Japan. Forensic medicine professionals recently conducted a research on child deaths that were brought to postmortem examination. According to the result of a questionnaire study, child abuse death accumulates up to almost 250 cases in 5 years.

Interestingly, this does not indicate continuous increase of the number of child abuse death.

According to these 2 researches, we can not yet reach the conclusion that child abuse itself has increased in Japan.



2. System for Child Abuse Intervention and Prevention in Japan

2.1. Legal Basis and System for Child Abuse Intervention

Japan has child welfare law as a basis for child protection. We had no major change of legislation on child abuse since 1947, when Child Welfare Law was enforced. Child Welfare Law was revised in 1996, but articles concerning child abuse prevention remained almost the same.

Statutory agency for the implementation of the law is child guidance center. Though based on national law, they are not national institutions. Prefectures and large cities with a population of more than a million are in charge of running them. There are 174 Child Guidance Center all around Japan.

Procedure of treating child abuse cases consists of 3 steps. Detection and report at first, investigation second, and response which ranges from no more investigation (closing the case) to deprivation of parental right at conclusion.

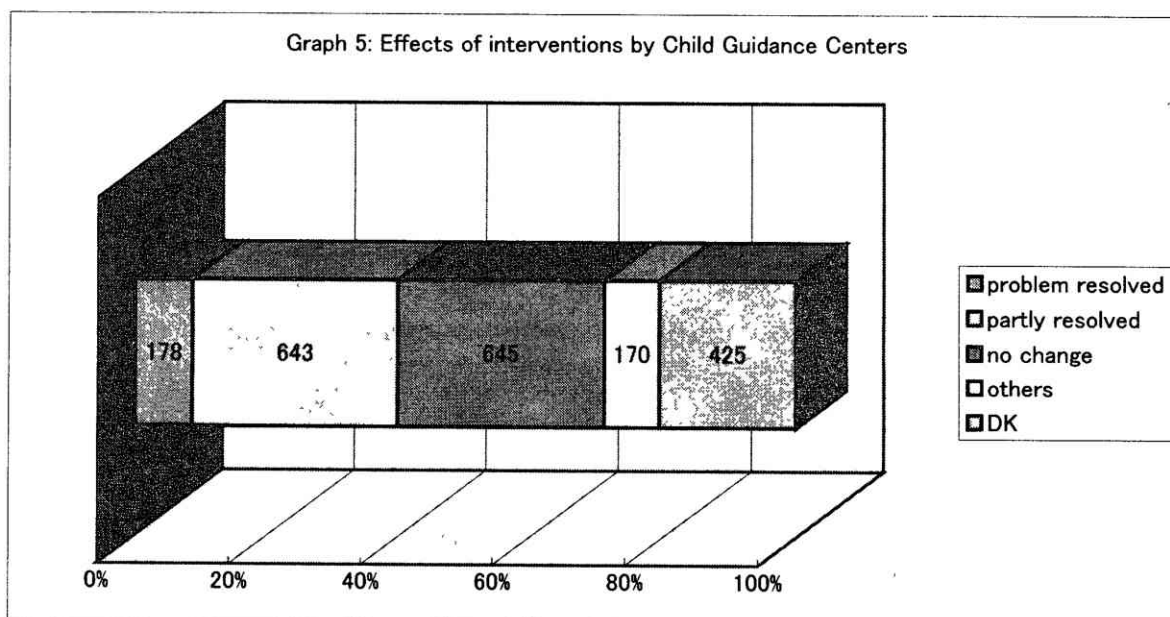
All the people in Japan must report the abuse cases when they found them according to the article 25 of the law. And then an investigation by agencies in charge is implemented. Then, according to the severity and emergency of the case, legal procedure for protection is undertaken. Major procedures are as shown on the table 1. However, the effort for the placement with parents' consent (Child Welfare Law § 27) is very likely to be taken.

Table 1

§ 25: reporting duty for all
§ 28: placement without parents' consent
§ 29: investigation through home visit
§ 33: temporary care
§ 33-6: request for adjudication on forfeiture of parental rights

2. 2. Insufficiency of Child Abuse Intervention in Japan

Some discuss that ongoing child welfare law is not very far from sufficient equipment for child abuse intervention if appropriately implemented. However, there are some reasons for insufficient implementation of the law. Statutory agencies have some structural difficulties to fully utilize the law, and, as seen in graph 5, effects of interventions by Child Guidance Center have some limitation. Some criticize their reluctance for intervention. And ineffective cooperation among agencies exacerbates the condition.



2.2.1. Lack of Knowledge

There are, sorry to say, still lack of knowledge among child protection professionals. This is partly because of structural deficiency of Japanese promotion custom. In Japan, people usually promote by experiencing various kinds of job, being expected to obtain generalist perspective. Thus sometimes happens the case that the superintendent of Child Guidance Center has no career and knowledge on child protection.

With the increase of complaints against this situation, more qualified professionals were appointed as a superintendent, which, however, still remains less than a half. Bureaucracy and its denial of the failure is one of the most serious obstacle in this area.

2.2.2. Lack of Human Resource

Lack of human resource is maybe one of the most urgent issue to improve in the area of child abuse prevention. According to the rule of the Ministry of Health and Welfare, a child-care worker is placed to an area with the population 100,000 to 130,000. It means that 1 worker must take responsibility of one case as a whole. This situation is very likely to result in the conflict between tolerant casework and confronting intervention.

With this situation and the lack of knowledge and experience of child abuse case, caseworkers are likely to prefer keeping 'good relationship' with parents and lose chances to intervene into families and protect the child, mainly by separation.

Some point out that there is still reluctance among child care professionals for intervention. At the JaSPCAN (Japanese Society for Prevention of Child Abuse and Neglect) conference in 1999, there was a discussion between a pediatrician and an ex-child care worker, between emphasizing necessity of emergent protection and emphasizing importance of casework supporting 'parent-child bond'.

Besides the strong parental right in Japanese common law, there may be still tendency to avoid confrontation and general belief that it is the best way for children to be brought up by natural parents.

To be fair, however, we should refer that the deficiency of the prevention system that seems to make the situation worse. We lack the care order that make perpetrators to go counseling or therapy. This means that we have very little measure to change their abusive behavior and attitude. We may not be able to blame statutory agencies' reluctance, as it is extremely hard to change perpetrators behavior through 'guidance' (law § 27), namely persuasion, alone.

2.2.3. Inappropriate Cooperation among Agencies

We can still easily find the inappropriate cooperation among agencies. It is often because of the lack of knowledge in related agencies. Along with the raising awareness on child abuse, domestic violence, sexual harassment and prevention as well as victim protection, many agencies have come to look for

information on better way to treat these delicate issues.

However, there are still those who lack appropriate knowledge on child abuse prevention and treatment. For example, CAPNA, a local NGO in my neighborhood, experienced tragic secondary abuse case to a sexually abused teenage girl by prosecutor.

3. Recent Effort for Child Abuse Prevention

Now we will move to positive side of the child abuse prevention, the efforts to improve child protection in Japan. There are many endeavors to prevent child abuse and neglect in Japan.

It must be emphasized that NGOs promote the preventive endeavor vigorously. Some of statutory agencies followed and began to work together with these endeavors.

We will take a glance at the efforts for detection and intervention, for treatment, and for primary prevention.

3.1. Establishment of NGO (Non-Governmental Organization) s

Since early 1990s, NGOs for child abuse prevention have been established at various places, and become major contributors for child abuse prevention in Japan.

Osaka is the first prefecture to establish an NGO. In 1990, they establish an NGO with the support of a local TV company, and began to provide a hotline telephone service. Tokyo CCAP followed next year, and CAPNA was established in 1995.

Until 1999, more than 20 local NGOs were established all around Japan, with the variety of characteristics. Some are organizations that can take part of intervention, and there is an in-hospital group responding for emergent child abuse cases.

Among them, 6 NGOs are providing a hotline telephone service. The service is available every weekday in Osaka, Tokyo and Aichi, and once or twice a week in Hokkaido, Saitama and Nagano.

3.2. Hotline Service by NGOs

Hotlines contribute child abuse prevention mainly in 2 ways; detection and counseling.

As article 25 of the child welfare law indicates, all those who find abuse have duty to report the incidence to the agency in charge. However, there was very few report of child abuse before NGOs established hotline. This fact shows that we must prepare the receiver for reports, and in doing so, we can raise awareness on this issue.

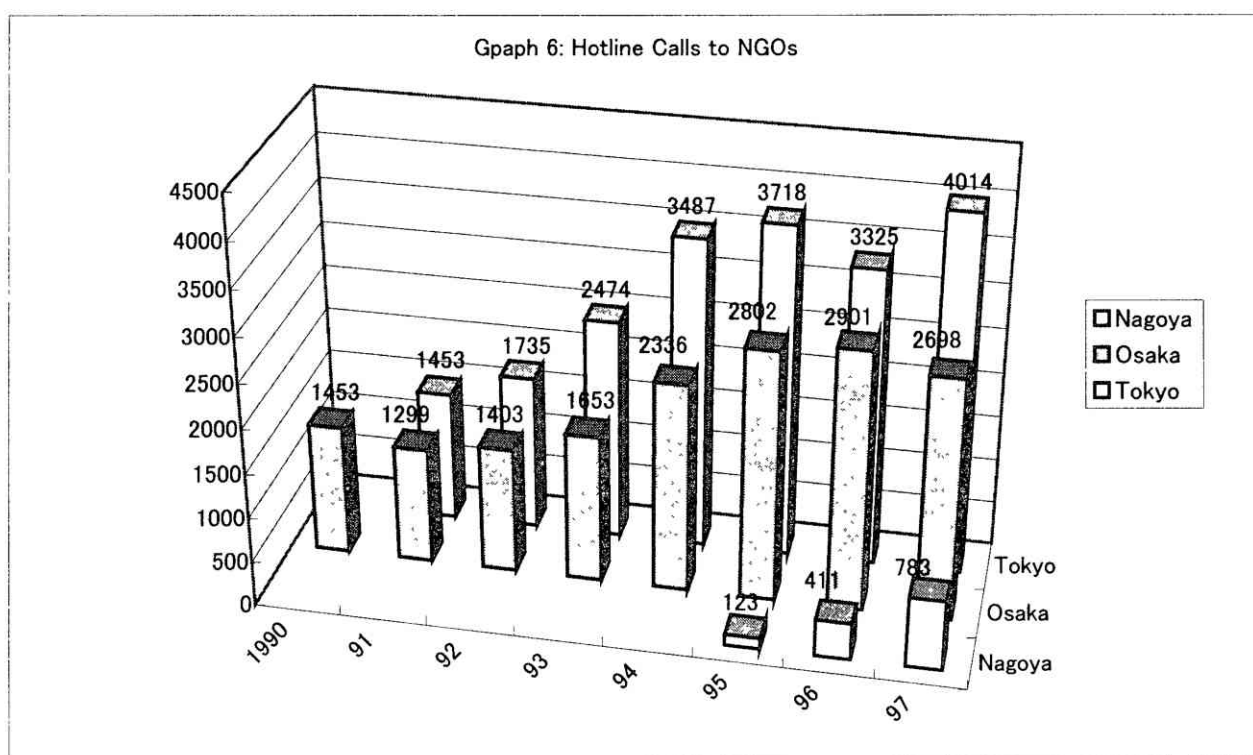
At the same time, hotline telephones can function as opportunity of counseling, especially for mothers who are very much afraid of being cruel to their children. They return to hotline time to time, and talk to telephone counselor about their problems and feelings.

This seems to heal the callers, as they are often isolated. The cases with intergenerational reproduction

of abuse are also often found. Assisted by telephone counseling, some of them can stop abusing, and some other can get out of abusing habit gradually. Thus hotline functions as primary prevention and also treatment for abusers.

The effort of NGO hotlines can be seen on graph 6. The number of hotline calls received has been increasing almost every year. The contents of the calls are a little different from place to place, but it is common that more than a half of the calls are about abuse.

This graph does not necessarily mean that Nagoya has less incidence of child abuse and neglect compared with Osaka and Tokyo. Hotline availability differs from each other. For example Nagoya began its hotline with the twice a week setting in 1995.



3.2. Injunction for § 33-6

Injunction for article 33-6 of the child welfare law is one of the major progresses in child abuse intervention in Japan. This functions like the 'court dependent' procedure in the United States.

When a request for adjudication on forfeiture of parental rights is submitted, we can also submit a request of injunction. If it is accepted by family court, original parental right is tentatively terminated and removed to tentative guardian who is appointed by the court. Voluntary lawyers from NGOs often assist the implementation of this procedure.

In the context of Japanese common law, in which parental right is very strong, agencies that wish to protect child against parents' will have difficulties to resist parents' insisting pulling children back under their own custody. Now this is the most useful device to stop such parents. Revision of the law adding this function is now being discussed.

3.3. Networking

Network is one of the keys for child abuse prevention and intervention.

Network meeting is the meeting in which all people from related agencies get together to share the information and discuss the plan. This has been promoted by vigorous support of NGOs and now utilized by statutory agencies.

Networks have own local characteristic according to the history of prevention effort. Osaka has the close relationship of agencies due to the good relationship between NGO and governmental agencies. In Tokyo there are deep commitment of addiction specialists who have long career of family intervention. Aichi has very large attorney group, which help statutory agencies legally to intervene and also its human resources function as case working.

3.4. Treatment and Primary Prevention

After the disaster of Kobe earthquake and the sarin gas attack by Aum Shinrikyo doomsday cult in 1995, Japan becomes rapidly aware of the concept of PTSD, post-traumatic stress disorder.

Increasing number of professionals began to try treating the disorders from violence inside families. Group for survivors and recovering perpetrators were established.

As to primary prevention, CAP (Child Assault Prevention) program is popular effort around Japan. The program was created in Ohio, the U.S., in 1978 to teach skills to, and empower, the children to avoid potentially abusive situations. Introduced to Japan by Yuri Morita, a trainer of California CAP, in 1985, there are more than 40 local groups. However, there seems to be some difficulty to get into schools to provide programs to children and to keep the quality of programs.

4. Challenges for More Effective Prevention

We still have many challenges for improving the measures for prevention of child abuse and neglect. Some recommendation can be derived from both, negative and positive, side of our experience.

First of all, Legislation that contains treatment order should be considered. The author is not sure whether it is Japanese or Asian culture to seek always for harmonious relationship, sometimes at the cost of child's life, but is sure that sometimes confronting intervention is needed to set the limit of the behavior of perpetrators. Their motivation for changing behavior can be drawn from therapy/jail options.

Second, training is always necessary to those who get in to handle this delicate issue. Improving professional skill is crucial.

Third, raising awareness supports efforts of professionals and NGOs. It will help early detection, and also teach people importance of avoiding cruel treatment to children.

Finally, more researches must be conducted to look for most effective measures to prevent child abuse. Measures for intervention and prevention must be all evidence-based to provide optimal – not too harsh

and not insufficient – services to the abused and the abusers.

Of course we are in the middle, or only at the beginning, of the way toward the diminishment of child abuse and neglect. We must work hard for the best interest of children and families.

References

(Articles and books referred here are all in Japanese except one marked with *)

Center for Child Abuse Prevention (ed.) 1993 CCAP Activity Report 1992, Tokyo, CCAP.

Center for Child Abuse Prevention (ed.) 1996 CCAP Activity Report 1995, Tokyo, CCAP

Child Abuse Prevention Network Aichi (ed) 1997 CAPNA Activity Report I, Nagoya, CAPNA.

Child Abuse Prevention Network Aichi (ed.) 1998 Invisible Deaths, Data Book on Child Abuse Deaths in Japan, Nagoya, CAPNA publications

Ishikawa, Hiroaki 2000 “Child Abuse”, Shikata, Toshio (ed) Family Collapse, Kyoto, Minerva Publication. pp 75-98

Ishikawa, Hiroaki 1999 “Activities of Child Abuse Prevention Network Aichi”, L’esprit d’aujourd’hui no 383, Tokyo, Shibundo: pp.151-162

Ishikawa, Hiroaki 2000 “Intervening Child Abuse Cases. System, Implementation and Attitude”, Public Health vol.42 no 3. pp.192-200.

*Ishikawa, Hiroaki 2001 “CAPNA. An Effort for Child Abuse Prevention in Japan”, Journal of Humanities and Social Sciences, vol.11, Nagoya, Nagoya City University School of Humanities and Social Sciences. pp.81-95.

Ministry of Health, Labor and Welfare web site (<http://www.mhlw.go.jp/>)

Research Group on Child Abuse Prevention System (ed) 1993a Child Abuse in Osaka: Research Report for Prevention, Early Detection and Support, Osaka, Research Group on Child Abuse Prevention System.

Research Group on Child Abuse Prevention System (ed.) 1993b Child Abuse Prevention: Reports from Forefront, Osaka, Toki Publishers

Shima, Atsuko 1993 Nothing is More Difficult than Raising Children, Tokyo, Kodansha.

Sasaya, Nanae 1995 Frozen Watchfulness, Tokyo, Shueisha