

Chapter 2 Efforts for the Victims to Recover from or to Prevent Mental and/or Physical Damage

1 Support of Healthcare and Welfare Services (related to Article 14 of the Basic Act)

○ Main Efforts

• Improvement of School Counseling System for Juvenile Victims

[Policy No. 55]

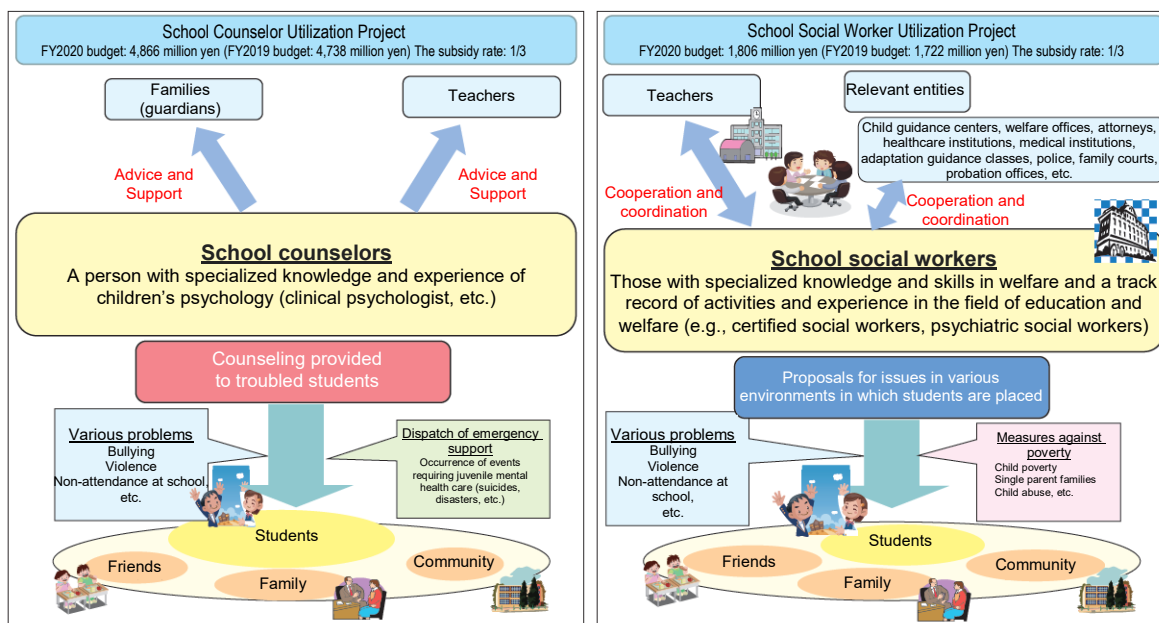
The Ministry of Education, Culture, Sports, Science and Technology has been undertaking efforts to enhance the school educational counseling system to enable appropriate responses to requests for counseling by students, including those who are crime victims. Specifically, the Ministry has been providing support in placing school counselors with special knowledge and experience in the psychology of school-aged children in schools or dispatching

them to schools in emergency cases. The aim was to place school counselors in all 27,500 public elementary and junior high schools by FY2019, and the Ministry secured a budget covering the placement of counselors at 27,500 schools. Furthermore, the Ministry has provided support in placing school social workers with special knowledge and skills in welfare in educational institutions to support students. The Ministry aimed to place school social workers to about 10,000 junior high school districts by FY2019, and the Ministry secured a budget covering 10,000 junior high school districts.

Outline of the activities of school counselors and school social workers

Towards enhancing the education counseling system in schools

In order to enhance the education counseling system for students with various challenges due to diverse social backgrounds, it is crucial to place expert staff such as school counselors and school social workers, etc. with expertise and experience different from those of teachers to work with the latter on behalf of the students.



Source: Ministry of Education, Culture, Sports, Science and Technology

• Promotion of Continuous Support in Order to Reduce Mental Damages Suffered by Juvenile Victims

[Policy No. 57]

Given the large, negative impact that victimization has on the healthy psychological development of juveniles in their formative years, the police are not only

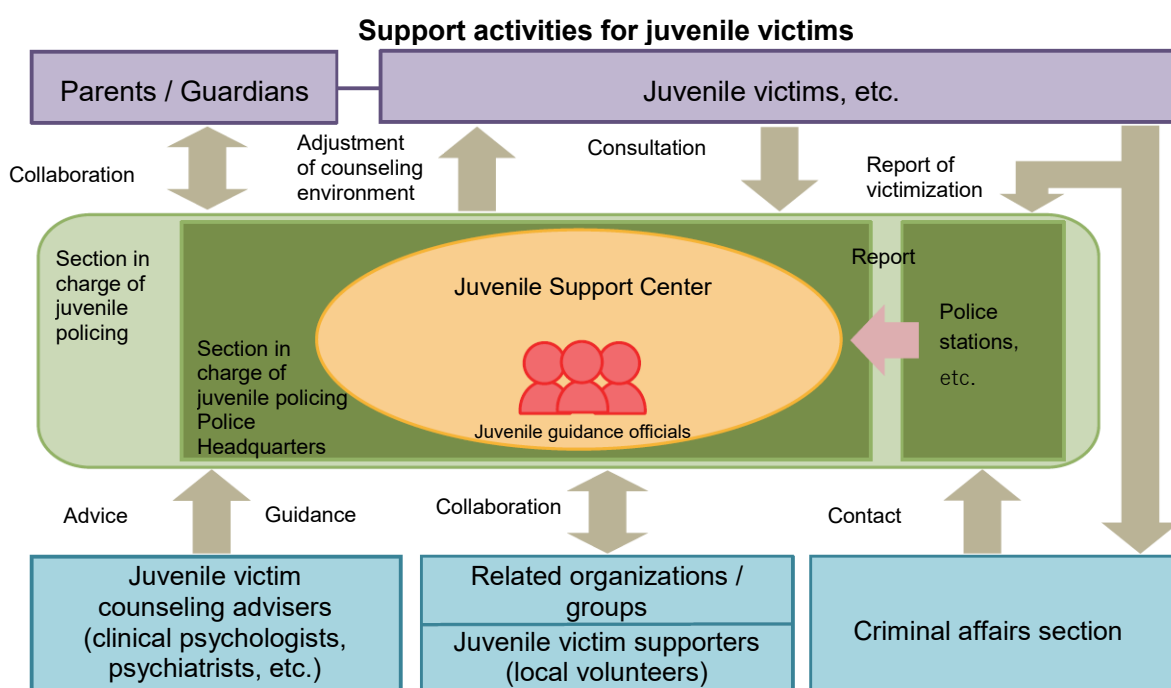
endeavoring to prevent the recurrence of victimization of juvenile victims, but also providing support through the guidance and advice given by juvenile guidance officers and others and continuous support such as counselling.

To support juvenile victims, the police have improved the support system by counselors (licensed

psychologists) within the police organization, and in order to get guidance and advice, the police have commissioned the juvenile-victims counseling work to outside professionals with clinical psychology and skills. Also in each district, the police are making efforts to grasp the changes in daily environment and living conditions surrounding juveniles by liaising with their parents, while commissioning the juvenile-victim support work to volunteers to promote the support.

The current situation pertaining to the child sexual exploitation has become more serious, with 1,559 children newly specified as victims in cleared cases

related to child pornography; of these, 18.7% were younger children (below elementary school age) without any ability to resist, and a further 2,082 children became victims of child prostitution, etc. organized through social media. Given this situation, the police are coordinating its efforts with the relevant ministries and government agencies to provide speedy protection and appropriate support for victims based on the “Basic Plan on Measures against Child Sexual Exploitation,” which was formulated in April 2017 by the Ministerial Meeting Concerning Measures against Crime.



- **Enhancement of Counselling Services Offered by Police for Sexual Crime Victims**

[Policy No. 58]

As of April 2020, the police in 44 prefectures have placed 166 in-house counsellors (of whom 100 are clinical psychologists), and all prefectural police departments are utilizing the public expenditure system to cover the counseling costs.

- **Promotion to Establish One-stop Support Centers**

[Policy No. 65]

The Cabinet Office accelerated efforts to achieve the

target of establishing a one-stop support center for victims of sexual crimes and violence in at least one prefecture by 2020 and the centers were established in all prefectures by October 2018. Also, by utilizing the Grant for supporting victims of sexual crimes and violence, created in FY 2017, the Cabinet Office is enhancing the efforts in accordance with the situation of each local government to stabilize and improve the operations of the said centers.



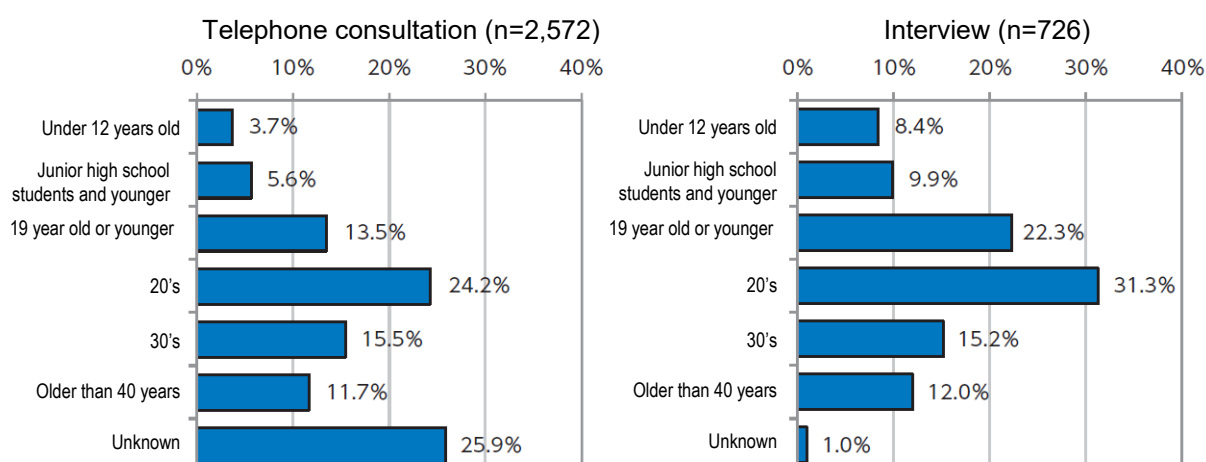
Support status survey on one-stop support centers for victims of sexual crimes and violence

One-stop support center (hereinafter referred to as Center), where victims of sexual crimes and violence can get advice and comprehensive support without hesitation at a single place, has been established in each prefecture.

The Cabinet Office conducted the first questionnaire survey on support status and problems of nationwide centers to understand the actual situations¹. The survey was conducted about all consultations the centers responded to from June 1 to August 31, 2019. The results are as follows:

- (1) The number of consultations
The total number of telephone consultations was 7,606, the number of people was 2,755, the total number of interviews was 1,600, and the number of people was 818.
- (2) Victims' gender: about 10% were male victims
Of all telephone consultations, 87.7% were from female victims and 10.4% were from male victims. Usually, telephone consultation proceeds to interview (direct visitors to the center are fewer in general). That the number of male victims accounted for 2.2% shows fewer male victims turned up in the interview.
- (3) Age: about 40% were teens and younger
The interview was accounted for by about 40% of teens and younger, showing a higher rate of young victims. Even if limited to junior high school students and younger alone, the figure was about 20%.

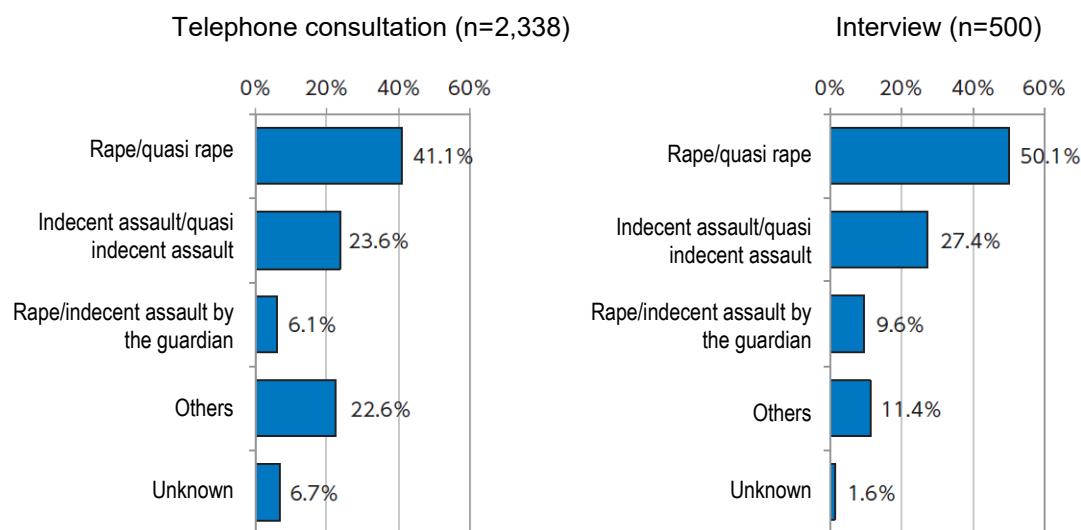
Figure 1: Age of victims



- 1 This survey report can be viewed in HP of Gender Equality Bureau of the Cabinet Office.
http://www.gender.go.jp/policy/no_violence/e-vaw/chousa/r02_top.html
2. The number of respondents differ depending on the questions due to the following reasons.
 - When a victim and his/her accompanied guardian visited the center, the number was counted as "two consulters" and "one victim." So the numbers of actual consulters and damage classification are different.
 - When a victim and his/her guardian visited the center and their story was listened in detail, it was found that the guardian (mother) was also a DV victim in need of support. So, the numbers of consulters and persons who need help are different.

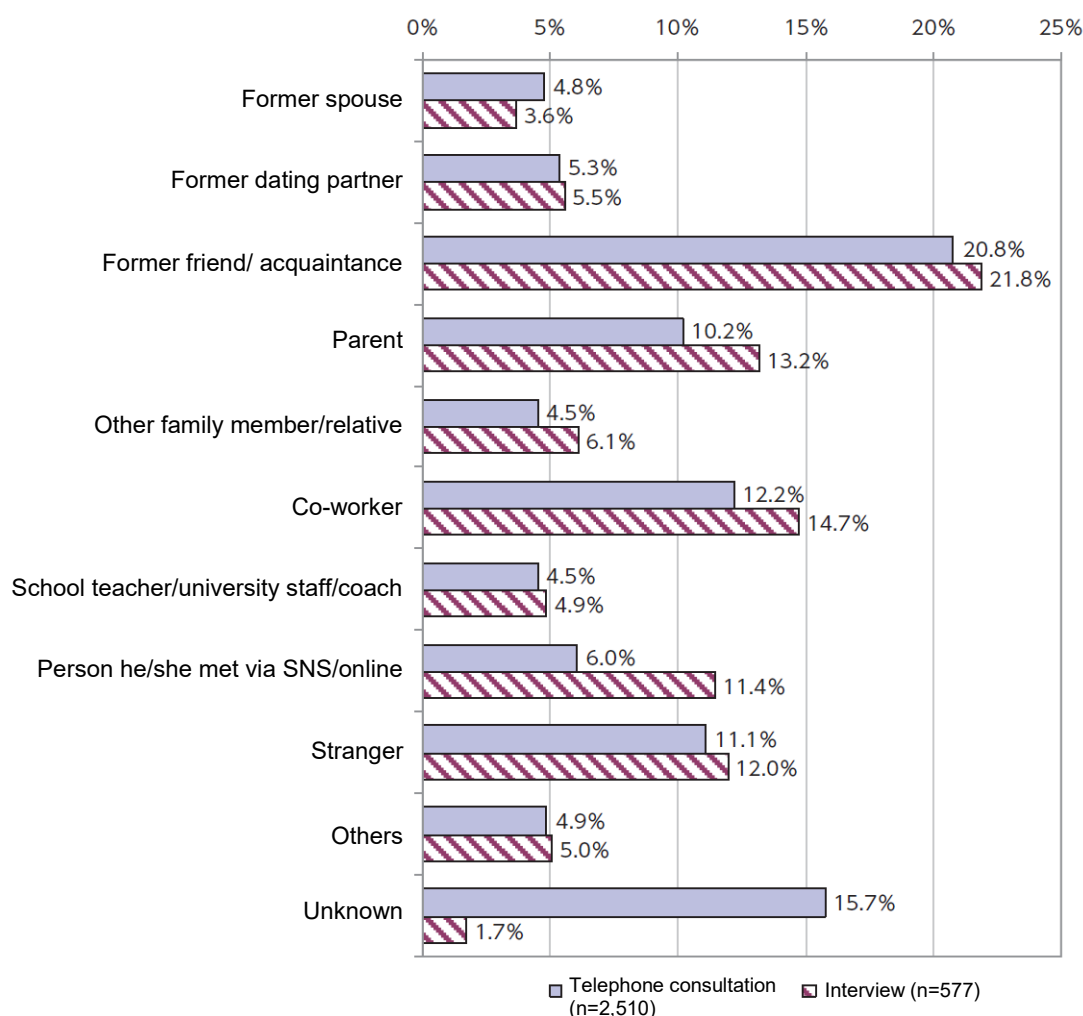
- (4) Sexual victimization: more than 100 cases are associated with drug/alcohol use
Among telephone consultations and interviews, the highest rate was about "rape/quasi rape," accounting for more than 50% of interviews.
The number of sexual victims associated with "drug/alcohol" was 106 in the telephone consultation and 75 in the interview. Even if limited to the telephone consultation alone, the number stands at about 400 persons a year when it is simply quadrupled.

Figure 2: Classification of sexual victimizations



- (5) Relationship with a perpetrator: about 20% were victimized by his/her parent or family member. In the interview, 13.2% responded they were victimized by “parent.” The figure stands at about 20% when added to “other family member or relative” (6.1%). Some were victimized by “a person he/she met via SNS/online” (11.4%), others were victimized by “a person he/she met via SNS that was his/her place to escape from the violent parent.”

Figure 3: Relationship with a perpetrator



3 In this case, a real parent, an adoptive parent, a step-parent, and a parent's dating partner are included.

2 Securing Safety (related to Article 15 of the Basic Act)

○ Main Efforts

- **Protection of Information about Crime Victims, etc.**

[Policy No. 80]

The Ministry of Justice and the Public Prosecutors Office have properly been managing the system which restricts the disclosure of the victim's name/address and others detail which will identify him/her in an open court if the court decides to do so, and the system which enables a prosecutor to impose a condition on the attorney when disclosing evidence not to notify the victim's name/address to the defendant. In addition, the Ministry of Justice and the

Public Prosecutors Office are also working to disseminate this information among prosecutors through conferences and training programs. Similar efforts are being made by the Offender Rehabilitation Offices through conferences and training programs to ensure that the personal information of victims is appropriately stored.

- **Improvement of Systems for Prevention, Earlier Detection, and Rapid Response to Child Abuse**

[Policy No. 88]

Based on "The Emergency Response Plan to Strengthen Measures for Prevention of Child Abuse" decided in July 2018 at the ministerial conference on child abuse measures, the Ministry of Education,

Culture, Sports, Science and Technology issued a notice to each prefectural education board, calling for: (1) Efforts for early detection of child abuse at each school and its notice, (2) Information sharing with related organizations to strengthen their cooperation, and (3) Implementation of training for child abuse prevention.

Also, in the wake of the elementary school 4th grader's death in Noda City, Chiba, in February 2018, the Ministry established a ministry task force headed by the State Minister of Education, Culture, Sports, Science and Technology, in order to study recurrence prevention measures. And based on "The Further Reinforcement of the Emergency Response Plan to Strengthen Measures for Prevention of Child Abuse" compiled in the same month, the Ministry notified each prefectural board of education of the new rules on information management and cooperation among related-agencies on child abuse cases. In addition, in May 2019, the Ministry published "An Abuse Response Guide for Schools and Education Boards" that describes items to keep in mind when responding to child abuse. Moreover, the Ministry supports the improvement of educational consultation systems for students, such as arrangement of school counselors and social workers, in order to be able to counsel to students.

- **Improvement of Systems for Prevention, Earlier Detection, and Rapid Response to Child Abuse**

[Policy No. 89]

To prevent child abuse, the Ministry of Education, Culture, Sports, Science and Technology promotes support activities for parents in each region to help them educate their children at ease at home, by providing parents with learning opportunities, information and advice. This is carried out by home education support teams consisting of regional diverse human resources; support activities by household visits are also included according to regional situations.

To respond to child abuse early in each region, the Ministry published in August 2019 a leaflet "Key Points for Responding to Child Abuse: Watching, Noticing and Connecting." It describes items to keep in mind for people involved in local school collaboration activities, such as supporters of home education and after-school children's classes. Furthermore, taking the opportunity of "The Child Abuse Prevention Month" of November, the Ministry announced the minister's message calling for eradication of child abuse toward nationwide families, schools and regional people who are involved in the growth of children.



Act on Partial Amendment of the Child Welfare Act, etc. to step up efforts to prevent child abuse

To strengthen child abuse prevention measures, the draft of "Act on Partial Amendment of the Child Welfare Act, etc. to step up efforts to prevent child abuse" was submitted to the ordinary diet session in March 2019 and passed in June 2019.

The outline of the act is as follows:

- To protect the rights of the child, a parent or guardian may not use corporal punishment when disciplining the child.
- To strengthen the system of child guidance centers, prefectures shall divide staff who provide interventional responses, such as temporary custody, and staff who provide support to parents.
- To promote the establishment of child guidance centers, reference criteria for facilities shall be decided, and support measures shall be taken to improve them and to secure and train human resources, so that medium-size cities and Tokyo Metropolitan Cities can establish such centers.
- To strengthen cooperation between related organizations and their liaison with DV measures, the staff of The Spousal Violence Counseling and Support Centers shall make efforts for early detection of child abuse.

In addition, review rules have been stipulated on improvement of the treatment of child guidance center staff, quantitative expansion and qualitative improvement of facilities of taking temporary custody, and a civil code provision on the parental right to discipline children.

Outline of the Act on the Partial Amendment to the Child Welfare Act, etc. to step up efforts to prevent child abuse Act No.46 of 2019

(enacted on June 19, 2019, promulgated on June 26, 2019)

Purpose of revision	
To step up efforts for child abuse prevention, the government will take necessary steps to protect children's rights, beef up the functions of child guidance centers and promote further cooperation among relevant organizations	
Outline of revision	
<ol style="list-style-type: none"> 1. Protection of the rights of children [part of ① : amendments to the Act on the Prevention, etc. of Child Abuse, part of ① ② and ③ : amendments to the Child Welfare Act] <ol style="list-style-type: none"> ① People who exercises parental authority shall not inflict corporal punishment on his/her child in disciplining. The same rule shall apply to the child guidance center's director, the head of the child welfare institution and foster parent. ② The amended law stipulates in written form that prefectural governments (child guidance centers) are responsible for ensuring the safety of children. ③ When interviewing with an abused child, a child welfare council shall give due consideration to their circumstances. 2. Strengthen the organization of child guidance centers, promote further corporation among relevant bodies, and step up other efforts <ol style="list-style-type: none"> (1) Strengthen the organization of child guidance centers, etc. [① ⑥ and ⑦ : amendments to the Act on the Prevention, etc. of Child Abuse , ② ③ ④ and ⑤ : amendments to the Child Welfare Act] <ol style="list-style-type: none"> ① Prefectural governments shall separate staff members at child guidance centers in charge of taking children into temporary custody from those responsible for providing support for the parents of the children. ② Prefectural governments shall assign lawyers to child guidance centers or take equivalent measures so that officials at the centers can always seek advice or instructions from lawyers to make proper judgements or deal with legal matters concerning the cases. The local governments shall also assign doctors and public health nurses to child guidance centers. ③ Prefectural governments shall evaluate the quality of services provided at child guidance centers to improve the service quality. ④ The number of child welfare officers per child guidance center shall be determined by prefectural governments based on the population in the jurisdictional districts of child guidance centers, the number of consultations on child abuse handled by child guidance centers, and other factors in accordance with standards specified by a cabinet order. ⑤ The amendment calls for reviewing qualifications for child welfare officers and supervisors and stipulating staffing standards for child psychologists in law in order to improve their ability. ⑥ To prevent abuse from happening again, local governments and child guidance centers shall provide guidance based on medical and psychological knowledge to guardians who have committed the child abuse. ⑦ The family environment of abused children shall be documented so that a prefectural governor can use the information when considering canceling measures for residential care, etc. (2) Increase the number of child guidance centers [① : amendments to the Child Welfare Act, ②・③ : provisions attached to the amended law] <ol style="list-style-type: none"> ① The jurisdictional district of child guidance center shall be set by a local government based on requirements specified by a government ordinance such as the population in a district and other social factors. ② The government shall cooperate with relevant local public organizations and other agencies to help medium size cities and Tokyo Metropolitan City build facilities, hire staff and develop human resources so that those municipalities can set up child guidance centers after 5 years following the effective date of the law as a target. ③ The government shall review its support system for the said municipalities after 5 years following the effective date of the law as a target and take necessary steps. The review shall be carried out based on achievements the government has made such as the impact of the assistance and the number of newly built child guidance centers. (3) Promote cooperation among relevant bodies [①: amendments to the Child Welfare Act, ②-④・ the first part of ⑤: amendments to the Act on the Prevention, etc. of Child Abuse, the second part of ⑤: amendments to the Act on the Prevention of Spousal Violence and the Protection of Victims] <ol style="list-style-type: none"> ① Relevant bodies involved in child abuse cases shall provide information to or cooperate with a regional council of countermeasures for Children Requiring Aid (hereinafter referred to as a "council ") when asked to do so by the council ② The national and local governments shall endeavor to develop a systems that promotes further cooperation between relevant local governments, municipalities child guidance centers, welfare offices, spousal violence counselling and support centers, schools and medical institutions. ③ If a child who have suffered child abuse moves to a new place, information about the child shall be passed to the director of the child guidance center having jurisdiction over the child's new residence from the director of the center in the child's former municipality. The director who has obtained the information shall then take action to allow the council members to share the details about the child. ④ Schools, municipal officials of the board of education and employees of child welfare institution shall not divulge any secret coming to their knowledge of child abuse confidential. ⑤ To strengthen cooperation on domestic violence and child abuse prevention between relevant organs, officials of women's consulting offices and staff at spousal violence counselling and support centers shall work to detect child abuse at an early stage. Meanwhile, employees of child guidance center shall cooperate and communicate with spousal violence counselling 	

and support centers to protect victims of domestic violence.

3. Provisions to be reviewed and measures to be taken

- ① The ratio of child welfare officers to population shall be reviewed based on the number of consultations regarding number of child abuse consultations handled by child guidance center per officer.
- ② As for the government's support measures concerning improvement in the work conditions for officials at child guidance centers and the quality of the temporary protection system as well as efforts to increase the number of facilities of taking temporary custody, the amendments call on the government to promptly review them and take necessary steps .
- ③ As for a civil code provision on the parental right to discipline children, the legislation calls for a review within two years after the revised laws enter into force and urges the government to take necessary action.
- ④ As for procedures for temporary custody and other protective measures, the legislation calls for a review after a year following the effective date of the law as a target and urges the government to take necessary steps.
- ⑤ To guarantee children's rights to express their opinions, the legislation calls for a review of the following after 2 years following the effective date of the law as a target and urges the government to take necessary measures: provide people involved in child abuse prevention with an opportunity to listen to children who have suffered child abuse, give abused children an opportunity to voice their opinions, use such occasions to intervene in suspected abuse cases to help the children and create a mechanism to protect the rights of children.
- ⑥ As for qualifications for persons engaged in support programs that require professional expertise and skills in the field of child welfare and plans to help improve their skills, the legislation calls for a review after a year following the effective date of the law as a target and urges the government to take necessary action .
- ⑦ The legislation calls for a review of measures against child abuse within five years after the amended laws enter into force and urges the government to take necessary steps.
- ⑧ As for rehabilitation programs for perpetrators in local communities, expanding the range of DV forms subject to notification and DV victims who can file a protection order, the legislation calls for a review within 3 years of the promulgation of the amendments and urges the government to take necessary measures.
- ⑨ The amendments call on the government to make other necessary provisions.

Enforcement Date

April 1, 2020

Publication Date for 3 ② and ⑧ April 1, 2022 for 2 (1) ② and part of ⑤ April 1, 2023 for 2 (2) ①

3 Consideration in the Process of Protection, Investigation, and Trial, etc. (related to Article 19 of the Basic Act)

○ Main Efforts

- Appropriate Operation of Measures such as Video links

[Policy No. 111]

The Ministry of Justice is making efforts to disseminate information at conferences and through training programs about the policy on the statement of opinions by crime victims, etc., which aims to represent the opinions of crime victims, etc. more appropriately to the court during criminal proceedings and the policy on the use of video links, etc. during witness testimony, which aims to reduce the stress and anxiety felt by witnesses, to ensure the appropriate implementation of these policies during a trial, while also analyzing the status of their implementation. The informational pamphlet, “For Victims of Crime,” contains further information on these policies.

In 2019, in total, 118 witnesses gave testimony under the presence of an accompanying person, 1,505 witnesses were screened off to hide their identity during testimony, and 341 had recourse to a video link (including 23 witnesses who gave their testimonies from other courthouse).

Status of witness protection, etc.

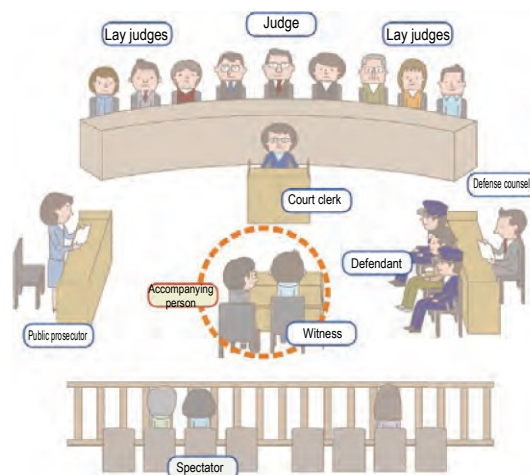
Year	Witness Protection Measures, etc.		
	Attendant	Shield	Videolink
2015	141	1,563	290
2016	128	1,623	303
2017	78	1,105	225
2018	144	1,461	317 (15)
2019	118	1,505	341 (23)

(Notes)

1. Data (approx. figures) source: General Secretariat of the Supreme Court
2. The number of witnesses represents the total number of those appearing at High Court, District Court, and Summary Court
3. The figures for each item are based on the date on which the decision was made until the year of 2017, but from 2017, they are based on the date of conclusion of the case (note that with regard to cases where the decision was made in 2016 or earlier but the date of conclusion of the case was 2017 or after, the figures are based on the date on which the decision was made). Please take note that due to these changes, the 2017 figures show a temporary decrease.
4. Among the figures for Videolink, figures in () show the numbers of witnesses who gave their testimonies from other courthouse. (included number)

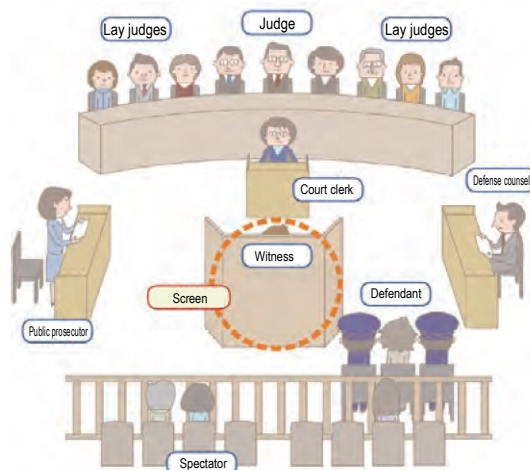
Source: Ministry of Justice

Attendant accompanying witness



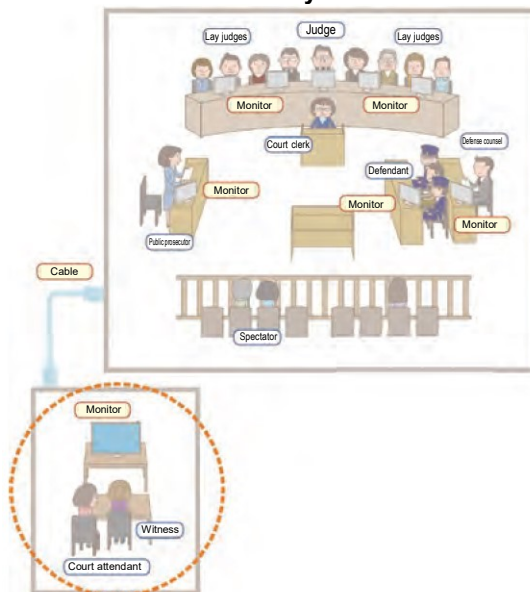
Source: Ministry of Justice

Shield for witness



Source: Ministry of Justice

Videolink system



Source: Ministry of Justice

In April 2008, the Code of Civil Procedure was partially revised to allow the presence of accompanying persons and the use of screens and video links when crime victims are asked to give their testimony to the court in civil litigation. In 2019, in civil litigation (including administrative

litigation), accompanying persons were present 8 times, a screen was used 204 times, and a video link was used 24 times (each figure represents the number of testimonies by witnesses and parties, with each instance of use counting as one even in cases of combined use).