

Minutes of the third meeting of the Family Law Subcommittee of the Legislative Council (provisional translation)

On May 25, 2021, the third meeting of the Family Law Subcommittee of the Legislative Council was held at the Ministry of Justice (in person and online). The composition of the committee members has not changed since the second meeting. Nearly all the members and non-voting members attended the meeting. The Chairman, Prof. OMURA Atsushi, presided over the meeting. At the third meeting, the Subcommittee heard from five interviewees and conducted question-and-answer sessions continued from the second meeting. The Subcommittee then held discussions focusing on visitation and other contacts.

The Subcommittee conducted interviews in two parts with five interviewees. The names of the interviewees are posted on the website.

The Subcommittee heard from four interviewees about support of divorce and issues of child rearing after divorce in Japan. The interviews shared perspectives, including experiences on support services for single-parent families, consultation and support services to address problems with child rearing after divorce, civil ADR services concerning domestic disputes (an ex-family court investigating officer), and providing administrative support to address problems of child rearing after divorce (a local government official).

In order to deepen the understanding of the results of multiple fact-finding surveys provided as reference materials by previous subcommittees, the Subcommittee heard one more interviewee who is a researcher in family sociology and has experience in conducting fact-finding surveys on family problems on the results of these surveys, including the compilation of basic information on samples and the analysis and evaluation of the results of each survey.

Following these interviews, the Subcommittee conducted discussions on each of the issues related to child support and visitation based on the meeting material. For the purpose of contributing to the discussions, the Subcommittee members and related ministries and agencies provided information on the status of overseas civil law systems, the actual situation of child rearing after divorce in Japan, and examples of support services undertaken by relevant ministries and agencies. Various opinions were presented on the relationship and differences between child support and visitation, and the significance and necessity of examining the respective legal concepts. The Subcommittee also discussed the state of domestic violence in Japan and measures that might be taken in response.

At its next meeting, the Subcommittee decided to continue discussing child rearing after divorce based on the results of the hearings held so far, and then to investigate and discuss the remaining meeting material.

※These minutes are the responsibility of the Secretariat of the Committee, which has provided this summary of the outcome of the meeting as a preliminary report in English.