

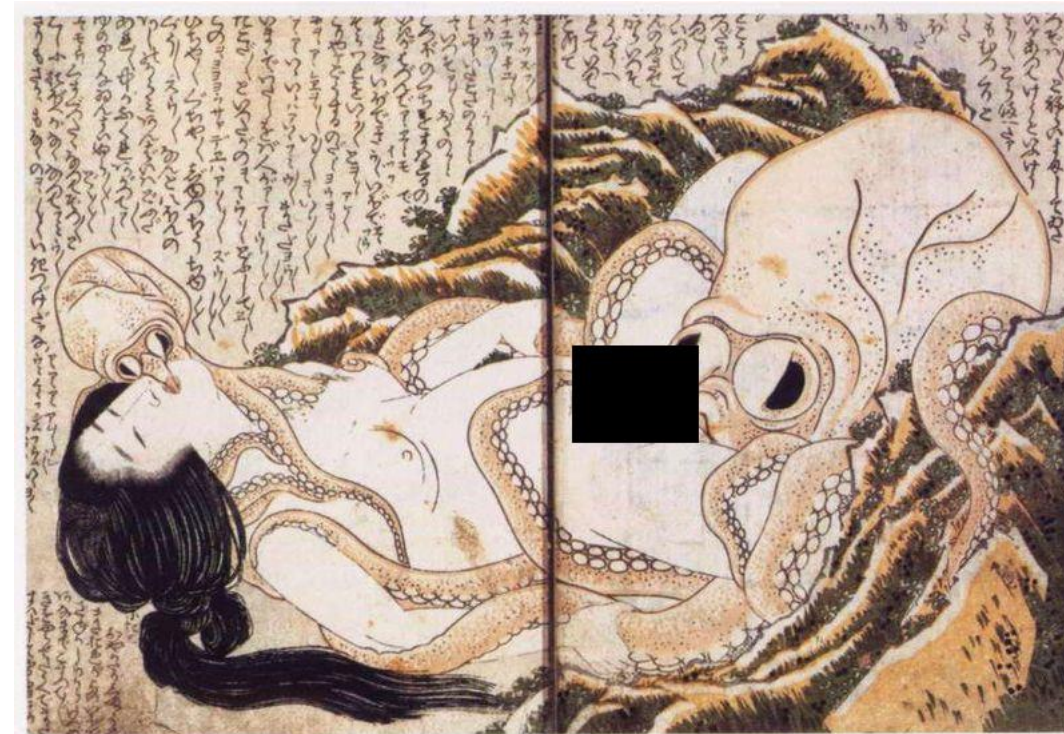
# Toward Effective Protection of Children



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# Japanese Criminal Law

- Offenses of child pornography are punishable only when a real child is involved.
- Local criminal laws punishes offer of sexually explicit materials (including comics) to children (younger than 18 years old).
- Lower courts found a creator of computer graphics guilty but no real child under 18 was involved. The case is currently *sub justice* in the Supreme Court.

# Dual System of Child Protection

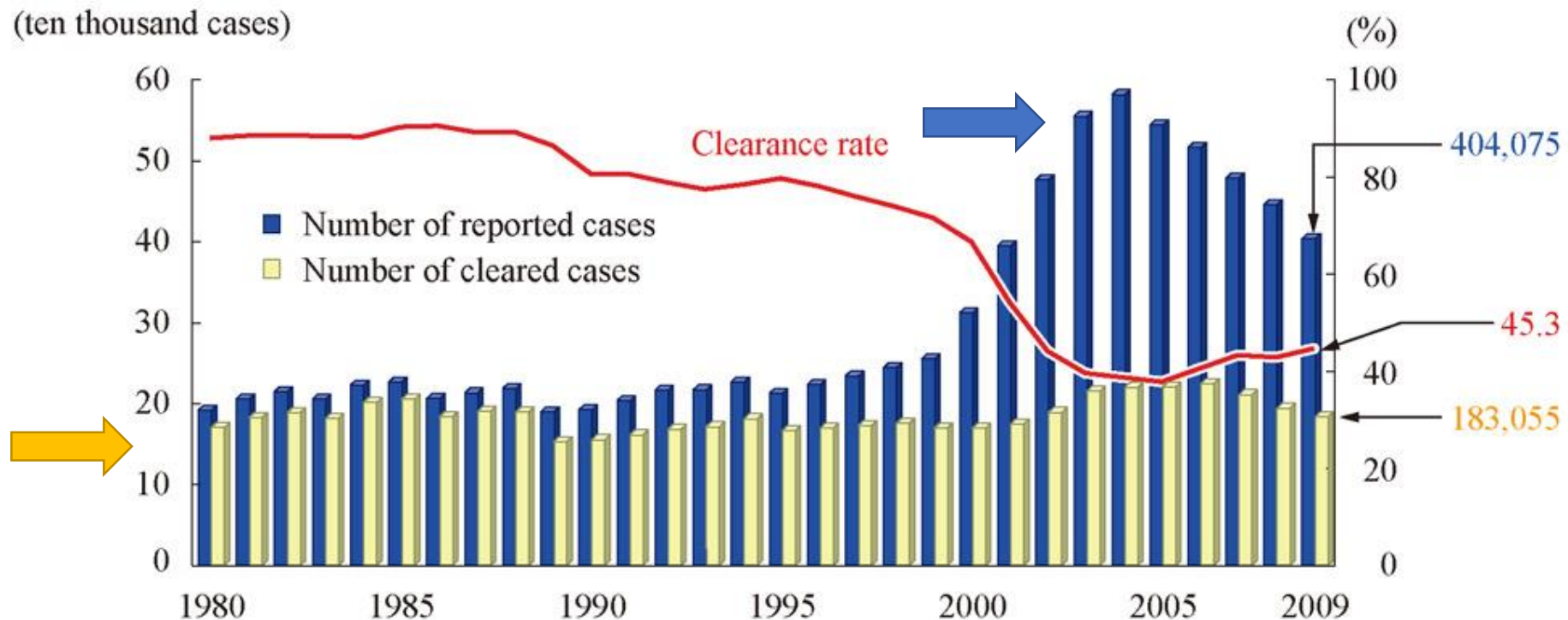
- National criminal law does not protect the desirable **image** of children. Only existing children can be victims.
- Local criminal laws protect children from exposure to sexually explicit materials including **images**.

Crime rate of Japan is very low in general and that of sexual offenses is remarkably low. Freedom of sexual expression may be contributing to it.

# Number of criminal offenses was stable, while reported cases increased because of **victims' movement** (similar to "Me Too")

White Paper on Crime 2010

**Fig. 1-1-2-4 Number of reported/cleared cases and clearance rate for non-traffic penal code offenses excluding theft (1980-2009)**

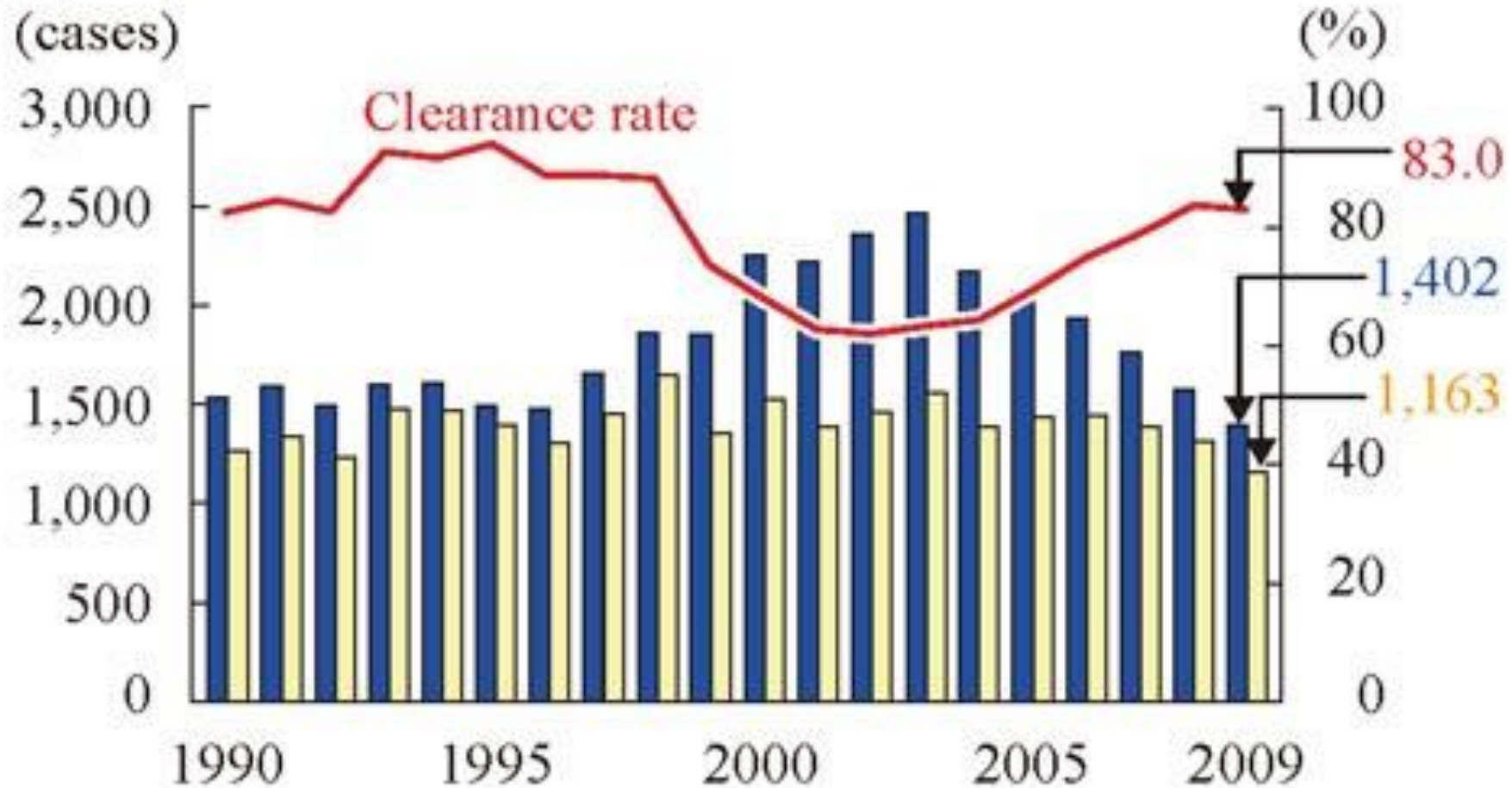


Source: Criminal Statistics by National Police Agency

# Rape offenses did not increase, either

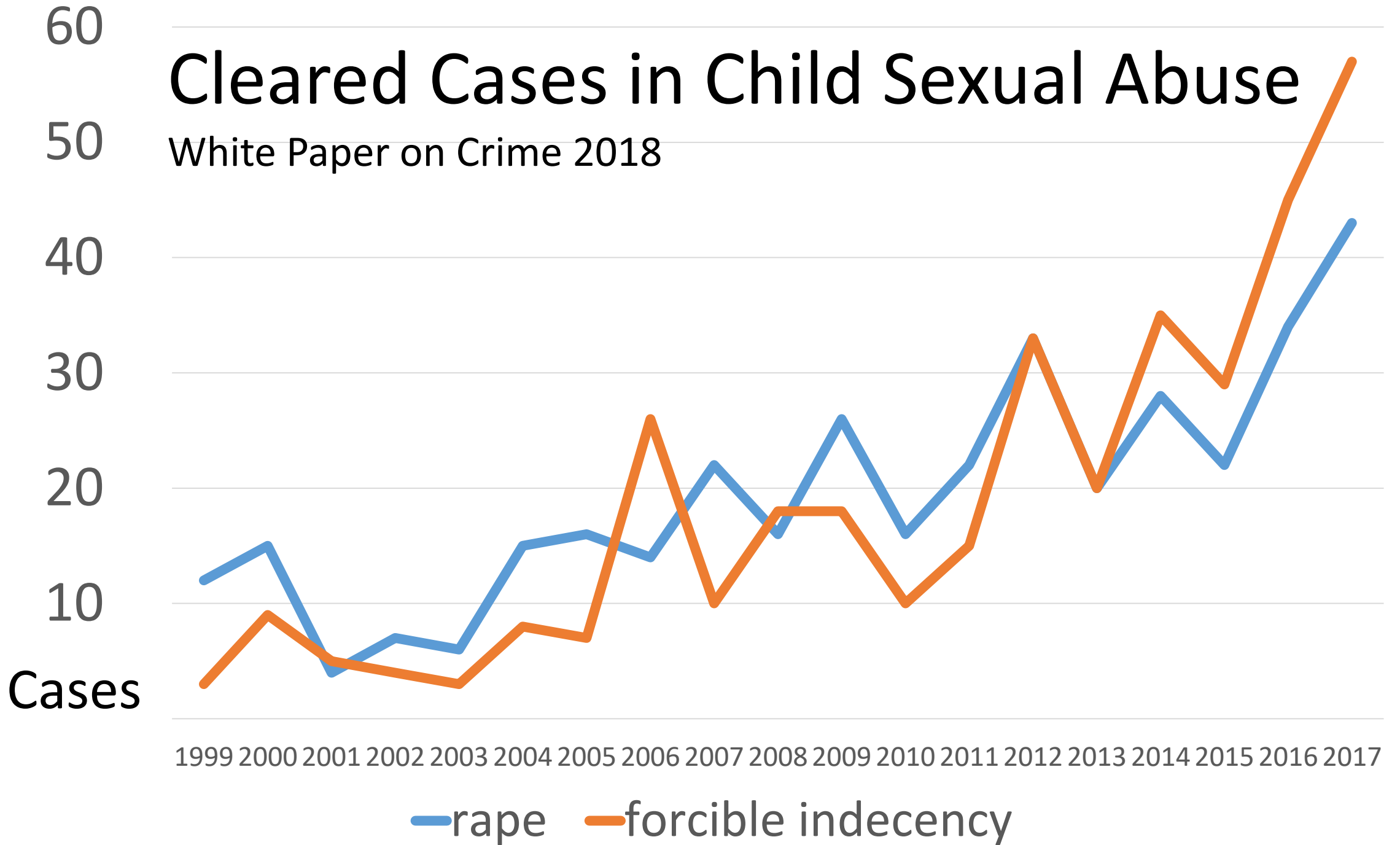
White Paper on Crime 2010

## [9] Rape



# Cleared Cases in Child Sexual Abuse

White Paper on Crime 2018



Throughout 90s, availability  
of sexually explicit materials  
expanded greatly  
because of Internet

# Conclusion

- Exposure of adults to sexually explicit materials did not cause increase of sexual crimes in Japan.  
(On the contrary, countries with stricter control of those expression have higher crime rate of sexual offenses than Japan.)
- Certain tolerance for sexual expression contributes to low crime rate in Japan.
- There is no reason to criminalize virtual child pornography.