

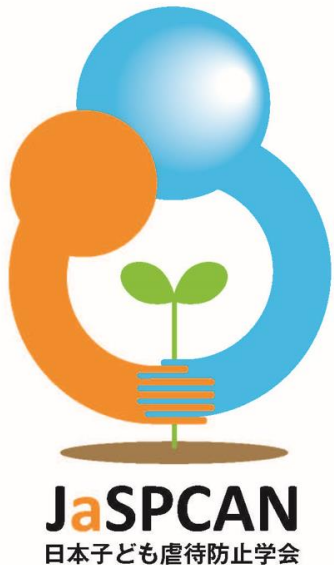
# Super-aging Japan is Finally Steering toward a Child-Centered Society

Japanese Society for Prevention of Child Abuse and Neglect (JaSPCAN)

Japanese Medical Society of Child Abuse and Neglect (JaMSCAN)

Hakodate Central General Hospital, Department of Pediatrics

Ayako Ishikura, MD



# Ayako ISHIKURA, MD

General pediatrician

Hakodate Central General Hospital, Hokkaido, JAPAN

- Born in Japan.
- Graduated Tohoku University, School of Medicine in 1996.
- Working as a general pediatrician in the hospital collaborates with community organizations to support children and families with vulnerability.
- Since 2015 with the support of hospital staff, prepares bimonthly seminars (Child First Hakodate) related to child abuse and neglect.
- The hospital is one of the medical centers of the area's SART (Sexual Assault Response Team) and helps connect children to the regional trauma therapist.
- Central member of Hokkaido's Child Death Review Model Project Since 2021.
- President of the 11<sup>th</sup> Annual Congress of JaMSCAN in 2019.
- Board member of JaSPCAN (Japanese Society for Prevention of Child Abuse and Neglect) and JaMSCAN (Japanese Medical Society on Child Abuse and Neglect), both of which are country partners of ISPCAN.
- Chairperson of the International Activities Committee of JaSPCAN

# Super-aging Japan's data

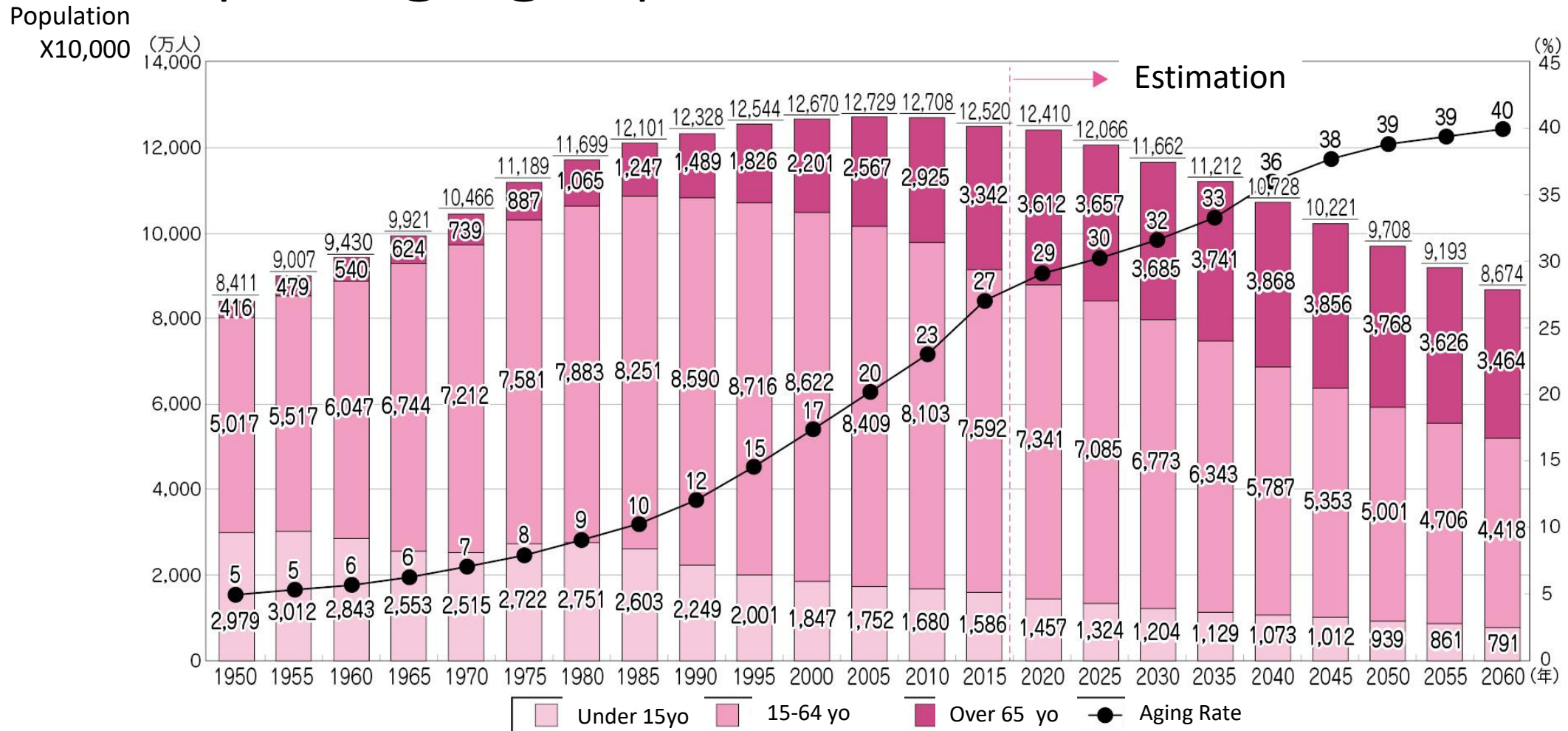
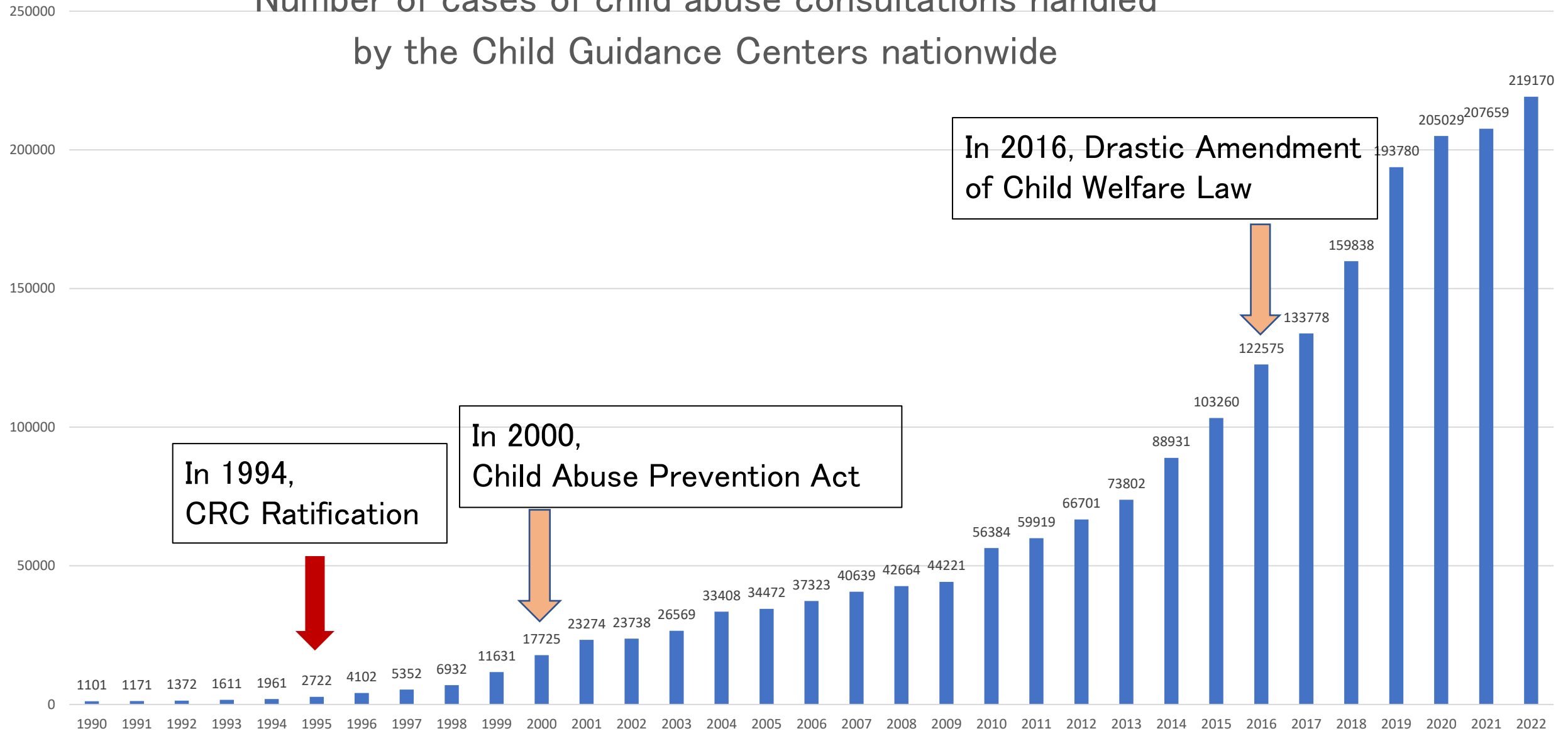


Fig. 1 Population Trends

Future population estimates based on the Census and the National Institute of Population and Social Security Research's birth-medium estimates

# At the time of ratification of CRC, Japan was unaware of the violation of children's rights

## Number of cases of child abuse consultations handled by the Child Guidance Centers nationwide



# Child abuse defined in the Child Abuse Prevention Act of 2000.

- Article 2 **The term "child abuse" as used in this Act shall mean the abuse of a child under the care of a guardian** (a person who exercises parental authority, a guardian of a minor, or any other person who is in actual custody of a child; the same shall apply hereinafter). (2) **The term "child abuse" as used in this Act shall mean the following acts committed by a guardian** (who exercises parental authority, a guardian of a minor or any other person who has actual custody of a child) with respect to a child under his/her care (which means a person under 18 years of age) (2) "Child abuse" means any of the following acts committed by a guardian (a person who exercises parental authority, a guardian of a minor, or any other person who has actual custody of a child) with respect to a child (meaning a person under 18 years of age) in his/her custody
  - (i) Committing an assault that causes or is likely to cause bodily injury to a child
  - (ii) Committing an indecent act on a child or having a child commit an indecent act
  - (iii) Significant neglect of the child's custody as a guardian, such as severely reducing the amount of food or leaving the child unattended for a long period of time in a manner that hinders the child's normal development of mind and body, neglect of acts similar to those listed in the preceding two items or the next item by a person living together other than the guardian, or other neglect of the child's custody as a guardian.
  - (iv) Extremely abusive language or extremely rejective attitude toward a child, violence against a spouse in a family where the child lives together (which refers to unlawful attacks on the body of a spouse (including a spouse who has not registered his/her marriage but is in a situation similar to de facto marital relations. (i) Unlawful attacks on the body of a spouse (including a spouse (including a person who has not registered his/her marriage but is in a situation similar to that of a de facto marriage), which cause harm to the life or body, and words and deeds that have a similar harmful effect on the body and mind, and (iii) Any other words or deeds that cause significant psychological trauma to a child.

Physical abuse

Sexual abuse

neglect

Psychological abuse

From “Protecting Lives from Abuse” to  
Guaranteeing Rights

# Two Major Points of the 2016 Revised Child Welfare Law

## Based on the “Rights of the Child.”

- Previously, parental right of “custody” was stipulated, but there was no provision for the rights of the child.
- Japan ratified the UN Convention on the Rights of the Child in 1994.
- Emphasis on general principles e.g., “the best interests of the child are given priority consideration.”

## Principle of primacy of child-care in family-like environment

- Enhancement of parental (family) support in the community
- If the child still cannot be raised in a home, a foster care environment similar to a home (foster care, adoption)
- When it is difficult to do so, the best possible home-like environment (small-scale, decentralized facilities) is provided.

# Changes in the foundation of Children's Rights

1947

Saving Children's Lives

Child Welfare Law  
Amendment in 2016

2016

Protecting Children's Rights

Article 1 states that "the child is the subject of rights."

- Save lives by separating them from their parents.
- Separation was possible through administration procedures alone.
- Options other than separation was scarce.
- After protection "It's a good thing that life was saved."
- Protection is of first priority. No school, while finding a home. Children were just put in temporary shelters or institutions.
- Children's voices were not important.
- Care and treatment was not of considered.

- Support for children to live at home without separation
- Judicial involvement in parent-child separation
- Putting the rights of separated children first
- Temporary protection and long-term separation both in home (foster parents, etc.) environments as much as possible.
- Protection of children's rights in temporary shelters included in CGC guidelines
- Launch of the Listening to Children's Voices (Advocate) System
- Inauguration of a system of protection of children's rights
- Consideration of a measure cost system based on care needs

⇒ Major changes expected in other related areas. Based on children's rights.



# Fundamental Law for Children 2022

(28 years after ratification of the Convention on the Rights of the Child)

Article 1 This Act shall be enacted in accordance with the **spirit of the Constitution of Japan and the Convention on the Rights of the Child, so that** all children, who will lead the next generation of society, may build a foundation for lifelong character development, grow up healthy and independent as individuals, and have their **rights protected, regardless of their physical and mental conditions or circumstances,** (2) The Government of Japan shall establish the basic principles of the Child Policy, clarify the responsibilities of the Government of Japan, and provide for basic matters concerning the Child Policy, and establish the Council for the Promotion of Child Policy, etc., so that society as a whole can take measures for children with the aim of realizing a society in which children can lead a happy life in the future. The purpose of the Child Policy Promotion Council is to comprehensively promote measures for children.

# The Basic Policy of The Children and Families Agency(established in 2023)

- An organization that "always puts the best interests of the child first, places efforts and policies related to children at the center of our society, and from the perspective of the child, looks at every environment surrounding the child, guarantees the rights of the child, leaves no child behind, and encourages the healthy growth of the child throughout society."

**Prime Minister**  
(as the head of the cabinet )



**Minister of State**  
for Children's Policy



## **Children and Families Agency 2023**

### **control tower function**

poverty reduction measures  
countermeasures to the falling birthrate  
Protecting Children from Crime  
Measures against Child Abuse  
Child Sexual Exploitation Issues  
A place for children  
Connecting Opinions to Policy Making

### **Interagency Coordination Functions**

#### **New Features**

Prevention of sexual victimization CDR study  
Digital infrastructure development

Recommendations under the  
Comprehensive  
Coordination  
Authority

## **MEXT**

education  
school education  
school non-attendance  
bullying

## **Ministry of Health, Labor and Welfare(MHLW)**

medical care  
Workers' working  
environment

# With Fundamental Law for Children, now it is everyone's problem and not just the Agency

- Children will know about their rights.
- Adults will act in the best interest of the child and guaranteeing the rights of the child
- Children's rights will be protected in the same way, anywhere in Japan.
- Information will be disseminated in a manner that will be easy for children to understand.
- A society that respects the voice of the child will be created.
- An environment will be created in which all children can achieve their full potential.
- Children's policies will be based on children's rights.
- Isolation of children and families will be avoided and the number of personnel involved with children and families (citizen groups, government, companies, etc.) will be increased
- A budget and mechanism for this purpose will be secured.

**We are slowly steering toward a child-centered society.**

Article 15 The national government shall endeavor to publicize the purpose and contents of this Act and the Convention on the Rights of the Child (CRC) to the citizens through public information activities, etc. and to obtain their understanding.

The people shall, in accordance with the Fundamental Law, deepen their interest in and understanding of the policies for children, and endeavor to cooperate with the policies for children implemented by the national and local governments.

# The United Nations Committee on the Rights of the Child pointed out 3 things the government should put in place for children

- Comprehensive national laws guaranteeing children's rights are needed.

## Enactment of Fundamental Law for Children(2022)

- Need for a commissioner who is independent of other administrations and reflects the voices of children to recommend policies that contribute to the realization of children's rights.

## Establish a children's commissioner system (yet)

- It is necessary to establish a department within the Administration for Children and Families to coordinate various administrative and policy measures related to children in order to guarantee children's rights.

## Establishment of a coordinating body for child administration = Children and Families Agency (2023)