"Ordinance to Promote Gender Equality and Intercultural Cohesion for a Diverse Setagaya"
Status of Petitions to the Mayor under Article 11 (FY2018)

1. Status of Petitions to the Mayor (Number of Cases) * As of December 28, 2018

	Petitions	Opinions	Consulta-tions	Total
Number of cases	1*	0	0	1
Referred to the Committee for Handling Complaints	1*	0	0	1

※ The petition raised four main issues. However, because there was one petitioner and the issues were related, they were treated as a single case.

2. Details of the Petition

(1) Date the Petition Was Accepted

Monday, April 2, 2018

(2) Summary of the Petition

- In November 2016, B, an adult child of Petitioner A, applied for a copy of a family register at a branch office in Setagaya City. A, B's mother, was the person listed as the head of that family register (筆頭者). After looking at the application form, a counter staff member said, "There's no way your mother could be the person listed as the head of the family register."
- B had brought only a health insurance card as identification. The staff member told B, "Write your father's name." B replied, "I don't think my father's name is on the family register." The staff member responded, "Even if your parents divorce, your father's name remains." (B's father had not legally acknowledged B, so the father field in the family register was blank.)
- After looking at B's copy of the family register, the staff member said, "Oh, so there are family registers like this, too."
- After hearing B's account, A understood the treatment as discrimination against a mother who had given birth outside marriage (A herself). A raised the matter with the head of the Resident Records and Family Register Section and held discussions with the Section, but the Section showed no willingness to make improvements.
- A also complained of discrimination in a letter to the Mayor. However, the response from the head of the Resident Records and Family Register Section did not state that discriminatory treatment would be prevented in the future.
- Main requests:
  (1) When the documents an applicant brings to apply for a copy of a family register or similar document are insufficient to verify the applicant's identity accurately, staff should first check the actual entries in the family register and then ask questions to verify identity, rather than routinely asking for the names of both parents.

(2) Staff responsible for family-register matters should respond with an awareness that family registers take diverse forms.
(3) Add the wording “discrimination against children born outside marriage” to the Ordinance to Promote Gender Equality and Intercultural Cohesion for a Diverse Setagaya.
(4) Find that the staff member’s conduct in this case constituted discrimination, and ensure that children born outside marriage and applicants are not subjected to discriminatory treatment in the future.

3. Progress of the Case

(1) Interviews with the Staff Involved (at the Branch Office)

Interviews were conducted on Thursday, April 19, and Thursday, April 26, 2018, with two staff members: the employee who accepted B’s application at the branch office and the employee who handed B the copy of the family register.

Interview Findings

- Both staff members had extensive knowledge and experience concerning family registers and were fully aware that family registers take diverse forms, including those involving children born outside marriage. Neither remembered saying, “There’s no way your mother could be the person listed as the head of the family register.”
- They did not remember whether they had said, “Even if your parents divorce, your father’s name remains,” but acknowledged that they might have said it. They said they would be sorry if they had said it and it had hurt the applicant.
- They did not remember saying, “Oh, so there are family registers like this, too.” Since receiving applications and issuing copies of family registers are handled by different staff members, they said they would not have had an opportunity to make such a remark. They also did not remember hearing another staff member make the remark nearby.

(2) Interview with the Department Responsible for Family Register Matters

Interviews were conducted about the discussions with A, the handling of A’s letter to the Mayor, and the circumstances to date. Relevant documents were also provided.

(3) Additional Materials Submitted by the Petitioner

Additional materials concerning the circumstances to date were submitted, including an expert opinion, information about other local governments, previous discussions with the City, and the response to the letter to the Mayor.

4. Deliberations by the Setagaya City Committee for Handling Complaints Concerning Gender Equality and Intercultural Cohesion

(1) Meeting Date

Thursday, July 26, 2018

(2) Attendees

Two members of the Committee for Handling Complaints (Chair Mizutani and Member Suzuki). *Member Tanaka was absent.

Five secretariat staff members (Department of Life and Culture)

Two relevant officials (the Director of the Regional Administration Department and the head of its Resident Records and Family Register Section)

5. Summary of the Committee's Recommendations and the City's Response

	Main Request	Committee's Recommendation	City's Response
1	When the documents an applicant brings are insufficient to verify identity accurately, staff should first check the actual entries in the family register and then ask identity-verification questions, rather than routinely asking for both parents' names.	The Committee considered the method of asking identity-verification questions without first looking at the family-register entries understandable, as it is intended to reduce the risk of personal information being disclosed. It also noted that, according to the City, staff do not routinely ask for both parents' names; instead, in line with a notice from the Ministry of Justice, they ask for the name of a "parent." The Committee considered this practice to show some consideration for applicants' diverse circumstances. However, the City should clearly explain to the petitioner why it does not adopt the proposed method of checking the family-register entries before asking identity-verification questions.	If staff check the family-register entries before verifying identity, they may reveal information that allows the contents of the register to be inferred, increasing the risk of personal information being disclosed. For this reason, the City does not check the entries in a family register before verifying the applicant's identity.
2	Staff responsible for family-register matters should respond with an awareness that family registers	The Committee proposed that the City explain to the petitioner the content, frequency, and scope of training on family-register matters. Staff should be reminded that their	Staff responsible for family-register matters receive practical training when they first join the department or are transferred. Training uses examples,

	take diverse forms.	department handles family-register documents containing highly sensitive information and should recognize the importance of careful and considerate responses. The City should continue providing guidance through training and written materials.	including the term “child born outside marriage,” to deepen their understanding of the diversity of family registers and promote appropriate service at counters.
3	Add the wording “discrimination against children born outside marriage” to the Ordinance to Promote Gender Equality and Intercultural Cohesion for a Diverse Setagaya.	The purpose of the Ordinance is to realize a society that respects diversity and human rights. The Ordinance does not list every specific factor that may hinder diversity as a separate prohibited item. Therefore, even without explicitly mentioning “children born outside marriage,” the issue can be considered encompassed by the Ordinance’s basic principles.	The City does not intend to list every specific example separately in the Ordinance.
4	Find that the staff member’s conduct in this case constituted discrimination, and ensure that children born outside marriage and applicants are not subjected to discriminatory treatment in the future.	The City should continue informing and educating staff and enhancing training to ensure that applicants, including children born outside marriage, are not subjected to discriminatory treatment at service counters.	Discriminatory treatment must not occur at City Office counters, whether toward children born outside marriage or anyone else. The City will enhance staff training, including human-rights training, to prevent such treatment.