

Assurance of Adolescents' Rights through Educational Counseling: To Promote their Health and Development based on the United Nations Recommendations

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Abstract: This paper discusses challenges of educational counseling systems to promote adolescent health and development based on the United Nations recommendations.

For the assurance of adolescents' rights through educational counseling, it is necessary to ensure their right to the special protection measures and progressive exercise of their rights according to their evolving capacities, while strictly respecting their privacy and confidentiality. The provision of necessary information and support for skill development is also essential for the creation of a safe and supportive environment for adolescents that ensures the opportunity to participate in decisions affecting their health, and make health-behavior choices through communication.

Key words: Counseling, Educational Counseling, Adolescent, Adolescents' Rights, the United Nations Recommendations

I. Introduction

In Japan, educational counseling systems are mainly operated by the Ministry of Education, Culture, Sports, Science, and Technology (MEXT). Educational counseling is defined as 'a method to provide children or their parents with advice for the former's self-fulfillment'. Educational counseling services are regarded as 'indispensable for teachers taking care of children' and used as 'a basic school function'¹⁾. MEXT aims 'to promote educational counseling in schools'. For children, their parents and teachers are the adults they most frequently meet in daily life. Therefore, parents and teachers are expected to detect early signs of distress in children, rather than ignoring their slight changes or underestimating their problems, and to provide appropriate

guidance or advice to prevent such distress from becoming serious, with insight into their own influences on children. On the other hand, with reduced household educational capabilities and community functions in rapidly changing modern society, problems faced by children are becoming more diverse and serious. In such a situation, it is difficult for schools alone to solely deal with children, and there are rising concerns over teachers' increased stress levels. To provide individualized guidance for children facing diverse problems under these circumstances, MEXT highlights the importance of systems to provide counseling through collaboration with schools and experts in various fields. It is also necessary to change the counseling style, according to the child's stage of mental and physical development. For example, in the case of senior high school students, importance should be attached to their acquisition of mental and social independence and identity. Furthermore, for the establishment of a seamless counseling system, MEXT

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notes the necessity of approaches that promote liaison among different educational institutions, such as information exchange between kindergartens/nursery schools and elementary schools, between elementary and junior high schools, and between junior and senior high schools. Other examples of information exchange MEXT gives from the perspective of educational counseling include: the observation of activities at different educational stages, joint seminars for teachers, and joint activities for infants, children, and students.

There are two types of educational counseling systems mainly operated by MEXT: school counselor service-based; and school social worker service-based businesses. To provide these services, they launched the SOS Telephone Line for Children²⁾.

School counselors provide educational counseling through school counselor service-based businesses or emergency school counselor service-based businesses.

The former were established by the Deputy Director-General of the Elementary and Secondary Education Bureau in 2013. They are mainly operated by prefectures and designated cities to allocate school counselors with advanced expertise and experience related to the clinical psychology of children or those with similar qualifications (hereafter, 'school counselors') to public elementary schools, junior high schools, other institutions providing compulsory education, senior high schools, institutions providing secondary education, schools for children requiring special support, and institutions organized by local authorities to provide educational counseling for children, while providing telephone counseling services on a 24-hour basis and organizing educational counseling systems. The businesses also cover the emergency dispatch of school counselors to schools (including public kindergartens) to provide mental health care for children affected by disasters, as well as advice and support for teachers and parents. Their contents are mainly classified into three categories: school counselor services, telephone counseling services, and emergency school counselor services as part of disaster management.

In the first category: school counselor services, supervisors qualified to provide guidance

and support for school counselors and school social workers are allocated to schools and educational committees. In addition to mental health care for children, they also provide in-school training for teachers to improve their counseling skills and educational programs for them to enhance children's abilities to cope with difficulties and stress. Other contents include: training for school counselors to improve their specialties; information exchange to provide services more effectively and smoothly; and liaison council meetings to communicate and coordinate with related institutions.

Second, telephone counseling services are provided on a 24-hour and nationwide-basis using the same telephone number set by MEXT to: provide training for telephone counselors to improve their quality; promote information exchange to provide services more effectively and smoothly; and hold liaison council meetings to communicate and coordinate with related institutions.

And third, emergency school counselor services as part of disaster management dispatch school counselors to schools to provide mental health care for children affected by disasters, as well as advice and support for teachers and parents as an emergency measure.

On the other hand, emergency school counselor service-based businesses were launched in 2016. The main purpose of these businesses is to support children affected by disasters to lead their school lives with a sense of security by dispatching school counselors and school social workers to educational committees, kindergartens, elementary schools, junior high schools, other institutions providing compulsory education, senior high schools, institutions providing secondary education, schools for children requiring special support, universities, and technical colleges, in order to accommodate various needs in communities defined as 'disaster-affected communities' based on the Disaster Relief Act (enacted in 1947; Act No. 118) after the East Japan Earthquake in March 2011, such as mental health care for affected children, and advice and support for teachers and parents.

The SOS Telephone Line for Children is a system managed by educational committees of prefectures and designated cities to provide counseling for children facing bullying or other problems, and their parents, on a 24-hour

basis, including during night-time and holidays. The system is designed to support children from a multifaceted viewpoint through comprehensive counseling, with multiple choices to access counseling at any time.

Educational counseling contributes to children's mental and physical health promotion and recovery, as well as their development. Concerning child development, particularly adolescent health and development, the United Nations adopted the CRC General Comment No. 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child (hereafter, 'Comment No. 4') to specify measures to promote children's health and development by ensuring their rights³⁾.

To date, some studies have addressed educational counseling for adolescents by examining the actual situation of such counseling⁴⁾ or appropriate child management during adolescence⁵⁾. Methods to screen children's development⁶⁾, the association between their help-seeking behavior and school adaptation⁷⁾, and challenges of support for children with disabilities in educational counseling have also been discussed in recent studies⁸⁾.

With the aim of clarifying the roles of educational counseling in promoting adolescents' health recovery and development, this paper discusses necessary measures and challenges to ensure their rights through educational counseling based on Comment No. 4.

II. Objective and Methods

To clarify the roles of educational counseling in promoting adolescents' health recovery and development as a basis for the development of such counseling in Japan.

Concerning educational counseling for children in Japan, there have been reports on its implementation, while the necessity of child management focused on adolescence has been noted. However, discussions over such counseling from the perspective of promoting adolescents' health and development based on Comment No. 4 have not necessarily been sufficient.

The following section confirms the measures recommended by the United Nations, and discusses challenges to ensure adolescents' rights through educational counseling

based on such recommendations.

III. Results

1. Adolescents' right to health and development

The assurance of adolescents' right to health and development based on the United Nations recommendations consequently ensures their right to the special protection measures and progressive exercise of their rights according to their evolving capacities.

Adolescents' right to health and development is defined in Articles 6 (right to life, survival, and development) and 24 (right to health) of the Convention on the Rights of the Child ratified by multiple countries, including Japan. As the provisions of this convention are mutually associated, and inseparable, the importance of principles and regulations other than these is also noted.

The United Nations defines adolescence as a period characterized by rapid physical, cognitive, and social changes, including sexual and reproductive maturation; the gradual building up of the capacity to assume adult behaviors and roles involving new responsibilities requiring new knowledge and skills.

Based on this, they summarize the characteristics of adolescents as follows: While adolescents are in general a healthy population group, adolescence also poses new challenges to health and development owing to their relative vulnerability and pressure from society, including peers, to adopt risky health behavior. These challenges include developing an individual identity and dealing with one's sexuality.

Therefore, to ensure adolescents' right to health and development, both individual behaviors and environmental factors which increase their vulnerability and risk should be taken into consideration. Environmental factors, such as armed conflict or social exclusion, increase the vulnerability of adolescents to abuse, other forms of violence and exploitation, thereby severely limiting adolescents' abilities to make individual, healthy behavior choices.

As environments strongly influence adolescents' lives, particularly their health and development, the necessity of creating safe and supportive environments is emphasized.

Especially, as schools play an important role in their current and future health and development through education, they are expected to initiate and support measures, attitudes, and activities that promote healthy behavior by including relevant topics in school curricula. As home environments as the most important factor may be poor in some cases, schools should also support parents to respect adolescents' rights, with awareness of their responsibility and qualification for leading and guiding children toward the appropriate exercise of rights in accordance with their age and maturity. There is also a special mention of violence; as violence results from a complex interplay of individual, family, community, and societal factors, it is necessary to protect adolescents from information that is harmful to their health and development, while fostering their non-violent cultural norms and values.

2. Promotion of adolescents' health and development, and counseling-based support

In order to promote the health and development of adolescents, strictly respecting their right to privacy and confidentiality is encouraged when counseling on health matters. Particularly, their right to physical and psychological recovery and social reintegration in an environment that fosters health, self-respect, and dignity is important. In line with this, it is necessary to consider that adolescents with mental disabilities have an equal right to the highest attainable standard of physical and mental health, to provide appropriate counseling services to adolescents who have been sexually exploited, and to make sure that they are treated as victims.

Adequate treatment and rehabilitation for adolescents with mental disabilities should be provided, while protecting them from excessive stress, and combatting discrimination and stigma. Where hospitalization or placement in a psychiatric institution is necessary, this decision should be made in accordance with the principle of the best interests of the child. In the event of hospitalization or institutionalization, it is necessary to provide the patient with the maximum possible opportunity to enjoy all his or her rights as recognized under the Convention, including the rights to education and access to recreational activities.

Importance is also attached to adolescents' right to

access adequate information essential for their health, and development and for their ability to participate meaningfully in society. As a practical measure, it is necessary to ensure that all adolescents are provided with, and not denied, accurate and appropriate information on how to protect their health and development and practice healthy behaviors. This includes information on the use and abuse of, tobacco, alcohol, and other substances, safe and respectful social and sexual behaviors, and healthy eating habits.

Furthermore, to acquire skills necessary to act adequately on such information, including self-care skills, such as how to plan and prepare nutritionally balanced meals, proper personal hygiene habits, and skills for dealing with particular social situations, such as interpersonal communication and decision-making, sufficient opportunities and support for adolescents should be provided. Regarding access to sexual and reproductive information, it is essential to find proper means and methods of providing information that is adequate and sensitive to the particularities and specific rights of adolescent girls and boys, such as on family planning and contraceptives, the dangers of early pregnancy, and the prevention and treatment of HIV/AIDS and other sexually transmitted infections. Especially, adolescent girls should have access to information on the harm that early marriage and early pregnancy can cause.

3. The government's roles in promoting adolescents' health and development

In Japan, a guide to mental care for children at school is being created under the leadership of the government (the Ministry of Education, Culture, Sports, Science, and Technology: MEXT) as reference material for teachers⁹⁾.

At this point, the United Nations also states that all parties that have ratified the Convention should play a role in promoting adolescents' health and development.

It urges each party to adopt a multisectoral approach for the promotion and protection of adolescent health and development by facilitating effective and sustainable links and partnerships among all relevant parties. At the national level, it expects such an approach to call for close and systematic collaboration and coordination within the government, so as to ensure the necessary involvement of

all relevant government entities.

To promote adolescents' health and development, the United Nations urges each nation to adopt a multisectoral approach to the promotion and protection of adolescent health and development by facilitating effective and sustainable linkages and partnerships among all relevant actors. At the national level, such an approach calls for close and systematic collaboration and coordination within the government, so as to ensure the necessary involvement of all relevant government entities.

Similarly, the government should provide a safe and supportive environment for adolescents that ensures the opportunity to participate in decisions affecting their health, to build life skills, to acquire appropriate information, to receive counseling, and to negotiate the health-behavior choices they make by fulfilling the following obligations:

- (a) To create a safe and supportive environment for adolescents, including within their family, in schools, in all types of institutions in which they may live, within their workplace and/or in society at large;
- (b) To ensure that adolescents have access to the information that is essential for their health and development and that they have opportunities to participate in decisions affecting their health (notably through informed consent and the right of confidentiality), to acquire life skills, to obtain adequate and age-appropriate information, and to make appropriate health behavior choices;
- (c) To ensure that health facilities, goods, and services of appropriate quality and sensitive to adolescents' concerns are available to all adolescents;
- (d) To ensure that adolescent girls and boys have the opportunity to participate actively in planning and programming for their own health and development;
- (e) To protect adolescents from all forms of intentional and unintentional injuries, including those resulting from violence and road traffic accidents;
- (f) To ensure that adolescents belonging to especially vulnerable groups are fully taken into account in the fulfillment of all aforementioned obligations;
- (g) To implement measures for the prevention of mental disorders and the promotion of mental health of

adolescents.

With regard to mental care for children at school, the MEXT guide presents appropriate methods to observe their health and provide mental care for them, while mentioning the expertise needed to promote an understanding of mental health. As appropriate methods to provide mental care, it lists affairs related to <daily care at school> (<children's stress at school and the basics of its management>, <mental care in critical situations>, <procedures to provide group guidance on mental health>, and <relaxation>), <points of health counseling>, <collaboration with parents in health counseling>, <organizing and improving in-school mental care systems>, and <liaison with community-based specialized institutions>. The activities for children specified in the guide include: experience-based learning about stress, developing insight into one's own stress, and considering optimal methods to cope with it. However, in order to ensure opportunities for children to participate in decision-making processes and make appropriate health behavior choices, it may be essential to specify affairs related to their right to access information that is adequate for their age.

Additionally, adolescents experiencing poverty, all forms of injustice, family breakdown, political, social, and economic instability may be particularly vulnerable. As these situations might seriously hamper their health and development, it is necessary to heavily invest in preventive policies and measures to drastically reduce levels of vulnerability and risk factors. The provision of cost-effective ways for society to help adolescents develop harmoniously in a free society should also be promoted.

The obligation to provide adolescents with mental disorders with the means necessary to realize their rights are as follows:

- (a) To ensure that health facilities, goods, and services are available and accessible to all adolescents with disabilities and that these facilities and services promote their self-reliance and their active participation in the community;
- (b) To ensure that the necessary equipment and personal support are available to enable them to move around, participate in the community, and communicate;
- (c) To pay specific attention to the special needs relating

- to the sexuality of adolescents with disabilities;
- (d) To remove barriers that hinder adolescents with disabilities from realizing their rights.

Similarly, the guide lists points to be noted when providing mental care for children with disabilities classified into: <intellectual disability>, <sensory impairment>, <autism spectrum disorder>, <epilepsy>, and <other mental disorders>. In this section, it may also be necessary to pay specific attention to the special needs relating to the sexuality of adolescents with disabilities, while mentioning affairs related to children's right to access age-adequate information, regardless of the presence or absence of disability.

IV. Discussion and Conclusion

Respecting adolescents' privacy and confidentiality may be an important measure to promote their health and development through educational counseling. When adopting such a measure, their right to physical and psychological recovery and social reintegration in an environment that fosters health, self-respect, and dignity should also be considered. As for counseling systems with support from experts of various fields, the government is expected to promote effective and sustainable linkages and partnerships among all relevant actors. When changing the counseling style according to the developmental stage, for example, in the case of senior high school students, support should be provided for them to acquire identity and independence, while paying specific attention to their sexuality-related needs. Importance should also be attached to the further promotion of collaboration between school counselors and school social workers to take both individual behaviors and environmental factors related to educational counseling into consideration.

The primary challenge of educational counseling based on the United Nations recommendations may be 'ensuring adolescents' progressive exercise of their rights according to their evolving capacities'. Adolescents are entitled to access special protection measures. Special attention should be paid to children with mental disorders, victims of violence or exploitation, and those with experience of political, social, or economic instability. The creation of a safe and

supportive environment for adolescents that ensures the opportunity to participate in decisions affecting their health, and make health-behavior choices through communication may also be important.

The first step to implement these measures may be providing adolescents with information indispensable for meaningful participation in society, including methods to protect their health and development, and practice healthy behaviors.

The second step may be supporting their development of self-care, interpersonal communication, and decision-making skills, as behaviors and abilities needed to accomplish roles as adults bearing responsibilities that require extensive knowledge and skills are gradually developed during adolescence, characterized by rapid physical, cognitive, and social changes.

In Japan's educational counseling systems focusing on mental health care, it may be necessary to extensively use educational programs to enhance children's abilities to cope with difficulties and stress, not only for professionals such as teachers and school counselors, but also for children themselves. Furthermore, to foster the latter's acquisition of non-violent cultural norms and values, measures and activities that promote healthy behavior should be initiated and supported by including relevant topics in school curricula, while enhancing parents' awareness of their rights through parental support.

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