

Video: NHK Japan Spotlights Japan's Unfair Family Law System

NHK World News (the international broadcasting service of Japanese public television) aired a very interesting programme recently highlighting how far behind the developed world Japan is when it comes to joint custody and child access after relationship breakdown (the programme is in English).



What makes the programme interesting, is that both non-Japanese and Japanese parents talk about their experience of losing their children, and how Japan's unjust family law system gave them no recourse to justice when they found themselves cut from their children's lives.

Traditionally, Japanese men are expected to persevere and endure a trauma as big as the loss of their children without complaint. They are supposed to be dedicated to their work first, with family matters coming second. It's refreshing though, in this programme, to see Japanese men talking openly and emotionally about how the loss of their children affected their lives.

Kazuyo Tanase, a clinical psychologist and professor who specialises in parent/child relationships after marriage breakdown also speaks and states that "*the sole custody system in Japan is clearly behind the times*". It surely is, when even countries like China, which is not exactly known for upholding human rights, recognise joint parental custody.

The Japanese family law system is built around the absurd notion that it is confusing for a child to have a relationship with both parents after marriage breakdown, and that it is in the best interest of the child to stay with one parent and have limited or no contact with the non-custodial parent.

Ms Tanase makes some very logical recommendations for modification of the legal system to meet the needs of children caught up in divorce as follows.

- Visitation system should be changed to allow parents without custody to spend a substantial amount of time with their children, like week-end and long vacations.
- Couples should not be allowed to separate or divorce without putting a parenting plan in place.
- Parents should be able to choose between sole custody and joint custody

It is a breath of fresh air to finally hear someone in Japan making sense on this issue.

If the Japanese government would listen to the recommendations of Ms. Tanase, the pain and anguish caused by Japan's cruel and inhumane family law system to parents and children alike would be alleviated.