

## Freedom from Domestic Violence

### Open the Door

In Japan, there is a law that can protect citizens from domestic violence (Act on the Prevention of Spousal Violence and the Protection of Victims; DV Prevention Act).

This is also applicable to all foreigners living in Japan, regardless of their status of residence.

Don't hesitate to consult us about your problem.

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(Hyogo Spousal Violence Counseling and Support Center)

### Do you find yourself in any of these situations?

If yes, contact consultation services.

#### DV Checklist

- I am always sensitive to my partner's moods and act the way he/she wants me to act
- I often have headaches, bouts of dizziness, nausea, sleeplessness, or fatigue
- When my partner loses his/her temper, he/she hits and kicks me or something around me, or behaves and speaks violently
- My partner forces me to have sex even if I say no
- My partner threatens me, saying he/she will not cooperate with the extension of my visa if I do not obey him/her
- My partner looks down on my native language, food and other aspects of my culture and prevents me from using them
- My partner threatens me, saying I will never get custody if I divorce him/her
- My partner says he/she will divorce me so that I can't get status as a permanent resident
- My partner often tells me to go back to my home country
- My partner says no one trusts me because I am a foreigner

[Added to the scripts by the Domestic Violence Prevention]

## **What is domestic violence (DV)?**

DV is a pattern of abusive behavior from the spouse, through which the victim is fully controlled.

Here the word “spouse” includes married partners, common law partners and divorcees. Common law partners are practically married couples; they just haven’t registered their marriage.

Divorcees include common law partners that have separated

Intimate partners or former intimate partners, who used to share the domicile as the main home with victims, are also included.

DV is a serious violation of human rights which includes criminal acts.

Abusive spouses are often pleasant to outsiders. Victims tend to feel that they are to blame for their partner using violence, and that is the problem.

There is no stereotypical disposition for abusive partners. Everyone can be an abuser regardless of age, academic career or occupation. Alcohol, heredity and violent nature are not causes of DV, only excuses.

Abusers are to blame; you must not think “I am to blame,” or “I should have done better.”

## **Types of violence (abuse)**

Physical abuse

Hitting, kicking, dragging, pushing or strangling

Psychological abuse

Cursing and swearing; saying you cannot do anything; mocking you saying Japanese people are excellent

Sexual abuse

Rape; refusing to use protection; forcing you to have an abortion even if you are not allowed to for religious or cultural reasons

Economic abuse

Not providing you with living expenses; confiscating your pay

Social abuse

Monitoring your relationships/friendships, phone conversations and letters; restricting your friendships; not letting you go out

Abuse through children

Letting your children see violent acts; forcing your children to accuse and slander you (To let children see violent acts is categorized as child abuse)

Abuse through procedures concerning visa status

Not cooperating with you to extend your period of stay in Japan; taking your residence card (zairyu card); keeping your children away from you and trying to drive you away from Japan; threatening you by saying you will be deported if you cannot extend your period of stay

Cultural abuse

Not letting you use your native language; despising your culture, including language and food, and keeping you away from it; ignoring religious customs and ideas of your home country

Don’t hesitate to consult us about your problems or with inquiries; for example, when you want to flee from your abusive spouse or when you need information about DV.

### **Children are hurt.**

Children are actually hurt even if it doesn't seem that way. In many cases of DV, children are forced to watch violence. Sometimes they themselves suffer violence. By seeing or suffering violence daily, they will be affected both physically and mentally.

- Always disturbed and restless
- Becoming too aggressive
- Cannot concentrate on studying
- Guarded and careful of adults
- Repressing their feelings and behaving cordially in response to adults' requests
- Acting obediently to stronger people
- Blaming themselves – "I get bullied because I am bad" "I am a bad kid"
- Have difficulties with interpersonal relationships and as a result they skip school or stay home

These are examples of reactions suffering children may have. Various expressions will be seen according to the extent of violence and their perceptions. To promote proper growth of children, it is essential to free them from nervousness and assure them a violence-free, safe environment.

Q. What can I do if someone around me seems to be in trouble?

A. Please hand them this leaflet or other leaflets that can help them, and listen to their problems. You can also introduce them to proper organizations for consultation.

Q. I am suffering DV from my husband. But I'm afraid of consulting someone, because I have overstayed my visa and am afraid the consultant may notify the Immigration authorities about my status.

A. From the viewpoint of human-right protection, consultants are not obliged to report to the Immigration authorities in dealing with DV victims' cases. Contact consultation desks without fear.

Q. Can I stay in Japan if I overstay my visa because my husband refused to cooperate to extend my period of stay or change my status of residence?

A. Please consult your nearest Immigration Bureau (including branch offices) as they review all conditions, for example, that you couldn't renew your visa because you are a DV victim. In cases where you cannot change your domicile due to DV or you cannot come to the Immigration Office in your jurisdiction for fear of being discovered by your partner, other Immigration Offices can help you.

Q. I had to leave my child at home because of abuse from my husband. Will I be deported to my homeland?

A. You won't be deported for having left your child. If you wish to stay in Japan, examinations for extending your period of stay or changing your status of residence will be carried out considering all conditions, including that you are a DV victim.

Q. When a foreign DV victim divorces his/her partner, will the victim be forbidden to change his/her status of residence?

A. If the victim wishes to stay in Japan, examinations for extending period of stay or changing status of residence will be carried out considering all conditions, including that he/she is a DV victim. Conditions differ from family to family, so please consult.

Q. If I flee from my DV abuser and neglect the notification of change of address, will my visa be cancelled?

A. Visas will not be cancelled for neglecting the notification of place of residence with good reasons. For example, it fulfills as "a good reason" that a victim did not notify the change of address to prevent a DV abuser from obtaining victim's address.

Q. It's hard for me to make a living after my divorce. Is there any system to help me live in Japan?

A. If you have a valid visa, you may be able to make use of Japanese welfare systems, such as the public assistance system, medical insurance system, systems concerning child benefits, the legal aid system for divorce lawsuit. Please contact the nearest Health and Welfare Office.

Q. My husband is going to file for divorce against my will. What can I do to prevent that?

A. In Japan, you can submit a form to municipal offices requesting refusal of approval of divorce registration. Please apply to the city/ward office where you live. This system will not be applied if both members of the couple are foreigners.

英語

There are ways to keep your abusive spouse away from you, like having an order of protection issued. The types of orders are as shown below:

**Order Prohibiting Approaching the Victim:**

This order forbids the abuser from approaching the victim or loitering in the vicinity of the victim's domicile, workplace, etc.

**Order Prohibiting Phone Calls and Other Behavior:**

This order forbids the abuser from requesting a meeting, using or carrying out extremely rude or violent words and deeds, making phone calls, sending e-mails, etc.

**Order to Vacate:**

This order obliges the abuser to vacate the shared residence.

英語

Temporary protection (refuge) is available when you fear for your physical safety. Contact organizations shown below for details.

In case of emergency, dial 110.

### **Consultation Services for Domestic Violence**

Organization / Language / Tel / Open days / Open hours

Hyogo Prefectural Women and Family Consulting Center (Hyogo Spousal Violence Counseling and Support Center) /

Japanese / 078(732)7700 / Everyday / 9:00–21:00 \* 24 hours available for emergency

Hyogo Prefectural Gender Equality Promotion Center “Even” Counseling for women /

Japanese / 078(360)8551 / Mon.–Sat. (except national holidays, year-end and new-year holidays) / 9:30–12:00, 13:00–16:30

Hyogo Prefectural Police HQ Stalker and DV consultation /

Japanese / 078(371)7830 / Everyday / 24 hours

General Affairs Division, Kobe District Immigration Office, Osaka Regional Immigration Bureau /

Japanese / 078(391)6377 / Mon.–Fri. (except national holidays, year-end and new-year holidays) / 8:30–12:00, 13:00–17:15

Hyogo International Association Information and Advisory Service Center (General counseling) /

English, Chinese, Spanish, Portuguese / 078(382)2052 / Mon.–Fri. (General counseling) 9:00–17:00, Mon. (Legal counseling; appointment required) 13:00–15:00

Kobe International Community Center KICC /

English, Chinese, Korean, Spanish, Portuguese, Vietnamese, Filipino / 078(291)8441 / Mon.–Fri. (English, Chinese), Fri. (Korean), Tue. & Wed. (Spanish, Portuguese), Mon. & Wed. (Vietnamese), Wed. (Filipino) / 10:00–12:00, 13:00–17:00 (telephone inquiries available from 9:00)

NGO Network for Foreigners' Assistance Kobe /

English, Chinese, Spanish, Portuguese, Tagalog / 078(232)1290 / Fri. / 13:00–20:00 (Chinese available until 18:00)

Vietnam Yume KOBE /

Japanese, Vietnamese / 078(736)2987 / Tue.–Sat. (except national holidays) / 10:00–17:00

Asian Women's Empowerment Project /

Japanese, English, Portuguese / 078(734)3633 / Wed. / 11:00–16:00

They accept consultation on violence from non-married couples as well. Consultation coverage and systems of each institution differ, so please contact them for details. Departments in charge of DV issues in municipal offices and police stations (community safety division) are also available.