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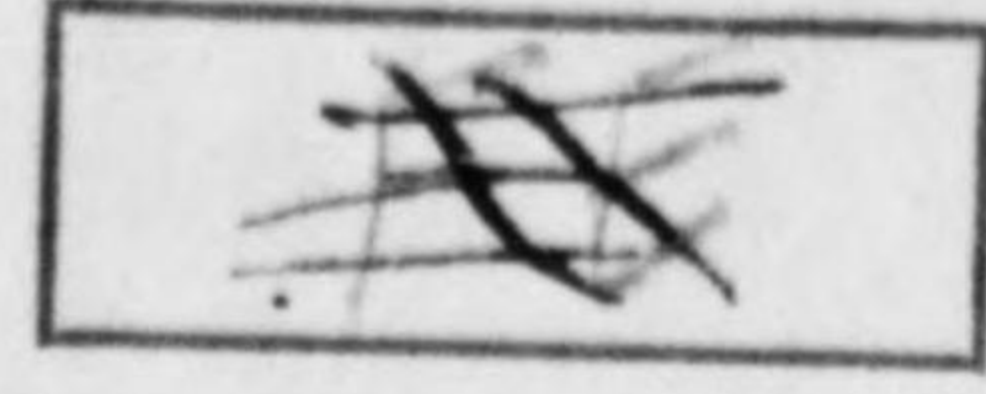
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No. 96

ACTION is assigned to

AMERICAN CONSULAT



Colombo, Ceylon

April 30, 1948 DIVISION OF NORTH EAST ASIAN AFFAIRS

JUN 4 1948

DEPARTMENT OF STATE

UNCLASSIFIED

SUBJECT: Interest of Catholic Writers Movement of Ceylon In American Policy in Japan, specially with Reference to the Legalization of Abortion.

THE HONORABLE THE SECRETARY OF STATE, WASHINGTON.

SIR:

I have the honor to transmit the text of an article which appeared in the Ceylon Catholic Messenger of April 4, 1948, which was specially transmitted to this office by the Honorary Secretary of the Catholic Writers Movement with a request that the United States Government and its representatives in Japan be informed of the serious view taken of the matter in question by the catholics in Ceylon and elsewhere.

Respectfully yours,

Handwritten signature of Perry N. Jester, American Consul General.

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Enclosure

1948 MAY

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Original and hectograph to Department

copy to Political Advisor, Supreme Command of the Allied Powers, Tokyo, Japan.

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AIR MAIL

Enclosure to despatch no. 96 dated April 30, 1948 from the American Consulate General, Colombo, Ceylon on the subject: Interest of Catholic Writers Movement of Ceylon In American Policy in Japan, specially with reference to the Legalization of Abortion.

COPYMODERN HERODS

The epithet "Cruel" has been for ever and indelibly stamped on the name of Herod, the slaughtered of innocent children. Should not the same mark of infamy be branded on the brows of all those modern rulers and potentates who resort to, authorise, or connive at, the wholesale and cold-blooded murder of unborn babes?

We are led to ask this question by reason of a news para which appeared in the Daily News of the 3rd inst to the effect that a Bill is now being prepared by the Japanese Government to legalise abortion "for the first time in Japanese history".

There is of course an explanation given, but an explanation which only makes the crime a double or treble one. We are told that the Bill aims at "protection of prospective mothers as well as to prevent birth of inferior children".

Protection of prospective mothers has to be provided for by the establishment of maternity clinics and other medical and surgical facilities - and not by encouraging a measure - abortion - which itself is not without danger to the mother's life. The Bill in question seems to point an accusing finger at the Japanese Government's criminal negligence in this direction.

Direct killing - save in the case of those condemned to death by the State - is murder, and induced abortion will always be murder of a particularly revolting type because of the absolute innocence of the hapless victim.

To condemn a person without trial is a travesty of justice. Here in the present instance children are judged to be "inferior" before they have any chance or opportunity of showing whether they are "inferior" or not. And who, pray, are the men who judge these children to be inferior before they are even born? - Are they supermen? Are they not themselves inferior to many others? And what is meant by inferiority? If human life as such, all human life, whatever be the bodily defects or physical deformities of the individual, were not of inestimable value, there would be no explanation for the Redemption, for the Creation itself. If inferior persons had no right to live, then the whole human race should be annihilated this instant because all men are less than nothing compared to God.

The statement that it is for the first time that abortion is now to be legalized in Japan clearly indicates that the Bill has been inspired by foreign influences. It would thus appear that America stands arraigned before the bar of world opinion.

Now, within the past few years America has risen very high indeed in the estimate of Christendom. The public acts and pronouncements of her leaders, both civic and military - of men like President Roosevelt, President Truman, General Eisenhower and General McArthur - have invested her with a prestige that no other country enjoys today. It is to her championship of Christian ideals more than to her victories or her wealth, that America owes the high regard in which she is held today.

That is

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AIR MAIL

Enclosure to despatch no. 96
American Consulate General,
Colombo, Ceylon,
April 30, 1948.

- 2 -

That is why we venture to suggest that America should vindicate her honour and prove true to her Christian principles by preventing the statutory approval of the new Bill in Japan where Providence has entrusted her with a noble part of play. She would prove faithless to her mission and her prestige abroad - wherever Christian principles are held in respect - would suffer a rude shock if the Bill in question were allowed to become law.

PARISH GOSSIP

IS AMERICA TO BLAME?

The Press reports that it is "for the first time in the history of Japan". The legalization of abortion is therefore something new, untraditional, contrary to the millennial culture of that land.

We are not saying definitely that it is a result of Japan's impact with the Western occupying powers or a corollary of the democracy they are supposed to be teaching her; but we do feel that as long as America holds the tutorship of that nation, it is to blame if it fails to prevent it from doing wrong.

Now, Japan's proposed legislation is a violation of the Human Rights covered by Art 6 of the "Declaration" (whether or not the Nations are prepared to give it its full extension).

From a strictly Catholic point of view, we can warn Japan that this murder of the innocents is a crime that calls to Heaven for vengeance, that is to say one of those enormities so contrary to the natural law and so disastrous to society that God feels bound to chastise them on the spot, promptly and manifestly.

We can also warn the trustee nations, that as with the censures of the Church, so with the vengeance of Heaven, the accomplices are also affected.

The seriousness of this matter prevents us from indulging in lighter talk.

As for our feasts and celebrations!. Happily there is the voice of prayer to the accompaniment of children's cries. It is this beating of the lambs that stays the thunderbolts of Divine Justice. And though our protests be powerless against a distant Government, they are called for just the same for "non-clamans" is also an accomplice. We shout it therefore to the winds and call the thing by its name; Clinical -- legalized -- but still, cold-blooded murder.

CHATTERBOX.

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UNITED STATES POLITICAL ADVISER
FOR JAPAN

DIVISION OF
NORTHEAST ASIAN AFFAIRS
MAY 25 1948
DEPARTMENT OF STATE

No. 258

UNCLASSIFIED

Tokyo, May 4, 1948

SUBJECT: Japanese Child Welfare Law.

DEPARTMENT OF STATE
file
JUN 22 1948
DIVISION OF
INTERNATIONAL LABOR, SOCIAL
AND HEALTH AFFAIRS - ILH

The Acting Political Adviser has the honor to enclose five copies each of approved translations of the Cabinet Order for Enforcement of Child Welfare Law and of the Enforcement Regulation of Child Welfare Law. The order and regulation went into effect on January 1, 1948 with the exception of parts relating to article 63 of the law which went into effect April 1, 1948.

894.4055/5-448

Enclosures: *NA*

1. Approved Translation of Cabinet Order for Enforcement of Child Welfare Law (5 copies).
2. Approved Translation of Enforcement Regulation of Child Welfare Law. (5 copies)

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Attention: Welfare Officer

Kosei Shorei No. 11

APPROVED TRANSLATION OF ENFORCEMENT

REGULATION OF CHILD WELFARE LAW

31 March 1948

Chapter I.

Child Welfare Station

Article 1. When the Child Welfare Center is planned to be established, the paper filled as the following items shall be submitted in order to secure the approval of Welfare Minister. The same applies when a change in any one of the Items a to d is to be made.

- a. Name and address;
- b. Area to be covered and its population;
- c. Scope and structure of the buildings and equipments with its map;
- d. Fixed number of its personnel;
- e. Budget of incomes and expenditures;
- f. Expected date to commence its service.

Article 2. The governor of Metropolis, Hokkaido or the Prefecture shall designate one of the Child Welfare Center as the Central Child Welfare Center.

The Central Child Welfare Center shall give assistance to and help coordination of the Child Welfare Centers within Metropolis, Hokkaido or the given prefecture.

Article 3. The head of the Central Child Welfare Center may order the heads of other Child Welfare Centers in Metropolis, Hokkaido or the Prefecture to submit the necessary report.

Article 4. In case the area to be covered by a Child Welfare Center is to be determined, attention shall be paid to the number of children and the social circumstances in the given area.

Article 5. The head of the Child Welfare Center may ask the child welfare officials and child welfare workers of his area to make the necessary investigations.

Article 6. The child welfare officials and child welfare workers shall give the reports of the conditions and make their recommendations regarding the necessary matters for the children and expectant and nursing mothers in their areas to the mayor of the city, town, or village (inclusive of the special ward mayor as will be the same hereinafter) and the head of the Child Welfare Center of his area.

Chapter II.

Welfare Program and Security

Article 7. When one wishes to receive health guidance who is not able to meet her expense under the provision of Child Welfare Law (Law as will be called hereinafter), Article 19, Paragraph 4, she shall show the health guidance paper issued by the governor of Metropolis, Hokkaido or the Prefecture to the physician or the midwife designated by the governor of Metropolis, Hokkaido or the prefecture.

Article 8. The health guidance is to be issued by the governor of Metropolis, Hokkaido or the prefecture via the mayor of the city, town, or village at the application by expectant or nursing mother, or the guardian of infant or preschool children.

The application of the preceding Paragraph shall be presented to the governor of Metropolis, Hokkaido or the prefecture via the mayor of the city, town, or village of her residence or the place she is (it is applied only when one has no establishment of residence or when it is not clear, as will be the same hereinafter), on the paper of the following form accompanied with the certificate by a child welfare official or child welfare worker certifying that the bearer falls under Law, Article 19, Paragraph 4.

- a. Name, date of birth, vocation, residence of the person who wishes to have health guidance or the place she is;
- b. Name and vocation of the guardian of the person of the preceding Item in the case he is an infant or preschool child.

Article 9. The governor of Metropolis, Hokkaido or the prefecture may order the physician, midwife or the public health nurse who gave the health guidance under Law to submit necessary reports.

Article 10. Necessary matters concerning the form of the health guidance paper and the procedures of Law, Article 19, Paragraph 4, besides those in the preceding three Articles, shall be regulated by each governor of Metropolis, Hokkaido or the prefecture.

Article 11. Issuance of Maternal-and-Child Handbook under the provision of Law, Article 21, Paragraph 1, shall be made through the mayor of the city, town, or village of residence of the pregnant woman or the place she is.

Article 12. Woman who has born two infants or more at a delivery shall have as many Maternal-and-Child Handbooks as the number of the infants.

Article 13. In case the woman who has received Maternal-and-Child Handbook should find that she is not pregnant she shall report it immediately to the mayor of the city, town or village and take the measure for returning the Maternal-and-Child Handbook to the governor of Metropolis, Hokkaido or the prefecture.

Article 14. In case the expectant or nursing mother should die, the householder or any relative of her family shall immediately report to the mayor of the city, town or village and take the measure for returning the Maternal-and-Child Handbook to the governor of Metropolis, Hokkaido or the prefecture. Provided that it does not apply in the case her infant is living.

Anyone who has not received the Maternal-and-Child Handbook should become a new guardian of an infant or preschool child shall receive the Maternal-and-Child Handbook. Provided that she shall not receive it in the case she has received the Maternal-and-Child Handbook for that infant or preschool child.

Article 15. The Maternal-and-Child Handbook may be used, according to the regulation by the governor of Metropolis, Hokkaido or the prefecture, for the special rations necessary for pregnancy, delivery or child care and for the necessary purposes for the welfare of expectant or nursing mothers, infants or preschool children.

Article 16. In the case the Maternal-and-Child Handbook was damaged, lost or its space was finished, reissuance may be applied.

Article 17. The form of the Maternal-and-Child Handbook shall be determined by Minister of Welfare separately.

Article 18. Besides the regulations of the preceding seven Articles, issuance and other necessary matters concerning the Maternal-and-Child Handbook shall be regulated by the governor of Metropolis, Hokkaido or the prefecture, or the mayor of the city, town or village.

Article 19. Anyone who wishes to enter a lying-in agency or a mothers' homes, or a guardian who wishes to have her infant or preschool children admitted to a day nursery under the provisions of Law, Articles 22 to 24 inclusive, shall apply in her person or by her guardian or a related person to the mayor of the city, town or village of her residence or the place she is with the following form.

- a. Name, date of birth and vocation of the person to be admitted and the person who applies for admission;
- b. Address of residence and the length of the residence, or the place she is;
- c. Reason for application.

The mayor of the city, town or village shall take up any of the measure of Law, Articles 22 to 24 inclusive when he deems it necessary if no application under the preceding Paragraph has been made.

Article 20. The head of Child Welfare Center shall give all the data necessary for guiding the child or his guardian to the child welfare official or child welfare worker in case the former is referred to the latter for the guidance provided by Law, Article 26, Paragraph 1, Item b.

Article 21. In the case of the preceding article, the head of Child Welfare Center shall tell the name and address of the assigned child welfare official or child welfare worker and the assignment to the child or his guardian.

At the time the procedure of the preceding Paragraph is to be made for the child, the head of the Child Welfare Center shall ask the presence of the child's guardian. Provided that it does not apply in the case there is no guardian or it is against the child's welfare.

Article 22. The child welfare official or child welfare worker shall give his opinion to the head of the Child Welfare Center in the case he considers the procedure for the child or his guardian under his guidance by Law, Article 26, Paragraph 1, Item b, should be terminated, suspended or changed.

Article 23. The head of the Child Welfare Center may terminate or suspend the procedure of Law, Article 26, Paragraph 1, Item b and take the procedure of Item a of the same Paragraph for the child at any time.

Article 24. At the time the child or his guardian is placed under the guidance of the child welfare official or child welfare worker by the provision of Law, Article 27, Paragraph 1, Item b, the provisions of Article 20 to 23 inclusive shall be applied.

Article 25. The governor of Metropolis, Hokkaido or the prefecture shall tell the child or his guardian about the child welfare agency to which the child is to be admitted and the matter of the expense for the care of the child in the agency at the time he would take the measure to admit the child to a child welfare agency under the provision of Law, Article 27, Paragraph 1, Item c.

The provision of Article 21, Paragraph 2 shall be applied with the case of the preceding Paragraph.

Article 26. The governor of Metropolis, Hokkaido or the prefecture shall send the record containing the items prescribed in Law, Article 26, Paragraph 2, of the child to be admitted to the superintendent of the child welfare agency. Provided that, in the case the child is to be admitted to Kyogo-in established by the Nation (National Kyogo-in as will be called hereinafter), the governor of Metropolis, Hokkaido or the prefecture shall secure the approval of superintendent of National Kyogo-in with the reason for admission.

Article 27. The superintendent of the child welfare agency shall notify the governor of Metropolis, Hokkaido or the prefecture through the Child Welfare Center who had made the diagnosis of the child the following immediately:

- a. When an inmate died;

- b. When the release, termination, suspension or a change of the measure is being considered.

Article 28. The governor of Metropolis, Hokkaido or the prefecture may at any time take steps to, terminate, suspend, or change the procedure of Law, Article 27, Paragraph 1, Item c, according to the opinion of the head of Child Welfare Center and the superintendent of the child welfare agency.

Article 29. The superintendent of the child welfare agency shall notify the head of the Child Welfare Center who had made the diagnosis of the child and the mayors of the city, town or village of the child's permanent and established residences, when the child is admitted or discharged under the provision of Law, Article 27, Paragraph 1, Item c.

Article 30. Anyone who wishes to bring up the child without a guardian or with inadequate guardian under the provision of Law, Article 27, Paragraph 1, Item c shall apply to the governor of Metropolis, Hokkaido or the prefecture the Child Welfare Center under whose jurisdiction the area of his residence belongs.

Article 31. The governor of Metropolis, Hokkaido or the prefecture shall enter the name, address, age, history, economic status and any other necessary items for caring the child of the person who has made the application of the preceding Article and with whom he considers as adequate person with the reference to the opinion of the Child Welfare Board, into the foster parent register.

Article 32. The provisions of Articles 25 to 29 (exclusiv of the provision of proviso of Article 26) shall be applied with the case of the foster home care under the provision of Law, Article 27, Paragraph 1, Item c.

Article 33. Besides the provisions of the preceding three Articles, the form of the foster parent register and other necessary matter concerning the foster parent shall be determined by the governor of Metropolis, Hokkaido or the prefecture with the reference to the Local Child Welfare Board.

Article 34. The form of the certificate provided under the provision of Law, Article 29 shall be per the attached table No. 2.

Article 35. In the case the head of the Child Welfare Center has given or ordered to give the temporary shelter under the provision of Law, Article 33, Paragraph 1 or paragraph 2, he shall notify the date the shelter was begun and the place immediately to the child's guardian.

Article 36. At the temporary sheltering home for children, the necessary attentions in regard to the child's age, sex, etc., shall be padi.

The minimum standards provided, under Law, Article 45, for the home for dependent, neglected and abused children, shall be applied with the equipments and operations of facilities for temporary sheltering of the children under Law, Article 17.

Chapter III.

Child Welfare Agencies

Article 37. Anyone who wishes to obtain the approval of Law, Article 35, Paragraph 2, shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following form:

- a. Name, kind of agency, and location;
- b. Scope and structure of the buildings and equipments with its map;
- c. Method of operation;
- d. Budget of income and expenditure;
- e. Expected date to commence the service.

In case those other than city, town or village (inclusive of the special ward as will be the same hereinafter) wish to obtain the approval of Law, Article 35, Paragraph 2, they shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following items in addition to the application paper of the preceding Paragraph:

- a. History and the economic status of those who wish to establish;
- b. Articles of the incorporation, the rules for the foundational juridical person and other regulations of an association or a legal body.

Paragraph 1 or 2 is applied in the case a change in any of Paragraph 1, Items a to c inclusive and the preceding Paragraph, Item b is made.

Article 38. In case the person who has established the Child Welfare Agency under the provision of Article 35, Paragraph 2, wishes to terminate the agency, he shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following form:

- a. The reason to terminate the work;
- b. Dispositions of the inmates;
- c. Disposition of the properties.

Article 39. Anyone who wishes to establish facilities for the training of personnel of the child welfare agencies shall secure the approval of Minister of Welfare. It applies when he wishes to terminate the work.

With the approval of the preceding Paragraph, the provisions of Article 37 and 38 shall be applied.

Chapter IV.

The Examination of the Nursery Teacher

Article 40. Anyone who wishes for the examination of the nursery teacher shall fall under any one of the following qualifications:

- a. One who has graduated from a high school under School Education Law, one who has finished the 12 years ordinary course of the school Education (inclusive of one who has finished the equivalent course other than ordinary course) or one who has approved by Minister of Education to be equal to or higher than this.
- b. One who has the experience of the child care in the child welfare agency for over three years;
- c. And others whom Minister of Welfare deems to be an adequate person.

Article 41. The examination of the nursery teacher shall be made on the following subjects:

- a. General social work;
- b. Child psychology;
- c. Principles of health and hygiene, and physiology;
- d. Theory and practice of nursing;
- e. Theory and practice of nutrition;
- f. Theory of child care;
- g. Practice of nursery.

Article 42. The governor of Metropolis, Hokkaido or the prefecture shall give at least one examination of the nursery teachers a year.

Article 43. Anyone who wish for the examination of the nursery teachers shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following application paper with her name, present and permanent addresses:

- a. Personal history;
- b. A copy of her census register;
- c. Written certificate to show that she falls under any one of the Items of Article 40;
- d. Photo.

Article 44. Anyone who has illegally applied for the examination of the nursery or violated the provisions concerning the examination shall be barred or cancelled if passed. Such persons may be barred for examination for period within three years.

Article 45. A chairman shall be elected by the Board of Examination of Nursery Teachers. The chairman of the Board shall manage over all the business of the Board of examination of nursery teachers.

Article 46. There will be clerks not exceeding 5 persons for the business of the Board of Examination of Nursery Teachers.

The clerks take charge of the general affairs of the Board under the direction of their superior officers.

Article 47. Besides the provisions of this Chapter, necessary matters concerning the examination of nursery teachers shall be regulated by the governor of Metropolis, Hokkaido or the prefecture.

Chapter V.

Expenses

Article 48. In case Minister of Welfare, the governor of Metropolis, Hokkaido or the prefecture, or the mayor of the city, town or village should collect the expense under the provision of Law, Article 56, Paragraph 1, he shall designate the amount and date of payment with the full statement of account.

Article 49. In case the child welfare official should give his opinion or certifying to the mayor of city, town or village under the provision of Law, article 56, the proviso of Paragraph 1 or of article 8, Paragraph 2, he shall refer to the opinion of the child welfare worker who is in charge of the area of the beneficiary's residence or the place where the latter is.

Article 50. The provision of Law, Article 56, the proviso of Paragraph 2 shall be for the following cases:

- a. When the beneficiary and the spouse, the descendant or ascendant of the same address has not resided at the place for over one year consecutively;
- b. When the child was admitted to the National Child Welfare Agency; and
- c. Besides the above Items, when the governor of Metropolis, Hokkaido or the prefecture consider the case should be remitted.

Supplementary Provisions

Article 51. This regulation shall go into effect from January 1, 1948, except as provided for in the provisions Article 63 of the Law which shall go into effect from April 1, 1948, after which date it shall cover the total provision of the Law.

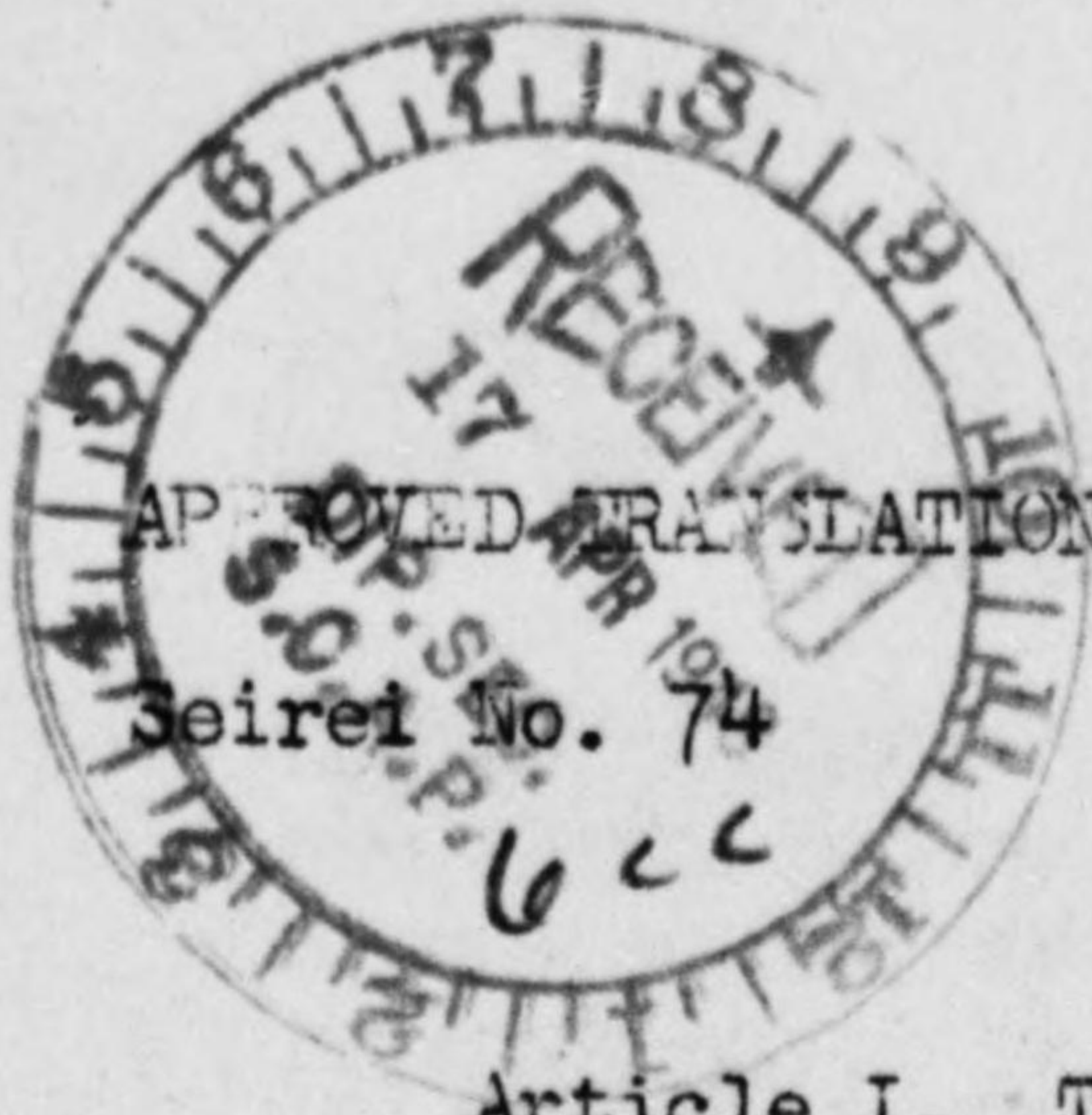
Article 52. The Enforcement Regulation for Juvenile Training and Education, the Regulation for the Expectant and Nursing Mothers' Handbook and 1933 the Ordinance of Home Ministry, No. 21 (Designation of the kinds of occupations and actions under Article 7 of Law for Prevention of Cruelty to Children) shall be repealed.

Article 53. The Expectant and Nursing Mother's Handbook issued under the provision of Regulation for Expectant and Nursing Mother's Handbook shall be considered same as the Maternal-and-Child Handbook under the provision of Law.

Article 54. The examination of the Nursery Teachers shall be held from 1948.

Article 55. The high school under School Education Law in Article 40, Item a includes the middle school under repealed Middle School Ordinance.

Article 56. The child welfare agencies under the provision of Law, Article 70 shall apply for the approval of the governor of Metropolis, Hokkaido or the prefecture by the provision of Law, Article 35, Paragraph 2, before June 30, 1948.



Attention:
Welfare Officer

APPROVED TRANSLATION OF CABINET ORDER FOR ENFORCEMENT OF CHILD WELFARE LAW

31 March 1948

Chapter I. Child Welfare Board

Article 1. The number of Child Welfare Board members shall be as authorized in Article 10 of the Child Welfare Law (hereinafter referred to as the Law) of which public officials shall not exceed one fourth of the total numbers appointed.

Article 2. The tenure of office of the said members, excepting the public officials shall be two years.

In the event of vacancy the tenure of office shall be the time left by his predecessor.

Article 3. The chairman of the Child Welfare Board shall preside over the board and in the case of his absence the board shall appoint an acting chairman.

Article 4. The chairman shall call the Board into session whenever he deems it necessary or at the request of one fourth or more of the Board members.

Article 5. A quorum for a meeting shall be one half of the members of the Board.

A decision shall be made by a majority of those who are present. In case of tie the chairman of the Board shall cast the deciding vote.

Article 6. The Child Welfare Board shall have secretaries not exceeding 8 persons in case of Central and 6 in case of Local who are not the members of the Board, and who shall be appointed by Minister of Welfare or the governor of Metropolis, Hokkaido of the prefecture respectively.

The secretaries will manage the affairs of the Board under the direction of the chairman.

Article 7. Child Welfare Board shall have clerks not exceeding 6 persons in case of Central and 4 in case of Local who are not the members of the Board and who shall be appointed by Minister of Welfare or the governor of Metropolis, Hokkaido, or the prefecture respectively. The clerks work under the direction of his superior officials.

Chapter II. Child Welfare Official and Child Welfare Worker

Article 8. The Child Welfare official shall be the second class clerical or technical official and shall be required to have any one of the following qualifications:

- a. One who has been engaged in the care of children and expectant or nursing mothers and service on health or welfare not less than two years.
- b. One who has a degree of "Gakuchi" from a department of a university specializing in either psychology, pedagogy or sociology.
- c. Physician
- d. One who graduated from a training school or a training facility for the Child Welfare Official or Workers for the Child Welfare Agencies designated by the Minister concerned, and
- e. Other persons having equal and similar qualification for the Child Welfare Officials.

Article 9. The head of Child Welfare Station will be second class

clerical or technical official and the workers therein will be second or third clerical or technical officials and they shall be the persons with knowledge and experiences in the child care, health and welfare services.

Chapter III. Child Welfare Agencies

Article 10. Metropolis, Hokkaido and the prefecture shall establish a Kyogo-in (Home for juvenile training and education) as prescribed in Article 35, Paragraph 1, of the Law in Metropolis, Hokkaido and each prefecture.

National Kyogo-in shall be established and so designated and shall admit only those who were diagnosed at Child Welfare Station as psychopathic personality or specially delinquent character.

Article 11. Where public welfare institutions or agencies as prescribed in Article 7 of the Law are not adequate or available, mothers and children receiving or requiring public assistance who are in need of institutional care may be placed in private institutions.

Article 12. Child Welfare Agencies and the training facilities for the workers of Child Welfare Agencies established by the Nation, Metropolis, Hokkaido, prefectures, cities, towns or villages (inclusive of special wards as will be the same hereinafter) are placed under the administration of the governor of Metropolis, Hokkaido and prefectures or the mayor of the cities, towns and villages (inclusive of the special ward mayor) respectively as prescribed in Article 49 of the Law.

Article 13. The women designated to take care of the children in child welfare agencies will be called nursery teachers and shall have one of the following qualifications:

a. One who graduated from the training school or a training facility for the nursery teachers designated by the Minister concerned, and

b. One who passed the examination for the nursery teachers.

In each of Metropolis, Hokkaido and the prefectures, a board of examination for the nursery teachers shall be established by each governor under his control for the determination of passage of and the management of all matters pertaining to the examination.

Number of the board members shall be limited within ten persons,

The governor of Metropolis, Hokkaido or the prefecture will appoint the board members out of public officials not to exceed 4 in number and others with knowledge of and experience in the service of child care, health or welfare.

Subject matters of procedure of and any other necessary matters about the examination shall be prescribed by Minister of Welfare.

Chapter IV. Expenses

Article 14. National or prefectural subsidies for the expenses to be borne by the Metropolis, Hokkaido, prefectures, cities, towns or villages are as outlined in Article 50, 51, 52, 53, 54 and 55 of the Law. Those not mentioned in said Articles are as designated in this Chapter.

Article 15. Subsidies of the preceding Article shall be made for the balance which is settled by subtracting the amount collected under the provision of Article 56, paragraph 1 of the Law and the amount of contribution and other incomes from the total amount of expenditure paid out by Metropolis, Hokkaido, prefectures, cities, towns or villages for the fiscal year.

In case the equipment for which subsidy has been made should be used for other additional purposes, the basis of subsidy for the said equipment shall be settled balance of the expenses for what has actually

been utilized for child welfare.

In case the amount to be subtracted under the provision of the preceding two paragraphs should be over the total amount which the Metropolis, Hokkaido, prefectures, cities, towns or villages have borne for the fiscal year, the balance shall be subtracted from the amount of expenditure of coming fiscal year or years.

Article 16. National subsidies prescribed in Article 52 of the Law, shall be one half of the settled balance for the Child Welfare Agencies of the following Item a, one third for those of Item b and prefectural subsidies prescribed in Article 54 of the Law, shall be one fourth of the settled balance for those of Item a, one third for those of Item b.

a. The mothers' home, the day nursery and the home for physically weak children for indigent mothers and children who have no one to pay for their care, as defined in the proviso of Article 56, paragraph 1 of the Law and the home for physically handicapped children, where crippled children are cared.

b. The mothers' home, the day nursery and the homes for physically handicapped children which do not fall under the preceding Item.

Article 17. In such cases prescribed by Article 11 of this Order government funds may be used to reimburse the private institution up to an amount not to exceed those rates established by the government for per capita cost of care.

Article 18. The subsidized money by Nation, Metropolis, Hokkaido and the prefectures under the provisions of the preceding three Articles may be ordered to be returned wholly or in part:

a. In case a Child Welfare Agency should be ordered to terminate its work by the provision of Article 46, paragraph 2 of the Law.

b. In case the certificate of approval for a Child Welfare Agency should be cancelled by the provision of Article 58, paragraph 1 of the Law.

c. In case Child Welfare Station, Child Welfare Agencies or the facilities for the training of personnel of Child Welfare Agencies should violate the Law, Order or the disposition derived from the Law and Order.

d. In case Child Welfare Station, Child Welfare Agency or the facilities for training of personnel of Child Welfare Agencies should terminate the whole or a part of its work or should be utilized for the purpose other than expected at first.

e. In case the condition for subsidy is violated, and

f. In case subsidy was secured by means of fraud.

Supplementary Rule

Article 19. This Cabinet Order shall go into effect from January 1st, 1948 except as provided for in the provision of Article 63 of the Law which shall go into effect from April 1st, 1948, after which date it shall cover the total provisions of the Law.

Article 20. Enforcement Ordinance of Juvenile Training and Education Law and 1933, Imperial Ordinance No. 218 (Matters concerning the expense to be borne under the Law for Prevention of Cruelty to Children and National subsidy), shall be repealed.

Article 21. The department of university in Article 8, Item b of the cabinet order includes the department of university under University Ordinance.

Article 22. At the time this Cabinet Order goes into effect, the women who are taking care of the children in the Child Welfare Agencies may engage in their work up to December 31st, 1950, despite the provision of Article 13, paragraph 1 of this Cabinet Order, after which date they must comply with the said Article.

~~TOP SECRET~~
DCR?

Children's Bureau
Ji-Hatsu #50
October 1st, 1948

894, 4055/5-448

Functioning of Family Care

(Official Translation)

A child's care is given best by its own parents in its own home. There are, however, numbers of children in each community who have no one to take care of them or whose guardians fail to give them adequate care. For those among them who have guardians, the Nation must give their guardians guidance and assistance so that they may properly assume their responsibility. Nevertheless if condition will not improve the children should be taken any from their guardians and placed where they may be able to receive adequate care. The children without guardians should be dealt with similarly as above without delay. Beside the various kinds of child welfare institutions to take care of such children, there are family homes who wish to bring up such children. There are two kinds of such family homes -- namely the foster home of Child Welfare Law and the adoptive home by adoption prescribed in the Civil Code. These instructions are to regulate the function of family fostering of these two kinds of homes. The Child Welfare Center is to act as the central organ by making investigations, taking necessary procedures giving guidance and intermediary services, etc., so that the family foster care may be carried out to the best interest of the children. The idea of family foster care for the children should diffuse into the general public understanding and cooperation and the utilization of the Child Welfare Center should be promoted.

FW 894.4055/5-448

Chapter I.

The Foster Parent of the Child Welfare Law

I. Definition of the foster parent.

(1) The foster parent is a person who wishes to bring up a child (children) in her own home temporarily or continuously and has been registered.

The children in preceding paragraph means those under 13 years of age without guardians or with guardians who have failed to give them adequate care and whom the governor of Metropolis, Hokkaido or the prefecture has considered as fitted to be placed in the foster home.

II. The functional organ of foster home system.

(1) As for the foster home, the governor of Metropolis, Hokkaido or the prefecture, the heads of the Child Welfare Centers, child welfare officials, Hodein (Kyogo case worker), child welfare workers and the superintendents of the child welfare agencies are provided for its functioning by Child Welfare Law (Law as the same hereinafter). The head of the Child Welfare Center, however, shall act as the central figure for its operation keeping close liaison with all the rest.

III. Diffusion of the idea of the foster home, investigation and decision of approval.

(1) The governor of Metropolis, Hokkaido or the prefecture, by himself or by the heads of the Child Welfare Centers, the child welfare officials and the child welfare workers, etc., shall make the effort to diffuse the idea of the foster home so that the general public may so understand and cooperate and those who wish to have their own children cared for by others and those who wish to bring up the children may come to the Child Welfare Centers for consultation.

(2) One who wishes to become a foster parent (foster parent applicant as the same hereinafter) shall submit the application of foster parent as per the attached form No. 1 to the governor of Metropolis, Hokkaido, or the prefecture via the Child Welfare Center under which jurisdiction the district of her residence is located.

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(3) As soon as the foster parent application is received, the head of the Child Welfare Center shall send either a worker of the center, a child welfare official, Hodojin (Kyogo case worker) or a child welfare worker to the home to make the necessary investigation and fill in the investigation sheet as per the attached form No. 2 which is to make it clear whether the home is adequate or not. With this sheet the foster parent application shall be submitted to the governor of Metropolis, Hokkaido or the prefecture.

(4) The family investigation of (3) shall be made on the following items:

1. Concerning the foster parent applicant (inclusive of the woman who will take the main responsibility for the care of the child, foster mother as the same hereinafter):

- a. Name, address, age, sex, character, history, vocation and religion
- b. Reason for the application, degree of understanding and the program for child care and upbringing and interest.

Kind, place and condition of work by the child in case the foster parent applicant wishes to have the child work under or with him while the child is placed for care.

c. Health conditions, Health certificate from a health center or a national hospital shall be submitted in case considered as necessary.

2. Concerning the persons with whom the foster parent applicant shares the home.

a. Names, ages, sexes, relations with the applicant, characters, histories, and vocations.

b. Degree of understanding in child care and upbringing.

c. Health conditions. Health certificate from a health center or a national hospital shall be submitted in case considered as necessary.

3. Concerning the foster parent applicant's family.

a. Social adequacy and general family atmosphere.

b. Economic conditions.

c. Dwelling.

d. Hygienic environment.

e. Neighborhood reputation of the family.

4. Condition of and the distance to the school.

5. Local and social conditions of the neighborhood.

6. Any other item considered as important.

(5) The approval for the foster parent shall be based on the following standards:

1. Both the foster parent applicant and the persons with whom the applicant shares home must have understanding in child care and upbringing with interest and the abundance of love for the children.

The standard of preceding paragraph is especially important with the foster mother.

2. Mentally and materially a healthy and happy family life is required.

Although the property may not be necessarily needed, and adequate living is required.

3. The reason to accept the child for his care must never be based on the purpose of exploit him nor to get the money paid for the expense of care by fraud.

4. There should be no one among the foster parent applicant and those who share the home with the applicant whose health and character have harmful effect on the child's mind and body.

5. The home of the foster parent applicant and its neighborhood must be conducive for the child's health, education and general welfare.

6. One who wishes to care for an infant should preferably have the breast milk adequate in quality and quantity.

7. It would be preferable that there should be no child of the foster parent applicant's own who is of the same age with the child to be fostered.

8. It is preferable that the number of the children cared for in the home of the foster parent applicant including the children who actually live with her shall not be more than six.

9. The foster parent applicant (foster mother included) is preferably of the similar ages with those of the parents of the child to be placed for care.

(6) The governor of Metropolis, Hokkaido or the prefecture shall refer to the opinion of the Local Child Welfare Board before the approval for foster parent is to be decided for the foster parent applicant according to the standards of (5).

With the decision of the approval for a foster parent by preceding paragraph the necessary items shall be entered into the foster parent register.

(7) A foster parent who finds herself unable to receive a child due to a sickness or any other unavoidable reason before she will accept a child shall report it with its reason to the governor of Metropolis, Hokkaido or the prefecture without delay.

In the case of preceding paragraph the governor of Metropolis, Hokkaido, or the prefecture shall take the said foster parents card or the column out of the register file or book after referring the opinion of the head of the Child Welfare Center.

(8) In case a foster parent applicant was considered as inadequate, the governor of Metropolis, Hokkaido or the prefecture shall notify the applicant about it.

IV. Placement.

(1) The governor of Metropolis, Hokkaido or the prefecture shall make the effort to utilize the foster parent when he takes the measures or the change of the measure of Law, Article 27, Paragraph, Item B. The weak, crippled, feeble-minded or delinquent children at fairly high degree, however, shall not be placed in the foster home unless the foster parents have deep understanding and zeal.

(2) When a child is to be placed in a foster home, selection shall be made to suit the child to be placed.

(3) The head of the Child Welfare Center shall notify the governor of Metropolis, Hokkaido or the prefecture about the children who were notified as provided or came for consultation and for whom the decision of foster home placement was made after medical, psychological and social investigations were made as per the attached form No. 3.

(4) The head of the Child Welfare Center shall keep close liaison with the child welfare institutions in the district of his jurisdiction and take the necessary measure for the children in the institutions for whom the placement in the home is applied.

In the case of preceding paragraph, the head of the Child Welfare Center shall make necessary investigations on the child's health, character, social history etc., and report as per the attached form No. 3 to the governor of Metropolis, Hokkaido or the prefecture.

(5) In case the governor of Metropolis, Hokkaido or the prefecture will place a child in a foster home as a measure or the change of the measure by Law, Article 27, Paragraph 1, Item 3, he shall refer to the opinions of the heads of the Child Welfare Center and the child welfare institution (at the time when the child in the said child welfare institution is to be transferred to a foster home) and the child or its guardian respectively according to the need.

In the case of preceding paragraph the governor of Metropolis, Hokkaido, or the prefecture shall notify the child or its guardian about the foster parent with whom the child is to be placed and its expense.

(6) When a child is to be placed in a foster home the governor of Metropolis, Hokkaido or the prefecture shall send to the foster parent the note (attached form No. 4) which bears the child's name, sex, age, health conditions, intelligence, character, social history and any other necessary matters important for the care of the child via the Child Welfare Center and enter the necessary matters into the register.

In the case of preceding paragraph the head of the Child Welfare Center shall send a copy of the note of preceding paragraph to one of the child welfare official, Hodoin (Kyogo case worker), and the child welfare worker etc., assigned for the area where the foster parent resides that the latter may give guidance for the foster parent, and the foster parent shall be notified about it.

(7) When an infant or preschool child is to be placed with a foster parent, the head of the Child Welfare Center must instruct that his or her maternal-and-child's handbook will be sent with the child. In case the maternal-and-child's handbook was not yet secured by the child or the child's guardian, the foster parent must be instructed to secure it from the mayor of the city, town, or village where he lives.

(8) With one who is bringing or is going to bring up a child who is related within third degree, the governor of Metropolis, Hokkaido or the prefecture shall not take it as the measure by the Law, provided that with aunt and uncle who are not able to afford to care for the child, however, it is not applicable.

(9) The governor of Metropolis, Hokkaido or the prefecture shall not place a child with any person as a foster parent whose sole object care the child is to let the child work or who wishes to let the child work out from the beginning.

(10) When a child is to be placed with foster parent who wishes to have the child work under him while giving him care, the governor of Metropolis, Hokkaido or the prefecture shall fill in the matters to be complied by the foster parent on the sheet (Form No. 4) of IV. -(6), paragraph 1 and give it to the foster parent through the Child Welfare Center. The child less than 13 years of age, however, shall never be placed with such home.

When preceding conditions will be determined each of the following matters shall be complied with while careful attention shall be paid at the same time for the care of the child.

(A) A child, who has completed the compulsory education under the provision of School Education Law shall not work over 7 hours a day and 42 hours a week and a child who attends to the school not over 6 hours a day and 36 hours a week including the school hours.

(B) The child shall never be used for dangerous or harmful work or work with heavy material.

The child who attends to the school shall not be used for any work other than the very light work.

(C) Any other work which gives the child physical or mental pain.

(D) The child shall never work after 8:00 p.m. and before 5:00 a.m.

(11) The governor of Metropolis, Hokkaido or the prefecture shall not place two or more children in a foster home by a measure at the same time unless for the special reason such as being ailing, etc.

When a foster parent who cares a foster child wishes to receive additional child, the governor of Metropolis, Hokkaido or the prefecture shall refer to the opinions of the head of the Child Welfare Center and the home visitor who is in charge of guiding the foster parent before the placing is made.

V. Delegation of competence to the head of the Child Welfare Center.

(1) It is desirable that the competence to place with child with the foster parent should be delegated to the head of the Child Welfare Center by the governor of Metropolis, Hokkaido or the prefecture as much as possible.

If the governor of Metropolis, Hokkaido, or the prefecture will delegate the competence of preceding paragraph to the head of the Child Welfare Center, the provisions of Chapter I shall be changed according to the degree of delegation.

In this case the head of the Child Welfare Center shall report to the governor of Metropolis, Hokkaido or the prefecture on the matters considered as necessary.

VI. Care at the foster home.

(1) The foster parent shall bring up the child with genuine love and understanding as a real member of the family in the home like atmosphere so that the child may grow up to become an individual with healthy body, rich sentiment and good common sense.

The home must keep mutual loving relationship and avoid any behavior harmful for the child's mind and body.

The child's initiativeness shall be respected as much as possible.

(2) Diet for the child shall be of sufficient in variety of calories and protein for the child's healthy development.

No discrimination shall be made for the meal which shall be served at the same table with the family in a happy atmosphere.

The foster parent who cares the infant in need of the breast milk and who has too little of or not her own milk shall get the guidance of nearby health center, physician (preferable pediatrician) or public health nurse so that the cow's milk, goat's milk or a milk product suitable for the infant may be given adequately and regularly.

(3) The child of school age shall attend the school under the provision of School Education Law, necessary school materials shall be provided and assistance for the school work shall be given.

(4) Foster parent shall pay proper attention on the child's play, play place, play apparatus, reading, motion picture he sees, etc., and keep a close watch over his friends, behavior, things he has so that he may not only be safeguarded from becoming delinquent but be guided for better.

(5) The child shall be properly clothed. Clothing shall be kept clean and in good repair.

(6) The infant shall be kept in the dry and clean diapers.

- (7) The infant shall have bath at least three times in a week.
- (8) The foster home shall be provided with the necessary family drugs for the child.
- (9) The foster parent shall give full attention on child's health -- nutrition and general development, etc., and in case there is any trouble about child's health, such adequate measure as consulting immediately to nearby health center, physician or a public health nurse.

In case the child became seriously ill, ran away or was found with any serious accident, the foster parent shall take up the necessary measure and immediately report it to the home visitor and to the governor of Metropolis, Hokkaido, or the prefecture via the Child Welfare Center.

- (10) In case there is a trouble or a danger for it for the care of the child, the foster parent shall secure the home visitors assistance.

- (11) The child shall never be exploited nor employed for the work undesirable for his health, education and other welfare.

- (12) The foster parent shall never treat the child with discrimination from her own children.

- (13) The foster parent shall never trust the child under her care with someone else. It is provided, however, that the child may be placed temporarily with someone with approval of the home visitor in case the foster parent has to travel or her temporary absence from home due to the specific reason.

- (14) The foster parent shall not have the child under 12 years of age work (light domestic helpings such as cleaning around the house or in the kitchen etc., are not included here).

- (15) The foster parent shall not let the child under 15 years of age work out at other person.

- (16) The foster parent shall apply for the approval of the governor of Metropolis, Hokkaido or the prefecture through the Child Welfare Center in case of any one of the following cases: (light domestic helpings such as cleaning around the house or in the kitchen, etc., are not included here).

- (A) In case the child is going to start working at the foster home.
- (B) When the child has grown up fifteen years of age in the foster home and is going to work outside the home.
- (C) When the child is going to change his work or his work place.

When the child is to work out at other person's as in preceding paragraph, it is subject to Labor Standard Law at the working place.

The governor of Metropolis, Hokkaido or the prefecture who has received the application of Paragraph 1 shall make investigation of the work, work place, and labor conditions, etc., of the child and request the opinions of the home visitor and the child's own. And only when he found it with no harm for the child's growth he may give the approval.

When the child works under the foster parent the card on which the matters to be complied with are filled in shall be given to the foster parent. The provision of IV. - (9) paragraph 2 shall be applied for the decision of the conditions.

- (17) Death and the change of address of or any important change with the foster parent shall be notified the governor of Metropolis, Hokkaido or the prefecture via the Child Welfare Center without delay.

The same shall be applied when the child reached the age of eighteen.

VIII. Guidance

(1) The head of the Child Welfare Center shall keep for each child a copy of each of the foster parent register and referring a card of child placement (Form No. IV) and shall enter every important record after placement was made keeping a clear picture of the child so that he may give adequate and up to point guidance.

The head of the Child Welfare Center shall give the home visitor the advice for guiding the foster parent according to the need.

(2) The head of the Child Welfare Center shall have the home visitor visit the foster home at regular intervals while a child is placed and give necessary guidance concerning the child care.

The home visit of preceding paragraph shall be made once in fortnight for two months immediately after the placement was made and once in a month for another two months.

(3) The home visitor shall visit the foster home when the foster parent asked for an assistance or a visiting was considered as necessary besides the regular visiting of (2).

(4) In giving guidance to the foster parent the home visitor shall have through investigation and understanding, and make her understand with kindness and courtesy.

(5) The home visitor shall keep the record (the attached form No.6) for each foster parent in his charge and enter the necessary record after each home visit and shall report it to the head of the Child Welfare Center.

The head of the Child Welfare Center shall, if necessary, report to the governor of Metropolis, Hokkaido or the prefecture what was reported by preceding paragraph.

(6) In case an inadequacy or uncooperativeness for the advise given was found on part of the foster home, the home visitor shall report it with his own opinion to the head of the Child Welfare Center.

(7) When the care of the child cannot be continued due to the sickness or any other reason on part of either the foster parent or the child, the foster parent shall report it with its reason to the governor of Metropolis, Hokkaido or the prefecture via the Child Welfare Center.

(8) With the proper reason of (5) or (6) or others, the governor of Metropolis, Hokkaido to the prefecture may release or change the measure of Law, Article 27, Paragraph 1, Item 3, after referring to the opinions of the head of the Child Welfare Center and the home visitor.

In the case of preceding paragraph the governor of Metropolis, Hokkaido, or the prefecture shall eliminate the card or the item about the said foster parent out of the register.

VIII. From the foster parent to adoption.

(1) In case the foster parent wished to adopt the child she is caring, the head of the Child Welfare Center shall make necessary investigation and help for it.

IX. Cooperation between Metropolis, Hokkaido and the prefectures.

(1) When the governor of Metropolis, Hokkaido or a prefecture wishes to place a child with a foster parent who resides in another prefecture (or Metropolis, or Hokkaido) he shall ask the governor of said prefecture to find a suitable foster parent for the child sending the necessary papers concerning the child.

The governor of Metropolis, Hokkaido or the prefecture who has received the papers of preceding paragraph shall select and adequate foster parent and shall send the necessary papers concerning the foster parent to the governor who has asked to find, notify the foster parent about it and make the entry about it into the register.

The governor of Metropolis, Hokkaido or the prefecture who has received the papers of preceding paragraph shall place the child with that foster parent if considered as adequate according to the paper sent.

(2) In case the governor of Metropolis, Hokkaido or the prefecture find no child to place with the foster parents in the area of his jurisdiction, he shall notify the governors of other prefectures (Metropolis, or Hokkaido) about sending the papers about the foster parents and notify the foster parents at the same time.

When the governor of Metropolis, Hokkaido or the prefecture who has received the notification of preceding paragraph will place a child with such foster parent, he shall do it according to the papers sent.

(3) When the foster parent with whom the child has been placed is not living in the same Metropolis, Hokkaido or the prefecture or has removed in another prefecture (Metropolis, or Hokkaido) the governor of Metropolis, Hokkaido or the prefecture who made the placement shall ask the governor of Metropolis, Hokkaido or the prefecture under whose jurisdiction the foster parent lives for the latter's guidance and supervision over the said foster parent and notify the foster parent about it.

(4) The foster parent with whom a child was placed by the request of the governor of Metropolis, Hokkaido or a prefecture under whose jurisdiction her residence is not located shall receive the guidance and supervision of the governor of Metropolis, Hokkaido or the prefecture under whose jurisdiction her residence is located and the reports, notifications or the application for approval shall be made to the latter in the cases of VI - (9), (14), (15) and VII - (6).

The said governor of Metropolis, Hokkaido or the prefecture shall notify the governor of Metropolis, Hokkaido or the prefecture who has requested the child's placement in case any reason which will have effect on the measure of Law, Article 27 of preceding paragraph should be found.

(5) The governors of Metropolis, Hokkaido or the prefecture who made and received the request or the notification concerning the foster parent shall keep a close liaison and work cooperatively each other.

X. Expense

(1) The expense for the measure at the time a child is placed with a foster parent under the provision of Law, Article 27, Paragraph 1, Item 3, (expense for placement as the same hereinafter) includes the expenses for the care of the child, medical care and transportation.

The governor of Metropolis, Hokkaido or the prefecture shall pay the foster parent the expense for the care of the child at the beginning and that of medical care at the end of every month.

(2) When the governor of Metropolis, Hokkaido or the prefecture made a placement of a child with a foster parent in another prefecture (Metropolis, or Hokkaido), he shall make the payment of the expense for the placement directly to the latter.

(3) The governor of Metropolis, Hokkaido or the prefecture may not make the payment of the expense of the placement when the foster parent refuse it.

Chapter II. Adoption

I. Utilizing the Child Welfare Center.

The Child Welfare Center shall make the general public understand that any one who wishes to give away his own child for adoption or one who wishes

to adopt a child and cannot find a proper person or a child can be helped for adoption at the Child Welfare Center.

II. Investigation and the decision of approval.

(1) When any one applied at the Child Welfare Center to find a child for adoption (applicant for adoption, as the same hereinafter) make the investigation of his family and the decision of approval shall be made by the head of the Child Welfare Center.

(2) When any one came for consulting about his or her own child to be adopted by some one else, the head of the Child Welfare Center shall make the investigation on the child.

Concerning the investigation and decision of approval, the respective provisions for the foster parent shall be applied.

III. Procedures for adoption.

(1) When there are an applicant for adoption approved after investigated under the provisions of II and a child or a child reported by the provision of Law who is suitable to be adopted by his found, one of the following procedure shall be taken.

It is provided that in such cases it would be proper to urge the applicant for adoption to bring up the child as a foster parent at least for over 6 months in so far as there is no special reason against it.

1. When the child's census registration is known:

a. The step for adoption shall be taken if the child over fifteen years of age wants the adoption, or, in the case of a child under fifteen years of age, his legal deputy (including the head of the child welfare agency) wants. But in this case also the permission of the court of Domestic Relations for the adoption is necessary.

b. In case the child is under fifteen years of age, without its legal deputy, the head of the Child Welfare Center shall take up the procedure to appoint its legal deputy at the court of Domestic Relations of the district where the child resides under the provision of Civil Code. Article 841.

If the head of the Child Welfare Center was appointed as the child's guardian by the procedure of preceding paragraph, he shall give his consent and take procedure for the adoption.

2. When the child's census registration is not known:

a. In case of the abandoned child the head of the Child Welfare Center shall report to the mayor of the city, town or the village, have the child's census registration made and take up the procedure for appointment of his guardian.

b. With the child who does not fall under preceding paragraph and whose census registration is not known, he shall arrange for the procedures of making its census registration under the provision of Census Registration Law, Article 112 and shall take up respective procedure (2) or Paragraph 2 of (b) of (1).

IX. Divorce.

(1) For the child under fifteen years of age whose adoption was found improper and adoptive parent does not consent for divorce with the child, the head of the Child Welfare Center who had the right of the consent for that adoption may appeal for divorce.

Form No. 1

Foster Parent Application		Date of application X _____ No. _____ X _____	Via (Name of Child Welfare Center)		
Kind of Child wanted Age _____ Year _____ Month _____ Sex _____ other factors requested _____		Reason they apply to become foster parents.			
Name of Foster Father _____ Birthday _____ Age _____ Name of Foster Mother _____ Birthday _____ Age _____		Vocation History Foster Father _____ Foster Mother _____			
Permanent Address _____ Present Address _____		How Long to care? _____			
Sign by which to locate the House. Telephone Number _____					
Health conditions of Foster Father _____ Foster Mother _____		Breast milk. Yes _____ No _____ How much _____			
Persons who share the Home		Home and Environment Premise			
Name	Age	Sex	Relation	Health	Single house _____ tsubo Tenement house Building Two storied _____ tsubo One storied Owned, rented, Only room rented Kind of district
Request on the expense		If you want the child to work			
Program on Child Care		Kind of Work _____			
		Place and work conditions _____			

Date _____ Name of Foster Parent _____

To the Governor of M.H. or the Prefecture.

Notice for Entry (Form No. 1)

1. This card is to be filled by the foster parent applicant.
2. X to be entered by the Child Welfare Center.
3. Under the column "Other Factors Requested" the conditions the Foster Parent wishes must be stated concretely.
4. Under the column "Reason to apply to become foster parent", the fact such as (a) because of sheer sympathy for the unfortunate child, (b) because their own children have grown up and they can care for more, (c) because they have no children, or (d) because mother has plenty of breast milk etc., must be disclosed.
5. The foster parent means one who applies to become a foster parent and the foster mother the woman who takes the main charge of the child's care.
6. Under the column of "Vocation" the name of vocation will be entered.
7. Under the column of "History", the name of last school or college (graduated or not) and the history of work must be entered.
8. Under the column "Sign by which to locate the house", the railroad or electric car station to get off and the distance to the home from the station must be entered.
9. Under the column "Health Conditions" the present health condition as (a) very good, (b) ordinary or (c) fairly good etc., must be entered. Any serious diseases in past must be stated clearly.
10. Under the column "How long to care", about how many years they expect to care must be entered.
11. Under the column "Request on the expense" (a) total payment (b) partial payment or (c) no payment needed must be indicated.
12. Under the column "Program on Child Care", (a) how far school education will be expected to be given (b) intention to adopt the child afterward, (c) if foster parent expect to have the child work with the parent for the family vocation, (d) what does the parent think about the child's vocation (e) and others must be written concretely.
13. The column "If you want the child work, etc." must be filled on by when the child will work under the foster parent and on the kind of work, place and work condition etc. concretely. Any other person must not enter under this column.

Form No. 2

FOSTER PARENT REGISTER (A)

*Register No
*Date of Reg

Home Investigation Card		Interested Child Welfare Center		Date of investiga		Name of investiga	
Present address locate the house				Permanent address			
Sign by which to locate the house				Telephone No.			
Foster Father	Name	Age	Date of birth	Vocation	History	Health	Charact
Foster Mother						Yes No Breast Milk	
Reason to receive the child			Understanding and interest in child care			Program for	
In case the child is to work: Work:		Its contents:		Work place:		Work	
Persons who share the home with the foster parents							
Name	Age	Sex	Relation	Health	Character	Vocation	History

FOSTER PARENT REGISTER (A)

*Register No. _____

*Date of Registration _____

Interested
Child Welfare
Center

Date of investigation

Name of investigator

Permanent address

Telephone No.

Date of birth

Vocation

History

Health

Character

Religion

Yes No
Breast Milk

Understanding and interest in
child care

Program for child care

Its contents:

Work place:

Work conditions:

Relationship of foster parents

Health

Character

Vocation

History

Understanding
of the child care

Form No. 2 (continued)

House		Size of Premise _____	Tsubo _____	Home Conditions		Environmented
		Size of house _____	Tsubo _____	Health Conditions		
Single	Tenement - Own, Rent, Room rent			Air	Sight	Social adequac
Story 1-2	No. of rooms _____	No of tatami _____	Water	Sewage		
			Dry	Damp		
Economic conditions			Asset incultivate land	Tsubos	Neighbor	
Income of preceding year			" " "	forest	the fami	
Expenditure			" " "	home land	Type of	
School condition			" " "	the house	the home	
Distance to school			Movable assets		Family	
Opinion of Head of Child Welfare Center				Date _____	Expense	
**				Signed _____	Term of	
* Decision by the governor of prefecture						Date
* Decision	Name of child		Date of placement		Expens	
Age	Sex				Length	
Interested persons						
**						
*Date		*Development of the case				

NOTE: * To be filled by metropolis, Hokkaido or the prefecture
 ** To be filled by the head of Child Welfare Center.

Home Conditions		Environmented condition
Tsubo	Health Conditions	
Tsubo	Air	Social adequacy of the family
	Water	
	Dry	
	Sight	Neighborhood reputation of the family
	Sewage	
	Damp	
	Asset incultivate land	Type of people go in and out of the home
	" " " forest	
	" " home land	
	" " the house	Family atmosphere
	Movable assets	
enter	Date	Expense of care
	Signed	Term of placement
ecture		Date
	Date of placement	Expense of care
		Length of placement
Development of the case		

4

* To be filled by metropolis, Hokkaido or the prefecture.
 ** To be filled by the head of Child Welfare Center.

Notice for entry (Form No. 2) A.

1. The "Home Investigation Card" and the "Investigation Card for Child Placed" bound together will make a foster parent registry which will be kept in the office of Metropolis, Hokkaido or the prefecture.

2. A foster parent makes a foster parent register number and the registry will be kept as they came. In case of vacancy it is left as it is.

3. This card is to be filled by the home visitor who was sent by the Child Welfare Center for the investigation.

Investigation must be made carefully, objectively and accurately for every column.

4. For the Column "Vocation" the difference of own, employed, free or none etc. must be stated.

In case of own industry, any of agriculture, fishery, forestry, technology, mining, trade, architecture, transportation and others, in case of employed the name of the work place, kind and contents of the work and position etc., and in case of free the kind of work will be stated.

5. Under the column "History" the name of last school or college (graduated or not) and the vocational history will be written.

6. Under the column "Health Conditions" present conditions must be written in detail and out of past history of diseases TBC, contagious diseases, venereal diseases, chronic disease and any serious disease of long hospitalization (except surgical case) must be entered with the name of diseases clearly stated.

In case the investigator considered it necessary, a written health diagnosis by a physician shall be attached.

7. Under the column "Religion" what religious faith and, if possible, how deep the faith will be stated.

8. The "Reason to care the child" must be stated as concretely and in detail.

9. Under the column "Understanding and interest in Child Care," state as concretely as possible, making it clear that there is no intention of labor exploitation or fraudulent earning of the expense.

10. Under the column "Program of child care,"

(a) how for the education will be given,

(b) intention to adopt the child afterward,

(c) intention to let the child work for the family vocation in future,

(d) what does the foster parent think about the child's future vocation.

(e) and others, must be stated concretely.

11. The column "In case the child is to work etc." will be filled when the child is to work under the foster parent while carrying the child under his charge only. The kind of work, work place, work condition etc. must be entered by the foster parent and the visitor's opinion about them must be entered by him in red ink.

12. For the columns "Social adequacy" "Family atmosphere" "Types of people go in and out" and "Neighborhood reputation" and the neighborhood hearsays may be referred.

For the "House," construction and number of rooms, "Local social conditions" the local characteristics such as agricultural, trading, industrial, residential, slum, entertainment, etc., "Hygienic Condition" cleanliness sewage conditions etc. and "About school" the environment and characteristics of the school must be stated.

13. Under the column "Expense of care" amount of money the foster parent applicant requires and that considered proper in red ink must be entered.

14. Under the column "Term of care" the visitor, who was sent to the foster home for the investigation, will fill in the length of time he considers proper taking account of the foster parent's request.

15. Under the column "Opinion of Head of Child Welfare Center" the opinion on the adequacy of the home concretely stating its reason and on the amount of expense.

16. Under the column "Decision of the governor of Prefecture," "approved" or "disapproved" will be entered in red ink with the date of decision made after consulting to the opinion of the local Child Welfare Board. In the case of disapproval, the reason must be given.

17. Under the column "Interested persons," the names and positions of the head of the Child Welfare Center and the home visitor.

18. In case no space is left, the outside space of the lines may be used.

Notice for entry: (Form No. 3)

1. This card will be bound with "Home Investigation" Card (Form No. 2) and make a foster parent registry when a child is to be placed with a foster parent (IV - (6)).

2. A card is used for each child. For the second child and on, only this card is added to the original card (A).

3. Necessary items of this card is to be investigated and filled by the Child Welfare Center.

4. (a). Under the column "Physical Development", (1) conditions during the mother's pregnancy and at the time of birth, (2) nutrition during infancy and preschool childhood, weaning, teething, and walking (3) past diseases and their age, duration, intensity, etc., must be stated in detail.

Under the column "Mental Development", (1) talking, its age and clearness, (2) general intelligence, (3) Psychopathic trait and unusual habits.

(b) Under "Heredity" presence of feeble-mindedness, low grade personality and psychopathy as well as that of TEC, venereal diseases, alcoholism, suicide, unnatural death, etc., in both parents, maternal and paternal grandparents and relatives is to be checked and entered.

(c) Under the column "Characteristics" of "Physical Conditions", complexion (i. e., vivid and healthy intelligent looking or poor and looking like old person, etc.), appetite, fatigue, sleep, enuresis, abnormality, etc., must be checked and entered.

5. "Social history" must be stated as concretely as possible on how the child has spent its time.

6. Under the column "Family" the family conditions must be stated concretely.

7. Under the column "Neighborhood" the local characteristics such as agricultural, industrial, residential, slum entertainment, etc., and relation of the child's family with neighbors, reputation and intercourse, etc., must be stated.

8. Under the column "Opinion of the head of Child Welfare Center" the foster parent selected by him for the child must be named stating the reason for the choice.

9. The "Masters head of attention and compliance" mainly of the child's labor must be concretely written.

10. The register number will be made as the foster parent register number.

For instance if the foster parent is numbered as 5, the childrer will be numbered as 5-1, 5-2, 5-3.

11. In case more space is needed, the outside space of the time way be used.

Form No. 3

Foster Parent Register (B)

* Register No.

Investigation Card for the child to be placed		Via _____ Child Welfare Center		Date investigated	
Address		Permanent Address			
Name	Age	Date of Birth	Guardian Superintendent of child welfare agency	Name	Address
Medical examinations	Mental development		Hereditry	Photo (It is not available if not available)	
Physical development					
Physical condition	TBC Test		Disease predisposed		
Weight	B. C. G.		Illness or abnormality		
Height	Physical type		Date	Dr.	(position)
Chest-measure	Characteristics				
Intelligence	Character	Vocational aptitude		Psychic trauma	Name of ex His position Date of ex
CA MA IQ					
Social History	Family		Home		Neighborhood

Expense

Matters need of attention and compliance

Opinion of the head of Child Welfare Center

Date (Sign)

* Decision

Name of foster parent

Address

Date of placement

Change

Expense

Term

* Date

Development of the case

* To be filled in by the prefecture.

Foster Parent Register (B)

* Register No.

Child Welfare Center		Date investigated	
Name of investigator			
Permanent Address			
Age of Birth	Guardian Name	Address	Relation
	Superintendent of child welfare agency		
Heredity		Photo (It is not necessary if not available)	
Disease predisposed Illness or abnormality			
Date	Dr.	(position)	
Vocational aptitude	Psychic trauma	Name of examiner His position Date of examination	
Home		Neighborhood	
Matters need of attention and compliance			
Center			
(Sign)			
Development of the case			

(Form No. 4)

Date _____

Name of Governor of Prefecture

TO: Mr. (Name of Foster Parent)

Address

Foster Parent Register No.

Referring Care of Child to be Placed		Via	Child Welfare Center	Date
Name	Sex	Age	Date of birth	
Address		Name of the head of the interested Child Welfare Center		
Permanent Address		Name and address of home visitor		
Name of guardian		Physical development		
Health condition		Mental development		
Intelligence		Social history		
Character				
Vocational aptitude		Matters to be compiled		
Date of placement	Expense			
Matters need of attention				

TO: The Foster Parents

Trusting in your deep understanding and loving care as the child's parents I am sending (Name of the Child to be Placed). It is no easy job to bring up a child. I wish that all your painstaking works for the child will blossom into a real joy when this child will grow into a citizen with healthy body and beautiful mind.

The following are the points I hope your kindly attention will be paid.

(Early discovery of diseases)

Will you please pay utmost attention for the child's health. Especially babies are not strong in resistance, easy become ill and hard to recover. With any slightest sign of trouble, please consult with a nearby pediatrician, health center physician or a public health nurse.

(School attendance of the children of the age)

Please let the child of school age attend the nearby school, giving necessary articles for schooling and give the child school guidance.

Please keep in touch with the school teacher for improvement of education and in case of any trouble, such as the child's absence, etc., take a proper action immediately.

(Treatment with discrimination is bad for the child)

Please avoid a discrimination of the child from your own as the child's sensitive mind gets biased easily.

(Assistance at the time of need)

Please ask the assistance of the home visitor who are ready for guidance at the time of your need in child care.

(When you wish the child to work)

When you are going to let the child work at your own place while under your care, please stick strictly to the "matters to be complied with" on the card. The children should not work beyond their physical capacity.

The work should suit the child's age and proper amount of rest be given so that the child should not work to fatigue which will cause a disease.

Children under 12 years of age should never be employed for labor.

Children under 15 years of age should never work out at others.

When children over 15 years of age will work out at others, they are subject to Labor Standards Law.

(When the child is to be replaced temporarily in another home)

You should not replace the child in another home.

In case you will have to travel or for some other special reasons, however, you may do it temporary with the approval of the approval of the home visitor.

In the following cases, please get in touch as soon as possible with the home visitor and report to the governor of Metropolis, Hokkaido or the prefecture through the Child Welfare Center.

- (a) When the child became seriously ill.
- (b) When the child ran away from the home or died.
- (c) When any other serious problem came up.

- (a) When the foster parent died.
- (b) When the foster parents removed.
- (c) When any other serious problem came up.

(Application for approval of vocational placement)

When the child in your charge is going to work under you or out at others, or to change the work, work place and work condition, please take the regular procedure to the governor through the Child Welfare Center.

Notice for entry (Form No. 4)

1. This card is to be given to the foster parent through the child welfare center by the governor of metropolis, Hokkaido or the prefecture.

Two copies of this card will be sent to the child welfare center and one of them will be given to the home visitor.

2. The matters regarding the child shall be entered from "Investigation Card for Child Placed".

Social history of more recent past shall be stated in detail.

3. Under the column "matters attention shall be paid" special points for the child to be placed shall be written.

4. Under the column "matters to be complied" points for the individual case regarding the kind of work, work place and working condition, etc., shall be stated when the child is going to work under the foster parent.

Any other matters of need shall be written besides the above.

5. The column "interested person" shall be entered by the child welfare center.

The names of the head of the child welfare center and the home visitor.

6. In case no space is left for each column, space outside the line may be used.

Form No. V

					* Date of approval	
Application for certificate of Labor Change					* Via Child Welfare Center	
Child's Name	Sex	Date of Birth	Height	Weight	Name of last school Date of last attendance	
Place and conditions of labor			Location of work place			
Name of place to work						
Work the child is employed within the home, away from home			Wage	Labor Hours	Working conditions	
* Opinion of the head of Child Welfare Center						
* Opinion of home visitor						
* Child's own opinion						
Date To Governor of _____ Prefecture					Name and address of foster parent	

Notice for entry.

1. The parts marked by * must not be entered by the applicant.
2. The work, working place and conditions the child is going to enter shall be stated concretely.
3. With the wage payment either by contract or any other method must be its accounting system must be made clear.
4. Under the column "Labor hours"; the labor hours for each day in the week must be stated.
5. The columns of the opinion will be filled by respective person. Any matters in need of special attention in regards to entering the work in relation of the child's physical predisposition will be stated if there are.

6. When the application for the change is to be made, both of past and future works, work places and conditions shall be entered.
7. When the child is used for light domestic helpings such as cleaning around the house or in the kitchen the certificate is not necessary.
8. In case no space is left, the outside space of the lines may be used.