

# She Broke Japan's Silence on Rape

By [MOTOKO RICH](#) DEC. 29, 2017



Shiori Ito told the police she had been raped by Noriyuki Yamaguchi, then the Washington bureau chief for the Tokyo Broadcasting System and a biographer of Prime Minister Shinzo Abe. Jeremie Souteyrat for The New York Times

**TOKYO** — It was a spring Friday night when one of Japan's best-known television journalists invited Shiori Ito out for a drink. Her internship at a news service in Tokyo was ending, and she had inquired about another internship with his network.

They met at a bar in central Tokyo for grilled chicken and beer, then went to dinner. The last thing she remembers, she later told the police, was feeling dizzy and excusing herself to go to the restroom, where she passed

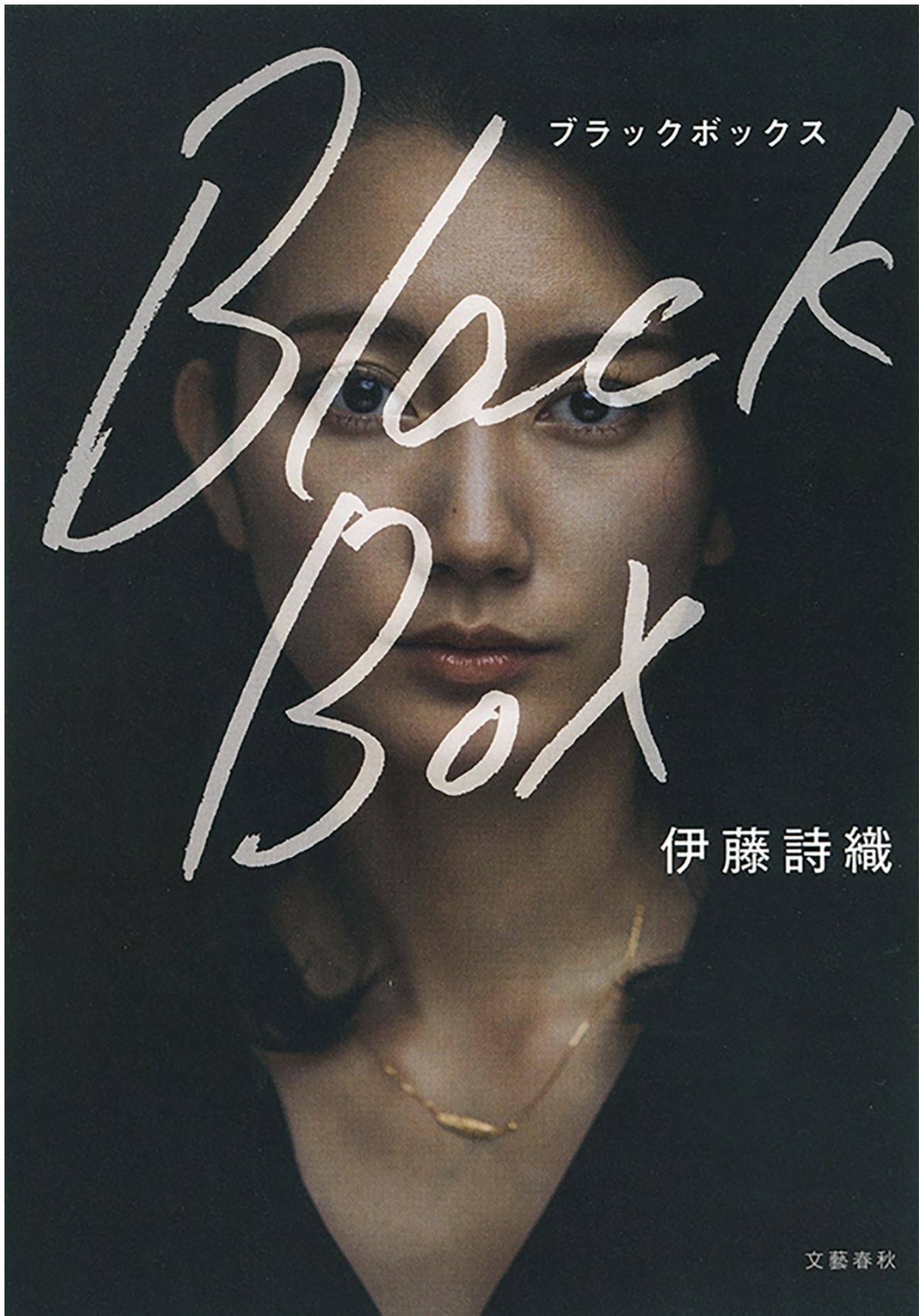
out.

By the end of the night, she alleged, he had taken her back to his hotel room and raped her while she was unconscious.

The journalist, Noriyuki Yamaguchi, the Washington bureau chief of the Tokyo Broadcasting System at the time and a biographer of Prime Minister Shinzo Abe, denied the charge and, after a two-month investigation, prosecutors dropped the case.

Then Ms. Ito decided to do something women in Japan almost never do: She spoke out.

In a news conference in May and a book published in October, she said the police had obtained hotel security camera footage that appeared to show Mr. Yamaguchi propping her up, unconscious, as they walked through the hotel lobby. The police also located and interviewed their taxi driver, who confirmed that she had passed out. Investigators told her they were going to arrest Mr. Yamaguchi, she said — but then suddenly backed off.



Ms. Ito published a book about her experience. Bungeishunju Ltd.

Elsewhere, her allegations might have caused an uproar. But here in Japan, they attracted only a smattering of attention.

As the United States reckons with an outpouring of sexual misconduct cases that have shaken [Capitol Hill](#), [Hollywood](#), [Silicon Valley](#) and [the news media](#), Ms. Ito's story is a stark example of how sexual assault remains a subject to be avoided in Japan, where few women report rape to the police and when they do, their complaints rarely result in arrests or prosecution.

On paper, Japan boasts relatively low rates of sexual assault. In a survey conducted by the Cabinet Office of the central government in 2014, one in 15 women reported experiencing rape at some time in their lives, compared with one in five women who report having been [raped in the United States](#).

But scholars say Japanese women are far less likely to describe nonconsensual sex as rape than women in the West. Japan's rape laws make no mention of consent, date rape is essentially a foreign concept and education about sexual violence is minimal.

Instead, rape is often depicted in manga comics and pornography as an extension of sexual gratification, in a culture in which such material is often an important channel of sex education.

The police and courts tend to define rape narrowly, generally pursuing cases only when there are signs of both physical force and self-defense and discouraging complaints when either the assailant or victim has been drinking.

Last month, prosecutors in Yokohama [dropped a case against six university students](#) accused of sexually assaulting another student after forcing her to drink alcohol.

And even when rapists are prosecuted and convicted in Japan, they

sometimes serve no prison time; about one in 10 receive only suspended sentences, according to Justice Ministry statistics.

This year, for example, two students at Chiba University near Tokyo convicted in the [gang rape](#) of an intoxicated woman were released with suspended sentences, though other defendants were sentenced to prison. Last fall, a Tokyo University student convicted in another group sexual assault was also given a [suspended sentence](#).

“It’s quite recent that activists started to raise the ‘No Means No’ campaign,” said Mari Miura, a professor of political science at Sophia University in Tokyo. “So I think Japanese men get the benefit from this lack of consciousness about the meaning of consent.”

Of the women who reported experiencing rape in the Cabinet Office survey, more than two-thirds said they had never told anyone, not even a friend or family member. And barely 4 percent said they had gone to the police. By contrast, in the United States, about a third of rapes are reported to the police, [according to the Bureau of Justice Statistics](#).

“Prejudice against women is deep-rooted and severe, and people don’t consider the damage from sexual crimes seriously at all,” said Tomoe Yatagawa, a lecturer in gender law at Waseda University.

Ms. Ito, 28, who has filed a civil suit against Mr. Yamaguchi, agreed to discuss her case in detail to highlight the challenges faced by women who suffer sexual violence in Japan.

“I know if I didn’t talk about it, this horrible climate of sexual assault will never change,” she said.

Mr. Yamaguchi, 51, also agreed to speak for this article. He denied committing rape. “There was no sexual assault,” he said. “There was no criminal activity that night.”



A taxi outside the Sheraton Miyako Hotel in Tokyo. The police interviewed a taxi driver who said he had taken Ms. Ito and Mr. Yamaguchi to a hotel, although the woman had asked to be taken to a train station. Jeremie Souteyrat for The New York Times

## **‘Not a Chance’**

Ms. Ito had met Mr. Yamaguchi twice while studying journalism in New York before their encounter on April 3, 2015.

When she contacted him again in Tokyo, he suggested that he might be able to help her find a job in his bureau, she said. He invited her for drinks and then dinner at Kiichi, a sushi restaurant in the trendy Ebisu neighborhood.

To her surprise, they dined alone, following beer with sake. At some point, she felt dizzy, went to the bathroom, laid her head on the toilet tank and blacked out, she said.

When she woke, Ms. Ito said, she was underneath Mr. Yamaguchi in his

hotel bed, naked and in pain.

Japanese law describes [the crime of “quasi-rape”](#) as sexual intercourse with a woman by “taking advantage of loss of consciousness or inability to resist.” In the United States, the law varies from state to state, with some defining the same crime as second-degree rape or sexual assault.

The police later located a taxi driver who recalled picking up Ms. Ito and Mr. Yamaguchi and taking them to the nearby Sheraton Miyako Hotel, where Mr. Yamaguchi was staying.

The driver said Ms. Ito was conscious at first and asked to be taken to a subway station, according to a transcript of an interview with the driver. Mr. Yamaguchi, however, instructed him to take them to his hotel.

The driver recalled Mr. Yamaguchi saying that they had more work to discuss. He also said Mr. Yamaguchi might have said something like, “I won’t do anything.”

When they pulled up to the hotel, the driver said, Ms. Ito had “gone silent” for about five minutes and he discovered that she had vomited in the back seat.

“The man tried to move her over toward the door, but she did not move,” the driver said, according to the transcript. “So he got off first and put his bags on the ground, and he slid his shoulder under her arm and tried to pull her out of the car. It looked to me like she was unable to walk on her own.”

Ms. Ito also appears incapacitated in hotel security camera footage obtained by the police. In pictures from the footage seen by The New York Times, Mr. Yamaguchi is propping her up as they move through the lobby around 11:20 p.m.

Ms. Ito said it was about 5 a.m. when she woke up. She said she wriggled

out from under Mr. Yamaguchi and ran to the bathroom. When she came out, she said, “he tried to push me down to the bed and he’s a man and he was quite strong and he pushed me down and I yelled at him.”

She said she demanded to know what had happened and whether he had used a condom. He told her to calm down, she said, and offered to buy her a morning-after pill.

Instead, she got dressed and fled the hotel.

Ms. Ito believes she was drugged, she said, but there is no evidence to support her suspicion.

Mr. Yamaguchi said she had simply drunk too much. “At the restaurant, she drank so quickly, and in fact I asked her, ‘Are you all right?’” he said. “But she said, ‘I’m quite strong and I’m thirsty.’”

He said: “She’s not a child. If she could have controlled herself, then nothing would have happened.”

Mr. Yamaguchi said he had brought her to his hotel because he was worried that she would not make it home. He had to rush back to his room, he said, to meet a deadline in Washington.

Mr. Yamaguchi acknowledged that “it was inappropriate” to take Ms. Ito to his room but said, “It would have been inappropriate to leave her at the station or in the hotel lobby.”

He declined to describe what happened next, citing the advice of his lawyers. But in court documents filed in response to Ms. Ito’s civil suit, he said he undressed her to clean her up and laid her on one of the beds in his room. Later, he added, she woke and knelt by his bed to apologize.

Mr. Yamaguchi said in the documents that he urged her to return to bed, then sat on her bed and initiated sex. He said she was conscious and did

not protest or resist.

But in emails that he exchanged with Ms. Ito after that night, he presented a slightly different account, writing that she had climbed into his bed.

“So it’s not the truth at all that I had sex with you while you were unconscious,” he said in a message on April 18, 2015. “I was quite drunk and an attractive woman like you came into my bed half naked, and we ended up like that. I think we both should examine ourselves.”

In another email, Mr. Yamaguchi denied Ms. Ito’s allegation of rape and suggested that they consult lawyers. “Even if you insist it was quasi-rape, there is not a chance that you can win,” he wrote.

When asked about the emails, Mr. Yamaguchi said a full record of his conversations and correspondence with Ms. Ito would demonstrate that he had “had no intention” of using his position to seduce her.

“I am the one who was caused trouble by her,” he added.



"I have not done anything illegal," Mr. Yamaguchi said. "There was no sexual assault. There was no criminal activity that night." Jeremie Souteyrat for The New York Times

## **Shame and Hesitation**

Ms. Ito said she rushed home to wash after leaving the hotel. She now regards that as a mistake. "I should have just gone to the police," she said.

Her hesitation is typical. Many Japanese women who have been assaulted "blame themselves, saying, 'Oh, it's probably my fault,'" said Tamie Kaino, a professor emeritus of gender studies at Ochanomizu University.

Hisako Tanabe, a rape counselor at the Sexual Assault Relief Center in Tokyo, said that even women who call their hotline and are advised to go to the police often refuse, because they do not expect the police to believe them.

"They think they will be told they did something wrong," she said.

Ms. Ito said she felt ashamed and considered keeping quiet too, wondering if tolerating such treatment was necessary to succeed in Japan's male-dominated media industry. But she decided to go to the police five days after the encounter.

"If I don't face the truth," she recalled thinking, "I think I won't be able to work as a journalist."

The police officers she spoke to initially discouraged her from filing a complaint and expressed doubt about her story because she was not crying as she told it, she said. Some added that Mr. Yamaguchi's status would make it difficult for her to pursue the case, she said.

But Ms. Ito said the police eventually took her seriously after she urged them to view the hotel security footage.

A two-month investigation followed, after which the lead detective called her in Berlin, where she was working on a freelance project, she said. He told her they were preparing to arrest Mr. Yamaguchi on the strength of the taxi driver's testimony, the hotel security video and tests that found his DNA on one of her bras.

The detective said Mr. Yamaguchi would be apprehended at the airport on June 8, 2015, after arriving in Tokyo on a flight from Washington, and he asked her to return to Japan to help with questioning, Ms. Ito said.

When that day came, though, the investigator called again. He told her that he was inside the airport but that a superior had just called him and ordered him not to make the arrest, Ms. Ito said.

"I asked him, 'How is that possible?'" she said. "But he couldn't answer my question."

Ms. Ito declined to identify the investigator, saying she wanted to protect him. The Tokyo Metropolitan Police would not comment on whether plans

to arrest Mr. Yamaguchi were scuttled. “We have conducted a necessary investigation in light of all laws and sent all documents and evidence to the Tokyo Prosecutors’ office,” a spokesman said.



The Sheraton Miyako Hotel in the Ebisu neighborhood of Tokyo. Jeremie Souteyrat for The New York Times

## **‘I Have to Be Strong’**

In 2016, the most recent year for which government statistics are available, the police confirmed 989 cases of rape in Japan, or about 1.5 cases for every 100,000 women. By comparison, there were [114,730 cases of rape in the United States](#), according to [F.B.I. statistics](#), or about 41 cases per 100,000 residents, both male and female.

Scholars say the disparity is less about actual crime rates than a reflection of underreporting by victims and the attitudes of the police and prosecutors in Japan.

Over the summer, Parliament passed the [first changes to Japan’s sex crime](#)

[laws](#) in 110 years, expanding the definition of rape to include oral and anal sex and including men as potential victims. Lawmakers also lengthened minimum sentences. But the law still does not mention consent, and judges can still suspend sentences.

And despite the recent cases, there is still little education about sexual violence at universities. At Chiba, a course for new students refers to the recent gang rape as an “unfortunate case” and only vaguely urges students not to commit crimes.

In Ms. Ito's case, there is also a question of whether Mr. Yamaguchi received favorable treatment because of his connection to the prime minister.

Not long after Ms. Ito went public with her allegations, a Japanese journalist, Atsushi Tanaka, confronted a top Tokyo police official about the case.

The official, Itaru Nakamura, a former aide to Mr. Abe's chief cabinet secretary, confirmed that investigators were prepared to arrest Mr. Yamaguchi — and that he had stopped them, Mr. Tanaka reported in *Shukan Shincho*, a weekly newsmagazine.

The allegations did not affect Mr. Yamaguchi's position at the Tokyo Broadcasting System, but he resigned last year under pressure from the network after publishing an article that was seen as contentious. He continues to work as a freelance journalist in Japan.

Ms. Ito published a book about her experience in October. It has received only modest attention in Japan's mainstream news media.

Isoko Mochizuki, one of the few journalists to investigate Ms. Ito's allegations, said she faced resistance from male colleagues in her newsroom, some of whom dismissed the story because Ms. Ito had not

gone to the hospital immediately.

“The press never covers sexual assault very much,” she said.

Ms. Ito said that was precisely why she wanted to speak out.

“I still feel like I have to be strong,” she said, “and just keep talking about why this is not O.K.”