

Topic II: Measures against Stalking Based on the Revised Anti-stalking Act

(1) Revision of the Anti-stalking Act

In recent years, various stalking cases have occurred and the number of people seeking consultation on stalking cases is increasing.

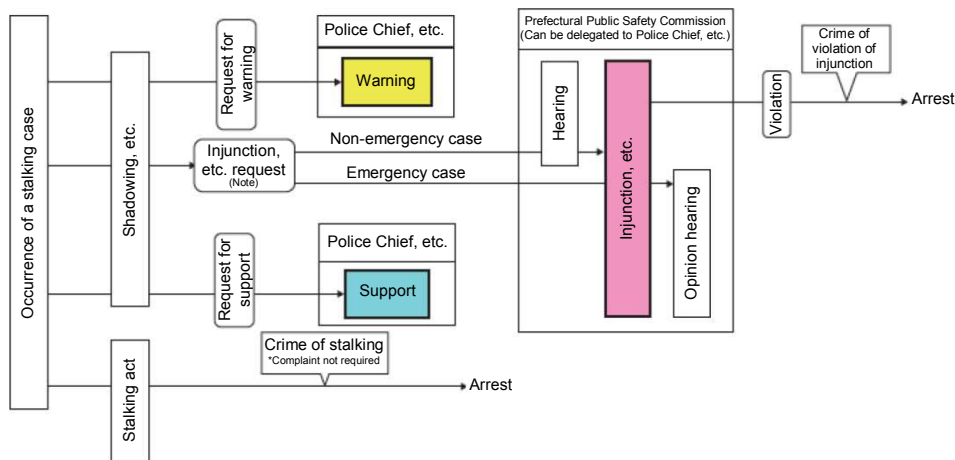
Pursuant to Article 5 of the Supplementary Provisions of the Act for Partial Revision of the Anti-stalking Act that passed in June 2013, the government implemented measures such as the establishment of the Council for the Review of Regulations on Stalking Behaviors. In response to this, the NPA has been holding expert meetings consisting of experts and victims of stalking since November 2013 and compiled the “report on regulations on stalking behaviors” in August 2014. In December 2016, the Act for Partial Revision of the Anti-stalking Act based on the recommendations made in the same report was passed at the 192nd Diet, and it was fully enforced on June 14, 2017.

Outline of the Revised Anti-stalking Act

<p>(1) Expansion of the range of regulated acts such as "shadowing" The following acts were added to supplement regulations on stalking acts arising from the entanglement of emotions related to romantic attachment:</p> <ul style="list-style-type: none"> ○ Wandering around in the vicinity of the victim's house, etc. ○ Despite being refused, repeatedly sending messages using SNS, etc. or writing comments on the victim's personal webpages such as blogs 	<p>(4) Measures for the victims of stalking acts</p> <ul style="list-style-type: none"> ○ Measures necessary for securing the safety of the victims by the officials concerned, maintaining confidentiality of the victims, training and raising awareness of the officials concerned and managing personal information held by the national and local governments, etc. ○ Support of the national and local governments for the victims staying in private facilities and renting public housing
<p>(2) Review of the injunction system, etc.</p> <ul style="list-style-type: none"> ○ Abolition of advance warning for injunctions, etc. ○ New establishment of injunctions in case of emergency, abolition of temporary injunction ○ Introduction of effective period and extension of injunctions, etc. 	<p>(5) Measures to contribute to the prevention, etc. of stalking acts</p> <ul style="list-style-type: none"> ○ Promotion of studies on methods for rehabilitating perpetrators and restoring the physical and mental health of victims ○ As measures to be taken by the national and local governments, collaborative efforts with private organizations were added, such as understanding the actual situation of stalking acts, training and qualitative improvement of human resources and educational activities.
<p>(3) Prohibition of information provision pertaining to stalking acts Prohibition of providing the necessary information for conducting stalking acts to a person knowing that he/she may commit stalking acts</p>	<p>(6) Review of penalties</p> <ul style="list-style-type: none"> ○ Categorizing stalking as a crime not requiring a complaint from the victim for prosecution ○ Increasing penalties for the crime of stalking

The Anti-stalking Act after the said revision (hereinafter referred to as the “revised Anti-stalking Act”) enables the police to promptly take administrative measures or make an arrest of perpetrators based on the characteristics of the stalking cases that are likely to develop quickly into a serious incident as the actions of perpetrators escalate, further preventing damage to the body, freedom and honor of victims.

Flow of Measures Based on the Revised Anti-stalking Act



Note: Injunction, etc. can be made by the authority regardless of the complaint by the victim (Emergency case is limited to when the physical safety of the victim is in immediate danger.)

[Case] In January 2017, a male junior high school teacher (23) committed stalking behaviors toward his ex-girlfriend, such as harassing her by sending unwanted messages repeatedly through SNS. In the same month, the man was arrested for the violation of the Anti-stalking Act (Akita).

[Case] In January 2017, a male company employee (43) committed stalking behaviors toward his ex-girlfriend, such as driving and walking around her workplace. In the same month, the man was arrested for violation of the Anti-stalking Act (Miyagi).

(2) Promotion of Measures against Stalking

The revised Anti-stalking Act clearly states that taking measures for the victims of stalking behaviors and measures contributing to preventing stalking behaviors are the responsibilities of the national and local governments. The police are promoting the following measures in cooperation with relevant agencies and organizations.

1) Assisting Victims with Temporary Refuge

Since FY2015, in order to ensure the safety of victims of highly dangerous and urgent cases of stalking, the police have been bearing expenses for accommodation fees with public funds in cases where it is necessary to urgently or temporarily evacuate these victims into hotels.

2) Measures for Stalkers

Since FY2014, the police have been conducting studies on psychiatric and psychological approaches to stalkers. Based on the results of these studies, the police have received advice from local psychiatrists and other professionals on how to deal with stalkers and the need for counseling and treatment, and the police have been promoting collaboration with local psychiatric medical institutions and other organizations since FY2016, such as recommending relevant stalkers to receive medical treatment.

[Case] In May 2016, Ibaraki Prefectural Police signed a “memorandum of understanding on psychiatric treatment for stalkers” with local psychiatric medical institutions. The memorandum states that both parties will collaborate to take appropriate measures for stalkers, such as counseling and treatment for them.



At the Signing Ceremony of the Memorandum of Understanding

3) Promotion of Awareness and Public Education about Stalking

To protect young people from stalking, the police have created educational materials (pamphlets, DVDs, etc.) describing stalking behaviors with illustrations for high school and university students and provide anti-stalking classes using these materials. The NPA also created a portal site and disseminates various information concerning stalking cases.



Leaflet Made for Victims