

Disabusing the Governmental System:

A Proposal to Protect Japanese Children from Abuse

This past April, Sora Yamazaki, who was 1 year old, passed away. His death became a media topic because apparently he was abused by his mother. His mother left him in his home and he starved to death. His brother, who was 4 years old at the time, staved off hunger by eating garbage (Morii, 2007). Their case is a tragedy, but is an example of child abuse in Japan today and its shocking nature. This essay will discuss the issue of child abuse and offer a proposal to make a governmental association which specializes in child abuse and to give such an association more authority than the current Child Consultation Center (called Jido-sodanjo in Japanese) has now.

Before outlining the particulars of my proposal, it is necessary to know the definition of child abuse. Without a clear definition, misunderstanding is quite likely. American government offices, one of which is the Monroe County Department of Human Services, define three types of child abuse: sexual abuse, physical abuse, and neglect (Monroe County, 2003). In this essay, I am not going to discuss sexual abuse. I will focus mainly on physical abuse and to some extent neglect, but the difference between physical abuse and neglect is not always clear.

Once the types of child abuse are fairly clear, the next thing to discuss is the cause of child abuse. In fact, it is quite difficult to declare the causes of child abuse. However, one likely cause is the parent's loneliness. A Japanese Health and Welfare Ministry survey said that too often just one parent is left to do child rearing (cited in "Survey Shows," 1999). This kind of situation sometimes leads to child abuse.

However, such difficult situations are just one trigger of child abuse. A governmental congress committee pointed out four intimate causes of child abuse: (1) The parent's abused experience (2) The parent's stress (3) The family's isolation (4) The child's behavior (Healthy parent and child of 21 committee, 2000).

Child Abuse

Figure 1 The four main causes of child abuse

In addition to the parent's problems, the reaction of the government to child abuse is, surprisingly, also one of the causes of child abuse. If the government could react to every case of child abuse soon, nobody would die because of child abuse. However, last

year, 59 abused children passed away (National Policy Agency, 2007), which clearly shows the present child abuse prevention system is not sufficient. Therefore, I can say that the government's response is one of the causes of child abuse, even though it is not the direct cause.

The effect of these various causes is that children suffer because of their adults' incompetence. Specifically where physical punishment by parents is concerned, a famous quote from public TV program host Mr. Rogers says, "When we don't understand, we spank" (Rogers, 2007). What he means is many parents don't understand their own anger, their children's feelings, the cycle of violence from generation to generation, etc. Outside the family, as a country, the effects are not clear. However, since abused children tend to abuse others around them (Kawasaki, 2006), we can easily guess that the patterns we see on Japanese baseball teams, and with bullying in schools, are connected to family life and physical abuse at home.

We, of course, cannot control how parents behave. However, we can affect the government. The biggest government agency dealing with child abuse is the Child Consultation Center (or CCC). The government now deals with child abuse through a network of all the governmental associations which may come into contact with an abused child (see Figure 2). The Child Abuse Prevention Law stated that the central

association of this network is the Child Consultation Center, and the overall network consists of schools, police, family courts, etc (Child Abuse Prevention Law, 2007).

Figure 2 Image of the present child abuse prevention network

However, some people argue that the network is not working well. In fact, a governmental congress committee pointed out that the consultations of the child abuse prevention association were not enough in some cases (Expert Committee on protection, 2007). The biggest reason is that these associations do not deal only with child abuse, and even the central CCC deals with various kinds of child-related problems, such as truancy, bullying and juvenile delinquency. There is no governmental association which specializes only in child abuse.

Another big reason why the CCC is not working well is its capacity. Although this agency has local branches in every prefecture and main city, it is too small to deal with

every case of child abuse. In 2006, there were only 2,147 child welfare commissioners in Japan although child welfare centers across the nation handled a record 34,451 cases of child abuse in 2005, which is 31 times more than in 1990 (Ministry of Health, Labour and Welfare, 2005. "Abuse death prevention," 2007). These statistics show that the system is inadequate and one wonders how many unreported cases are also out there. While it is true that there are NGOs to fill the gap, none of these organizations are legally powerful enough.

Figure 3

Despite the lack of CCC's working competence, the government has begun to put in serious efforts to tackle the child abuse problem. In fact, the child abuse prevention law was revised twice after it was created in 2000, and was reinforced to give more authority to CCCs. However, it is too soon to know if even more authority

than this is necessary. If the recent changes are sufficient, the government agencies' exercise of their authority is still too soft. In fact, a governmental congress committee reported that there were 17 cases in 2004 which resulted in abused children's death despite the CCC's notice. (The Expert Committee on protection, 2007). This data shows that the current changes are not sufficient, and shows the weakness in the CCC's exercise of their authority. Therefore, I argue for a new organization that better serves children.

Citizens are being let down when an important law is not fully exercised. However, in the CCC's defense, there are not enough welfare commissioners in Japan. As mentioned above, the number of commissioners is small, and one commissioner has to deal with an average of 16.4 cases a year. However, in these Child Consultation Centers, commissioners have to deal not only with child abuse but also with various kinds of child-related problems. Surprisingly, Yumiko Mami, director of the Hachioji Child Consultation Center, stated that a commissioner has to deal with more than 200 cases a year (Child Abuse reporters from the Mainichi, 2002). This remark shows that these 2,100 commissioners have a great deal of work to do with reported cases alone, again not counting unreported cases.

Another big reason for the law's insufficient implementation is that these

commissioners are not fully trained. According to Diet member Kenzo Fujisue (n.d.), commissioners do not have enough training, and start work soon after their short apprenticeship. The new law does not address this problem.

However, the biggest factor working against Japanese children is cultural barriers. In Japan, culturally and legally, parental authority is positioned as a very important civil right. In fact, Article 822 of Japanese civil law states, “A person who exercises parental authority may discipline the child to the extent necessary” (The Japanese Cabinet Secretariat, n.d., p. 20). Although this is not the right to abuse a child, and few people read the legal code, society assumes parents are in charge, not legal courts. There is even a saying that says “Law does not enter homes.” The meaning behind the written laws comes from cultural traditions in Japan, but these traditions become barriers and sometimes hinder the CCC from helping abused children.

It can be concluded, from what we have seen above, that the governmental system and the new law about child abuse is not adequate. It is too clear that the present child abuse network is not working, and that the change of law has not changed the status quo.

In particular, my proposal calls for creating a new governmental association called the Child Abuse Prevention Authority (or CAPA). The hierarchy will change

from the current structure of a loose network to a single authority, just as the strong as the police. All the information on reported cases will flow up to this authority (see Figure 4). Such a system would be much better than the present one because reaction time would be faster when there will be stronger central leadership than there is with a large, dispersed network. And in addition, responsibility clearly rests in one place.

Figure 4 Plan for the ideal Child Abuse Prevention System

Another major point of my proposal is to give the CAPA stronger authority than the current CCC has now. In extreme cases, the CAPA should have the right to enter a house forcibly to rescue children without the family court's permission. Also, the CAPA should have the right to arrest an abusing parent instead of relying solely on the police. Some people might fear that giving too much authority to CAPA will cause an abuse of power by commissioners. One can imagine a "big brother" type situation where the government intervenes in people's lives, rather than protects the populace.

However, such a situation is far-fetched. Government intervention is the price we pay when children are dying.

In addition to giving more authority to CAPA, it is necessary to change the role of the child abuse prevention association. In my proposal, the Child Abuse Prevention Authority will not only rescue abused children but also launch an advertising campaign to raise awareness of child abuse. Nowadays, because of the campaigns by mass media, awareness of child abuse has been rising (Teranishi, Nakamura, Fujita, & Mimura, n.d.). However, few people know what to do when they have found an instance of child abuse. According to a survey by Saitama prefecture, only one fourth of people know they have a duty to call CCC when they witness child abuse (Saitama prefecture, 2004). This survey shows that public awareness of child abuse is not enough and that more campaigns about child abuse are required. If we create the Child Abuse Prevention Authority, they can launch an educational campaign and surely deaths from child abuse will decrease.

Is Japan unique in its struggle with child abuse? What solutions have other countries come up with? Many sources on this subject cite Canada as a model example. Some of Canada's advantages are to have school counselors available every day for students and to have a prescribed number of commissioners per district (Kawasaki,

2006. Ishii, Yamashita, 2006). This Canadian system is superior to other systems because its reaction time is exceedingly fast and many cases of child abuse can be solved before they turn serious. However, it is almost impossible to create the same system in Japan. In order to create the same system, the Japanese government would have to hire about 40,000 trained commissioners. It would cost too much, and it would take quite a long time to properly train 40,000 commissioners. Therefore, it is quite too difficult to adopt completely the same system of Canada. However, in Canada, family courts have a great authority, and every other governmental association follow its orders. Therefore, the hierarchy is similar to my proposal.

In conclusion, I can say that an idea like the Child Abuse Prevention Authority is necessary to mitigate the problem of child abuse. From what we have seen above, it is obvious that the new association can address child abuse better than the present system. In fact, my proposal addresses two points. One is that only having the current Child Consultation Centers is not sufficient to help Japanese children. The other is that the CCC does not have enough authority. Consequently, a new organization can both increase the government's response to child abuse and educate the populace about the seriousness of the problem.

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