

**Creating ‘Problem Kids’:
Juvenile Crime in Japan and Revisions to the *Juvenile Act***

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I. INTRODUCTION

“Well, this is the beginning of the game. Stupid police, stop me if you can. It’s great fun for me to kill people,” wrote 14-year-old Sakakibara Seito.¹ He had beheaded an 11-year-old boy and left the head at the gate of his middle school in Kôbe with this message stuffed in its mouth. Shock waves reverberated throughout Japan and the world. Only two years after the 1995 Sarin gas attacks on the Tokyo subway, the nation was in a state of panic. Something had to be done. The outrage felt by the victims’ families and communities was taken up by the media and extensive reporting creating a momentum which politicians ignored at their peril, particularly considering upcoming elections. Lawmakers responded by revising the *Juvenile Act* (*Shônen-hô*)² for the first time in 50 years.

This article examines these revisions effective from April 2001. I consider both the intended changes and the changes as implemented in their first three years. Based on this, I argue that each change, while neutral on its face, represents a departure from the original best interests of the child standard to a penal standard. Driven by populist politics, the revisions embody a ‘tough on crime’ philosophy that, on the one hand, seeks to

1 Asiaweek.com, <<http://www.asiaweek.com/asiaweek/97/0711/feat5.html>>.

2 Law No. 168/1948 as amended by Law No. 153/2004.