



# Will Domestic Violence Survivors Become “Refugees”?

Although the Domestic Violence Prevention Law had been established, that alone cannot ensure the protection of the survivors’ human rights. We need a system that the survivors can access easily in order for them to recover from the pain they’ve suffered and to achieve their own lives.

Mio Takahashi

## “DV Refugees”

The word “Domsutikku baiōensu, Domestic Violence (DV)” has come to public attention. The Law for the Prevention of Spousal Violence and Protection of Victims (the DV Prevention Law) had been established and enforced in 2001, and later revised in December 2004. In the meantime, as a survivor of domestic violence, I have spoken of the difficulties in using the social system as well as issues involved in the safety net.

It is very troublesome to live being denied access to the social safety net and it is a violation of human rights. Although it had been greatly improved thanks to the lobbying of activists before the DV Prevention law was revised, it is still difficult to utilize the law. Due to the difficulties of using those social security and welfare services, there are many cases in which survivors have no choice but to stay at home with their abusers. In addition, there are many sad cases where those who once escaped from abusive partners had to go back home because of the harsh reality. The complicated factors prevent people from understanding the realities of domestic violence and even generate prejudices toward survivors of domestic violence. Consequently,

many survivors have to struggle as “DV refugees”.

I would like to point out where and how the problems actually lie based on my own experiences as a survivor of domestic violence. I also would like to discuss what I have found during my on-site support work. In addition, I will explore how and to what extent we can utilize existing systems.

## Consultation Prior to Escape

Lately, the “DV” gains public attention. The social workers designated by the local municipalities give advice such as “escape if you want to save your life”, instead of preaching to the survivors.” However, it is hard to get decent advice on how to support your life after escaping. Those who consult the survivors should tell them that there are many options. Also, the survivors should not be forced to choose a particular option, but be able to make their own decisions.

In many cases survivors lose a sense of respect for themselves, so it is essential to support them to regain a sense of self-esteem. Also, what they need is not a top-down instruction such as “can’t you respect your life



over something else?” or “I’ll give you a consultation if you decide to divorce.” The survivors deserve to be treated respectfully as human beings.

### At Shelters or “Facilities for Mothers and Children”

After escaping, many survivors are suggested to move into shelters. It is extremely important to secure their safety. As for the domestic violence cases, the risk increases when the survivors are trying to leave their abusive partners.

The abusers come to realize the significance of the problem only when they see that their partners are trying to leave them. In such cases, abusers may do whatever they can in order to get their partners back. There are also cases where abusers turn into stalkers. In order for survivors to find a safe and secure place, it is favorable that they move into a shelter.

However, the problem is that living in a shelter limits survivors’ choices for their lives under the name of the security (for survivors as well as staff members). Therefore there are cases where the survivors are not allowed to go to work or school. They may have to be separated from their children depending on the rules of shelters and their children’s age. For survivors aiming for a self-reliant life, it is a big disadvantage to have an isolated life in a shelter for several weeks, because they might lose their jobs. Therefore, some survivors hesitate to move into a shelter.

While staying in shelters, survivors are consulted in order to decide their future. There are cases where, despite being eligible for social welfare benefits, they receive a comment such as “since you are too young to retire, you can find a job if you are not too picky.” Many of the survivors are already physically and mentally exhausted from the

years of violence.. Also, they are filled with anxiety after they leave their hometown and house they’ve lived in for a long time. It is overwhelming for them to change their job and location in order to start a new life in only a few weeks. In fact, unfortunately there is a case where a survivor went back to her abusive partner despite knowing that she would have to suffer again.

### Social Welfare Benefits/ Mother-and-Child Welfare Loan

The Daily Life Security Law does not stipulate any condition of applicants’ past history for their eligibility for social welfare benefits. However, it depends on implementation of local municipalities. In some towns, survivors have to talk first with female counselors designated by the municipalities, and later it is decided whether or not they are eligible for social welfare benefits.

Although the Ministry of Health, Labor, and Welfare has a “self-reliance law,” many survivors have no choice but to rely on social welfare programs as of now. Therefore, counselors should keep in mind that the survivors are the victims of a crime and they do not have many choices other than relying on social welfare. Furthermore, the human rights of those survivors should be respected and they should be treated fairly.

Moreover, the requirements for the eligibility of social welfare should be relaxed. Some survivors can start a new life if only they can get short-period entitlement.

The Mother-and-Child Welfare Loan is not fully utilized either. Even in a case where, with the help of this loan the survivors would not need social welfare., the access to the loan is denied because its eligibility requirements are too strict. One requirement is that you have to have a guarantor younger than 60



years old (no pensioner allowed), who has a secure job. If your parents are already older than 60 years old and your relatives do not understand your hardships as a survivor of domestic violence, it is impossible to access the loan. Thus, the social safety net is not functioning as well as it should be.

### Difficulties for Relocation

In Japan, you have to register your residency at the local government office. The card is used as an identification card. Many survivors cannot relocate their resident registration after they move because they are afraid that their abusers might track down their current residence.

If you cannot renew your resident registration, it causes various difficulties for the survivors. Even when they want to rent a video, they might have to show a social welfare entitlement card because they do not have their identification card.

Without an ID, they cannot even vote at election time. You have to show the notification of election when you vote. The notification is supposed to be mailed to their registered address. So, when the survivors move far away from their registered address, they cannot vote. Thus, they are even deprived of suffrage.

In order to receive various social welfare services, you have to obtain a “request for consideration on resident registration” written by social workers designated by the local

government. The social workers are required to explain in detail the reasons for the request. That is to say, the survivors have to confide their private situations about escaping from domestic violence to a total stranger (even though they are social workers).

You can use your driver’s license as your ID. However, in order to renew your license, you have to go back to the place where you have a resident registration. There was a case of a survivor who, upon going back to her hometown, was almost found by her abuser because he filed a case for his missing wife at the local police station. There is danger lurking everywhere.

In regards to medical services which are vital for survivors to recover, counseling or other medical treatment is not inexpensive in Japan. Even when both survivors and their children suffer from PTSD, it is difficult for them to access decent medical services and counseling. We need systematic medical treatment for survivors.

Domestic violence is no longer an issue only for the couple or family. The government and our society are responsible, as we have been ignoring this issue for a long time. We have to recognize that each of us has responsibilities to create a society where survivors do not have to become “DV refugees.”

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