DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

RG 331, National Archives and Records Service

Allied Operational and Occupation
Headquarters, World War II

SUPREME COMMANDER FOR THE ALLIED POWERS

Civil Affairs Section
Kanto Civil Affairs Region
Public Welfare Activities
1946-50

Public Welfare Information to Child Welfare

Box No. 2853

(Compiled by *National Diet Library*) 145

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

GHQ/SCAP Records (RG 331, National Archives and Records Service)

Description of contents

(1) Box no. 2853

(2) Folder title/number: (1)
Public Welfare Information

(3) Date: Dec. 1947 - Feb. 1950

(4) Subject:

Classification	Type of record
760	c, e, f

(5) Item description and comment:

(6) Reproduction: * (Yes) No

Sheet no.

(7) Film no.

(Compiled by *National Diet Library*)

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

LIAISON SECTION
CHIBA PREFECTURAL GOVERNMENT

Feb. 2, 1950

TO: Chief, Kanto Civil Affairs Region.

ATTENTION: Chief, Public Welfare Section.

THRU: Kanto Liaison and Coordination Office,
Japanese Foreign Ministry.

SUBJ: Monthly Child Welfare Statistical Report for
the month of January 1950.

I have received the following annexed report on the subject matter from the chief of children's section of the Prefectural Government. So, I hereby submit it to you.

Signed by: I. Takazawa

Isamu Takazawa,
Chief, Liaison Section,
Chiba Pref. Government.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Monthly Child Welfare Statistical Report for the month of Jan. 1950.

Submitted by Chief of Children's Section, Chiba Pref. Gov't.

1. Number of delinquents and vagrants apprehended by police:

Name of Crime	Sex Distinction		Age Distinction		Total
	Male	Female	Under 14 years of age	14 years of age -- 18 yrs."	
Homicide	1			1	1
Incendiary					
Robbery	7			7	7
Rape					
Injury	2			2	2
Bluff	8			8	8
Flaud	3	1	1	3	4
Theft	68	5	9	59, 5	73
Usurpation		2		2	2
Menace					
Gambling	7			7	7
Indecency					
Other violation of laws and regulation	101	6	7	94, 6	107
Total	197	14	17	194	211

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 743 013

2. Child Welfare Consultation statistics of referals, treatment, diagnosis, disposition:

TABLE I

NUMBER OF CHILDREN HANDLED BY THE CHILD WELFARE STATION (for January month) CHILD WELFARE SECTION CIVIL AFFAIRS DEPARTMENT. CHIBA PREFECTURE

	NAME OF STATION			CENTRAL CHILD WELFARE STATION			ICHIKAWA CHILD WELFARE STATION			TOTAL		
	DISTINCTION OF SEX			MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
I	TOTAL NUMBER OF CHILDREN HANDLED	Those reported under Art. 25 of Law.	Those hand-led by welfare officials	9	3	12	13	2	15	22	5	27
			Welfare committeemen	1	2	3	2	0	2	3	2	5
			Police-officials	15	2	17	13	3	16	28	5	33
			Others	18	7	25	5	3	8	23	10	33
			Total	43	14	57	33	8	41	76	22	98
		Those who were sent from the family court.		1	0	1	0	0	0	1	0	1
		Those revielved under Art. 31 of Law.		0	0	0	2	0	2	2	0	2
		Others for whom request was complied with.		7	11	18	3	0	3	10	11	21
		Those who were carried over from the previous month		2	2	4	1	2	3	3	4	7
		Grand-total		53	27	80	39	10	49	92	37	129
II	Procedure taken for children mentioned above	Those who fall under Art. 26 of Law.	Those reported to Governor	25	9	34	16	2	18	41	11	52
			This portion will necessarly overlap the grnad total of the III and IV portion									
			Those provided with the guidance & services of									

			Those revielved under Art. 31 of Law.	0	0	0	2	0	2	2	0	2
			Others for whom request was complied with.	7	11	18	3	0	3	10	11	21
			Those who were carried over from the previous month	2	2	4	1	2	3	3	4	7
			Grand-total	53	27	80	39	10	49	92	37	129
II	Procedure taken for children mentioned above	Those who fall under Art. 26 of Law.	Those reported to Governor	25	9	34	16	2	18	41	11	52
			This portion will necessarly overlap the grnad total of the III and IV portion									
			Those provided with the guidance & services of the child welfare official or the child welfare worker	24	15	39	20	6	26	24	15	39
			Total	49	24	73	36	8	44	65	26	91
III	Those who fall under Arts. 27 & 28 of Law.		Those given admonition or made to submit the written oath.	13	5	18	15	1	16	28	6	34
			Those provided with the guidance & services of the child welfare official or the child welfare worker.	8	4	12	0	0	0	8	4	12
			Those placed under the care of a foster parent									
			Total	21	9	30	15	1	16	36	10	46

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773 013

		Those admitted	Infant home	0	0	0	0	0	0	0	0	0
			Home for dependent, neglected & abused children	3	0	3	2	0	2	5	0	5
IIII			Home for feeble minded children	0	0	0	0	0	0	0	0	0
			Home for physically handicapped children	0	0	0	0	0	0	0	0	D
			Home for juvenile training & education	1	0	1	0	0	0	1	0	1
		Total		4	0	4	2	0	2	6	0	6

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

		for feeble minded children	0	0	0	0	0	0	0	0	0
		Home for physically handicapped children	0	0	0	0	0	0	0	0	D
		Home for juvenile training & education	1	0	1	0	0	0	1	0	1
		Total	4	0	4	2	0	2	6	0	6
	Those who is not come under Arts. 26.27 & 28 of Law		0	0	0	0	0	0	0	0	0
V	Those who do not need to prolong the term of admission as a result of re-discrimination prescribed in Art. 31 of Law.		0	0	D	0	0	0	0	0	0
VI	Number of cases not yet disposed of		4	3	7	3	2	5	7	5	12
	Grand-total		53	27	80	39	10	49	92	37	129

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

Report on state of children handled by child welfare officials (for January / Month)

Number of child welfare officials stationed under CHIEA Pref. 11 Persons(For Jan. / Month)

Number of child welfare officials who have handled children in current month:

CHIBA City	3	Persons
FUNABASHI City	1	"
ICHIKAWA City	3	"
CHOSHI City	1	"
TATEYAMA City	1	"
KISARAZU City	0	"
MATSUDO City	2	"
TOTAL	11	"

Classification	Male	Female	Total
(1) Number of children handled directly by child welfare officials	1351	1123	2474
(2) " " " " by reference from child welfare committee-men	32	40	72
(3) " " " " " " " " consultation offices	17	11	28
(4) " " " " " " " " school child welfare consultants	58	51	109
Total	1458	1225	2683
Re: Consultation and Guidance			
General Children			
(1) Consultation on education	16	20	36
(2) " " health	0	1	1
(3) " " up bringing	5	8	13
(4) " " employment	0	0	0
(5) Group guidance	1258	1053	2311
Total	1279	1082	2361
Special Children			
(1) Orphans or waifs	15	11	26
(2) Delinquent juveniles	58	5	63
(3) Worse-treated children	1	3	4
(4) Feeble-minded children	2	0	2
(5) Feeble bodied children a. Crippled	1	0	1
b. Feeble-bodied	8	1	9
c. Infantile paralysis	3	5	8
(6) Blind, deaf and dumb	0	3	3
(7) Others	5	1	6
Total	93	29	122
Pre-Natal and Post-Natal care and health guidance			
(1) Pre-Natal care	0	0	0
(2) Post-Natal care and protection given to babies (within one year)	1	1	2

(2) " " " " by reference from child welfare committee-men	32	40	72
(3) " " " " " " " " consultation offices	17	11	28
(4) " " " " " " " " school child welfare consultants	58	51	109
Total	1458	1225	2683
Re: Consultation and Guidance			
General Children			
(1) Consultation on education	16	20	36
(2) " " health	0	1	1
(3) " " up bringing	5	8	13
(4) " " employment	0	0	0
(5) Group guidance	1258	1053	2311
Total	1279	1082	2361
Special Children			
(1) Orphans or waifs	15	11	26
(2) Delinquent juveniles	58	5	63
(3) Worse-treated children	1	3	4
(4) Feeble-minded children	2	0	2
(5) Feeble bodied children a. Crippled	1	0	1
b. Feeble-bodied	8	1	9
c. Infantile paralysis	3	5	8
(6) Blind, deaf and dumb	0	3	3
(7) Others	5	1	6
Total	93	29	122
Pre-Natal and Post-Natal care and health guidance			
(1) Pre-Natal care	0	0	0
(2) Post-Natal care and protection given to babies (within one year)	1	1	2
(3) Protection given to children (1-6 years age) and post-natal care	3	5	8
(4) Protection given to mother and children	1	29	30
Total	5	35	40
Guidance on Foster-parents			
(1) Number of applicants to become foster-parents.	7	2	9
(2) Number of foster-parents to whom guidance was given	6	1	7
(3) Number of individual children classed child laborers & slavery case	11	9	20
Total	24	12	36
Disposals			
(1) Number of individuals handled by child welfare officials	1392	1108	2500
(2) " " " referred to child welfare committee-men	19	35	54
(3) " " " " " child consultation offices	25	27	52
(4) Number of cases not yet disposed of	22	55	77
Total	1458	1225	2683

Remarks: The Numerals in ( ) in the above table show that they were handled twice within the month or carried over from the previous month.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 773 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

Report on state of children handled by child welfare committee-men (for January) Month

Number of child welfare-committee-men stationed under CHIBA Pref. 83 Persons (for Jan.) Month

Number of child welfare committee-men who have handled children in current month:

CHIBA City	5	Persons	
FUNABASHI City	2	"	
ICHIKAWA City	8	"	
CHOSHI City	2	"	
TATEYAMA City	2	"	
KISARAZU City	0	"	
MATSUDO City	3	"	
CHIBA-Gun	7	Persons	
ICHIHARA-Gun	9	"	
KIMITSU-Gun	9	"	
CHOSEI-Gun	8	"	
SAMBU-Gun	18	"	
IMBA-Gun	2	"	
KATORI-Gun	1	"	
KAIJO-Gun	2	"	
SOSA-Gun		"	
ISUMI-Gun	2	"	
AWA-Gun	4		
HIGASHIKATSU-SHIKA-Gun	6	"	
Total	83	"	

Classification	Male	Female	Total
(1) Number of children handled directly by child welfare committee-men	569	531	1100
(2) " " " " by reference from child welfare officials	5	1	6
(3) " " " " " " " " consultation offices	0	1	1
(4) " " " " " " " " school child welfare consultants.	3	2	5
Total	577	535	1112
Re: Consultation and Guidance			
General Children			
(1) Consultation on education	18	11	29
(2) " " health	468	455	923
(3) " " up bringing	3	8	11
(4) " " employment	1	3	4
(5) Group guidance	80	69	149
Total	570	546	1116
Special Children			
(1) Orphans or waifs	9	7	16
(2) Delinquent juveniles	3	4	7
(3) Worse-treated children	4	2	6
(4) Feeble-minded children	1	0	1
(5) Feeble-bodied children a. Crippled	1	1	2
b. Feeble-bodied	6	2	8
c. Infantile paralysis	1	0	1
(6) Blind, deaf and dumb	2	4	6

Classification	Male	Female	Total
(1) Number of children handled directly by child welfare committee-men	569	531	1100
(2) " " " " by reference from child welfare officials	5	1	6
(3) " " " " " " " " consultation offices	0	1	1
(4) " " " " " " " " school child welfare consultants.	3	2	5
Total	577	535	1112
Re: Consultation and Guidance			
General Children			
(1) Consultation on education	18	11	29
(2) " " health	468	455	923
(3) " " up bringing	3	8	11
(4) " " employment	1	3	4
(5) Group guidance	80	69	149
Total	570	546	1116
Special Children			
(1) Orphans or waifs	9	7	16
(2) Delinquent juveniles	3	4	7
(3) Worse-treated children	4	2	6
(4) Feeble-minded children	1	0	1
(5) Feeble-bodied children a. Crippled	1	1	2
(5) Feeble-bodied children b. Feeble-bodied	6	2	8
(5) Feeble-bodied children c. Infantile paralysis	1	0	1
(6) Blind, deaf and dumb	2	4	6
(7) Others	0	1	1
Total	27	21	48
Pre-Natal and Post-Natal care and health guidance			
(1) Pre-Natal care	0	2	2
(2) Post-Natal care and protection given to babies (within one year)	1	3	4
(3) Protection given to children (1-6 years age) and post-natal care	1	1	2
(4) Protection given to mother and children	4	0	4
Total	6	6	12
Guidance on Foster-parents			
(1) Number of applicants to become foster-parents	1	2	3
(2) Number of foster-parents to whom guidance was given	2	4	6
(3) Number of individual children classed child laborers & slavery cases	3	0	3
Total	6	6	12
Disposals			
(1) Number of individuals handled by child welfare committee-men	571	528	1099
(2) " " " referred to child welfare officials	3	3	6
(3) " " " " " child consultation offices	2	2	4
(4) Number of cases not yet disposed of	1	2	3
Total	577	535	1112

Remarks: The Numerals in ( ) in the above table show that they were handled twice within the month or carried over from the previous month.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 773 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

3. Copy of Child Welfare Report submitted monthly to Welfare Min

State of Protection of vagrants submitted for Jan. 1950.

Sex distinction	No. of inmates accommodated in institutions as of the end of the previous month	Increase: No. of vagrants accomodated in institutions during this month ( ) shows reaccomodated vagrants	Decrease: Released: For being care taken by relatives	Released: For having reached to the limit age	Released: Other reasons	Released: For death	Released: Total	Changed: Transaccomodated in national or outside Pref. institutions	Changed: Trusted to Foster-parents	Changed: The 2nd number of the 1st clause of the Article 27 of the Law	Changed: Others	To
Male	94	(5)	1				1	2		2		
Female	9	(1)	1				1					
Total	113	(6)	2				2	2		2		

No. of inmates accommodated in institutions as of the end of the previous month is excluded of those who are accommodated in Tokyo Metropolitan two institutions.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

eport submitted monthly to Welfare Ministry:

rts submitted for Jan. 1950. CHIBA Prefecture.

al	Decrease: Changed: Trans-accommodated in national or outside Pref. institutions	Trusted to Foster-parents	The 2nd number of the 1st clause of the Article 27 of the Law	Others	Total	Grand Total	No. of inmates in institutions as of the end of this month.	Suspension of the measure: Flight	Others	Total	Estimated number of vagrants left unaccommodated as of the end of this month.	Remarks
4	2		2		4	5	94					
1						1	9					
2	2		2		4	6	113					

as of the end of the previous month is
okyo Metropolitan two institutions.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(Extract from IH & W WK Bulletin of SCAP #110)

Child Welfare - Private Reformatories (Shonen Hogo Shisetsu or Shonen Hogo Dantai)

Private reformatories, which are to go out of existence by 31 March, are, in many cases, applying for licenses as children's institutions under the Child Welfare Law. Many of the higher type institutions will be purchased by the Attorney General's Office and will become national reformatories. Some of the residual group are good and some are extremely bad, or may be considered so in light of the services they perform.

Instructions are being sent out from the Children's Bureau that applications from such institutions shall be reviewed with extreme caution and that all such institutions must qualify under the Minimum Standards for Children's Institutions. It would appear that the only one for which they might conceivably qualify would be Homes for Dependent, Neglected and Abused Children.

Since this will be the first opportunity for most prefectures to accept or reject such applications, it is suggested that Welfare Officers surveill Children's Sections operations concerning this problem. It is probable that considerable pressure will be placed on some officials in order to gain a license.

Consideration should be given to:

a. Need for additional children's institutions in the area.

b. Quality of staff.

c. Whether theinstitution is a workshop. If so, the benefits to be derived from it as a children's institution might be seriously questioned.

d. Physical plant and location.

e. Suggestion that the institution be used for vocational training under the education or labor laws, or be used to house and train apprentices under the labor laws.

There is considerable evidence that many such reformatories have been in business only to secure cheap labor and tax-free operation. There are suspected instances of collusion between operators and officials in securing these benefits.

Paid by Jus. Min.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

HATSU JI No. 72 15 June 1949

TO: Each of the Governors of To, Do, Fu and the Prefectures

FROM: Vice-Welfare Minister

RE: Relations between Child Welfare Law and Juvenile Law.

Notifications regarding to the relations between Juvenile Law (1948 Law No. 168) and Child Welfare Law (1947 Law No. 164) has been given by di Hatsu No. 897, December 28th, 1948 "The Relations between amended Juvenile Law and Child Welfare Law". The Juvenile Law and Child Welfare Law, however, have been partially amended at the fifth Diet and promulgated on June 15, 1949 and enforced on the same day.

The relations between Juvenile Law and Child Welfare Law have been mixed and confused in their jurisdictions and complicated and difficult to understand. But the present amendments have adjusted their relations so far and hereafter both Laws shall be treated as follows:

NOTE: (2) Age shall be counted in full and "The Head of the Child Welfare Station" in "The Governor of To, Do, Fu, or the prefecture or the head of the Child Welfare Station" means the head of the Child Welfare Section who has been authorized under the provisions of Article 32 of Child Welfare Law only.

I. Main Points in the Present Amendments.

1. Expansion of the scope to be dealt by Child Welfare Law due to the amendment of Juvenile Law.

Up to this time (a) "a juvenile who has committed a crime and a juvenile under fourteen years of age who has violated a criminal law or ordinance" and (b) "a juvenile over fourteen years of age who in in danger of committing a crime" have been put on trial at the Family Court exclusively and were not to be treated in the child welfare station. But according to the present amendment any person who has found (a) "a juvenile under fourteen years of age who had violated a criminal law or ordinance" is required to report him to the child welfare station instead of the Family Court and (b) "a juvenile over fourteen and under eighteen years of age who is in danger of committing a crime" may be reported either to the child welfare station or to the Family Court.

2. Use of compulsory measures toward the Child.

Up to this time there were no definite regulation concerning the use of the compulsory measure toward a child by the child welfare agencies. But by the present amendments provision is made so that such cases with exception of the case considered to fall under the provision of Articles 33 and 47 shall be referred to the Family Court when the governor of To, Do, Fu, or the prefecture or the head of the child welfare center deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty, (Child Welfare Law,

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 27-2 and Juvenile Law, Article 7, par 3) by which their relations have been clarified. Moreover in connection with it the provisions of Article 18, par 2 of Juvenile Law, "In the case of juveniles referred to the Family Court by the Prefectural Governor or the head of the child welfare center, the Family Court may remand the juvenile to the child welfare center with instructions as to the type of care and other measures to be taken" and Article 27, par 2 of Child Welfare Law, "the governor of To, Do, Fu, or the Prefecture shall follow the direction based on the decision of the Family Court when the compulsory measure is to be resorted to the child referred to by the provision of Article 18, par 2 of Juvenile Law" have been made.

3. Other Adjustment of Juvenile Law and Child Welfare Law

Up to this time there were no provision of Article 18, par 2 of Juvenile Law" to accept a juvenile referred to the governor of To, Do, Fu, or the prefecture or the head of the child welfare station from the Family Court, in accordance to the provision of Article 18 of Juvenile Law. But the amendment provides Articles 26 and 27 of Child Welfare Law to take care of the above.

II. Relations between Child Welfare Law and Juvenile Law

1. Report

The relations between a child who is to be reported to the Child Welfare Station (including its personnel) and a juvenile who is to be reported to the Family Court are as follows:

(Juvenile Law, Article 3 and Child Welfare Law, Article 25, provisio)

(1) The delinquent and predelinquent children -- to the child welfare station.

(2) A Child under fourteen years of age who is in danger of committing a crime -- to the child welfare station.

(3) A child over fourteen and under eighteen years of age who is in danger of committing a crime -- to the child welfare station or the Family Court.

(4) A juvenile over eighteen years of age who has violated a criminal law or ordinance -- to the child welfare station.

(5) A child under fourteen years of age who has violated a criminal law or ordinace -- to the child welfare station.

(6) A juvenile over fourteen years of age who has committed crime -- to the Family Court.

The term "the juvenile who is in danger of committing a crime" in Items 2 to 4 inclusive means the one who is of ill nature and has a great possibility of committing a crime in the future especially in view of his character and his surrounding circumstances, among those who fall under the provisions from (a) to (d) in Article 3, par 1, Item 3 of amended Juvenile Law, "The Juvenile who has committed a crime" in Item 6 means the one who is suspected of some concrete larceny and not the one who is considered to have committed a crime sometime in view of his previous history.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(2) As all the persons who have found children stated in Items 1 to 3 inclusive and 5 are obliged to report to the Child Welfare Station, every effort shall be taken to have the general public understand and especially the child welfare official and the child welfare worker shall be required to do this reporting.

(3) A large number of these reports to the Child Welfare Station may be given by the National Rural Police Official or the Municipal Police Official, thereupon every effort shall be made to maintain a close liaison with the competent police station and to try to get its cooperation concerning the transportation of the child.

(4) A juvenile over fourteen and under eighteen years of age who is in danger of committing crime may be reported either to the child welfare station or to the Family Court. In this case although the responsibility of the report seems to be dual if the report is made either to the Child Welfare Station or the Family Court, it does not need to report to the other.

(5) When the family Court discovered a juvenile under fourteen years of age, after accepted, the juvenile is reported to the Child Welfare Station by the Probation Officer and the Child Welfare Station shall receive the case in accordance with Article 25 of Child Welfare Law. In case a juvenile is under the care of a Juvenile Detention Home it is assumed to be difficult to fetch the juvenile under the present situation of the child welfare station the cooperation of the Family Court to bring the juvenile shall be asked.

(6) When the child welfare station discovered a juvenile over fourteen years of age who had committed a crime or a juvenile over eighteen years of age after accepted, the case shall be reported to the Family Court by the Child Welfare official or the child welfare worker.

2. Protection of the Child

(1) Protection of the child who has been reported

(a) The governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station shall be responsible for the protection of the child who has been reported in accordance with the provisions of Article 26 or Article 27 of Child Welfare Law.

(b) In accordance with the amendment of Juvenile Reformatory Law (1948 Law No. 20, enforced on May 30, 1948) the Junior Juvenile Detention Home is not to admit a juvenile under fourteen years of age. (Amended Juvenile Reformatory Law Article 2, par 2) and the Local Juvenile Protection Commission which is established in accordance with the provisions of Offenders Prevention and Rehabilitation Law 1948 Law No. 142, enforced on July 1, 1948) also is not to deal with the juvenile under fourteen years of age. Hereafter every child under fourteen years of age is to be protected by the Child Welfare Agencies and the children in need of the special attention and ingenuity in the training and education are expected to be admitted to the Child Welfare Agencies, therefore every effort shall be made in reorganizing the agencies for accepting them.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. Protection of the child transferred in accordance with Article 18, par I of Juvenile Law

(a) The Family Court shall, when it deems it proper, upon investigation of a juvenile reported there to take measures in accordance with the provisions of Child Welfare Law, transfer the case to the competent prefectural governor or the head of the Child Welfare Station by its decision the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station who has received such case shall take the most adequate measure for each child based upon its own investigation and diagnoses as well as referring to the result of investigation of the Family Court.

(b) When a case is to be transferred to the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station in accordance with the provisions Article 18 of Juvenile Law, as it is assumed to be difficult to fetch a child from the Juvenile Detention Home to the Child Welfare Station under the present situation of the Child Welfare Station, in such cases some arrangement should be made with the Family Court so that a probation officer, a National Rural Police Official, a Municipal Police official or a worker of the Juvenile Detention Home may bring the child.

3 Protection of the child transferred in accordance with Article 24, par I, Item 2 of Juvenile Law.

(a) As the Family Court is to send an inquiry to the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Center regarding the reserve capacity etc., of the home for juvenile training and education or the home for dependent, neglected ahd abused children for an admittance in view of the need to decide for the referral to either of them in accordance with the provision of Item 2, par I of Article 24 of Juvenile Law as one of the protective dispositions, upon the receipt of such inquiry the information shall be given to the Family Court after careful consideration on the actual situations of the institution under your jurisdiction.

(b) Even when the protective disposition of Article 24, par 1, Item 2 of Juvenile Law is decided, it is a general rule to refer the child to the Child Welfare Station and not directly to the home for juvenile training and education or the home for dependent, neglected and abused children (Rules of Juvenile Trial, Article 37, par 2).

(c) As it is considered to be difficult to do this referral of part of the Child Welfare Station under its present situation, in such cases some arrangement shall be made with the Family Court so that a probation officer, a National Rural Police official, a Municipal Police official or a worker of the Juvenile Detention Home may bring the child.

(d) When the child has been transferred to the child welfare station from the Family Court, the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station shall decide which institution the child should be actually admitted referring to the result of investigation made by the Family Court and within the freme of the disposition made by the Family Court and the measure of Article 27, par 1, Item 3 shall be taken in addition to the dispositions of the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Family Court. Consequently To, Do, Fu or the prefecture shall pay the expense for the above measure.

(e) It is not necessary to obtain an understanding of the Family Court beforehand regarding the release or change of the measure for the child admitted to the home for juvenile training and education or the home for dependent, neglected and abused children. The governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station may release or change the measure whenever he deems it necessary. But the release or the change of the measure shall be reported to the competent Family Court afterwards.

(f) When the child is transferred to the home for juvenile training and education or the home for dependent, neglected and abused children according to Article 24, par 1, Item 2, the Family Court may request to submit a report or an opinion in regard to the juvenile, (Juvenile Law Article 28) or make a suggestion concerning the measure for the child. Such transactions shall be made through the governor of To, Do, Fu or the prefecture or the head of the child welfare station.

(4) Use of the Compulsory Measure for the Child.

(a) When the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty with the child who is under the temporary protection or is placed in the home for juvenile training and education etc., such cases, with exception of the case considered to fall under the temporary shelter or the assumption of the parental right, shall be referred to the Family Court. (Child Welfare Law, Article 27-2).

When the superintendent of the home for juvenile training and education etc., deems it necessary to take any compulsory measure of the preceding paragraph over the child therein, he shall be guided to apply for it to the governor of To, Do, Fu or the prefecture through the head of the child welfare station with its reason.

(b) "When the compulsory measure is necessary" is considered to mean chiefly when the child is in need to be confined in a place with special equipment which facilitates to restrict or check the freedom of movement; (restriction of freedom of movement; the same shall apply hereinafter), but, at any time when any question arises with the concrete case it shall be referred to the Welfare Ministry.

(c) As the home for juvenile training and education has the essential purpose to train and educate the child without resorting to any compulsory measure, every effort shall be made to stick to this essential and the referral to the Family Court should be limited to the unavoidable and exceptional one only. Therefore for the development and the improvement of the skill in the training and education in the home for juvenile training and education, etc., much more study and guidance shall be made and given hereafter.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(d) The homes for juvenile training and education which are designated as those allowed to resort to the compulsory measure according to the decision made by the Family Court are besides National Musashino Gakuin as follows:

Miyagi Prefecture	Shuyo Gakuin
Tokyo-To	Seimei Gakuin
Tokyo-To	Hagiyamajitsumu Gakko
Kanagawa Prefecture	Kokufu-jisshu Gakko
Aichi Prefecture	Aichi Gakuen
Kyoto-fu	Koyo Gakko
Osaka-fu	Shitoku Gakuin
Hyogo Prefecture	Noko Gakko
Hiroshima Prefecture	Hiroshima Gakuen
Fukuoka Prefecture	Fukuoka Gakuen

As the governor of Do or the prefecture or the head of the child welfare station under those jurisdiction there is only the kyogoin which do not fall under the above has to refer the case sent by the Family Court under the provision of Juvenile Law, Article 18, par 2, to the governor of To, Do, Fu or the prefecture who has the jurisdiction over the Kyogoin where the compulsory measure may be exercised or the superintendent of Musashino Gakuin to take care of the child, the preliminary understanding must be obtained for the case to be referred to the Family Court.

(e) When the case is to be referred to the Family Court, the referral sheet containing the following items shall be used (Rules of Juvenile Trial, Article 8). In this referral sheet the statement that the case is referred also under the provisions of Law, Article 27-2.

A. The names, ages, sexes, occupations, address of residence and the permanent domicile address of the juvenile and his guardian, and the institution where the juvenile is living at present, and its location.

B. The detailed reasons to make him committable for the compulsory measure.

C. Any other such matters as serve as references.

(f) It is presumed that the decision of the Family Court would be made with reference to the result of investigation and diagnosis made by the child welfare center, thereupon a copy of the investigation sheet of the child welfare center containing the child's history, behavior, health conditions and such other data as serve as references regarding the child welfare shall be forwarded to the Family Court as a part of the material of "Such matters as serve as references" of Item C of the preceding paragraph (e). Any other materials which serve an evidence and other references for trial at the Family Court, if any, shall be forwarded coupled with the above.

(g) When the governor of To, Do, Fu or the prefecture or the head of the child welfare center is referring a case to the Family Court in accordance with the provisions of the Child welfare law, Article 27-2, he may forward the referral sheet only or send the child with this referral sheet according to the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

circumstances concerning which an arrangement with a complete understanding shall be made with the Family Court concerned. When the child is not sent to the Court, every effort shall be made to prevent the escape of the child until the decision of the Family Court be made; provided that during this period the Family Court has not made the decision, no compulsory measure such as confine the child in a room etc., shall be taken.

(h) When a child is summoned to the Family Court for a trial, the person in charge of the supervision over the child (the Child Welfare Center or the Kyogo-in personnel) shall go with the child to the designated place on the date for trial. The trial may be done some times at the place where the child is cared and protected.

(i) As the decision of the case referred to the Family Court in accordance with the Child Welfare law, Article 27-2 is to be made according to the independent view of the Family Court, the case may be referred back again to the governor of To, Do, Fu or the prefecture or the head of the child welfare center in accordance with Juvenile law, Article 18, par 2, or may be placed under the protective disposition of the Juvenile Law, Article 24, par 1, item 1 (to be placed under the probation of the District Youth Offender Prevention and Rehabilitation Board) or of ibid Item 3. (To be committed to a reformatory).

(j) When the case is referred by the Family Court in accordance with the Juvenile Law, Article 18, par 2, the governor of To, Do, Fu or the prefecture or the head of the child welfare center shall take the following measures:

A. In the case of To, Do, Fu or the prefecture under which jurisdiction the Kyogoin where the compulsory measure may be taken is located.

The measure of Child Welfare law Article 27, par 1, Item 3 shall be taken (provided, there is no need of it when the child is in Kyogoin), a copy of the decision sheet of the Family Court shall be sent to the superintendent of the Kyogoin and the strict guidance and supervision shall be made not to taken a compulsory measre beyong the limit of the decision by the Family Court.

B. In the case of To, Do, Fu or the prefectures under which jurisdiction the Kyogoing with no compulsory measure allowed:

(A) In case the child is to be sent to Kyogoin other than National Kusashino Gakuin, a copy of the decision sheet of the Family Court and the sheet containing the expected date of the child's entrance shall be sent to the governor of To, Do, Fu or the prefecture who has given his approval already and the guidance and supervision over the child be requested, and at the same time the person who is in charge of the child's supervision and protection (child welfare center or Kyogoin personnel) shall take the child to the designated Kyogoin. The governor of To or the prefecture or the head of the child welfare center shall take the measure in accordance with the provisions of the Child Welfare Law, Article 27, par 1, Item 3 for the child and the necessary expenses after his admission to the institution shall be sent to To, Do, Fu or the prefecture under which jurisdiction the competent Kyogoing locates. The amount of the expense shall be what the governor of To, Fu or the prefecture sets with the particular Kyogoin.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(B) In case the child is placed in the National Musashino-gakuin. A copy of the decision sheet of the Family Court and the sheet with the date of the child's entrance shall be sent to the Superintendent of the National Musashino Gakuin and ask him for his training and education of the child, and at the same time the person in charge of the supervision and protection over the child shall take the child to the National Kyogoin. It is needless to say that the measure of the Child Welfare Law, Article 27, par 1, Item 3 must be taken, but Do or the prefecture need not to pay the expenses after his admission. The superintendent of the National Musashino Gakuin shall take responsibility for the training and education of the child.

(k) The decision of the court chiefly shows the maximum limit the compulsory measure may be taken and it does not mean the compulsory power shall be used necessarily to its maximum limit or rather need not be taken at, shall with the cases possible. Therefore this olicy shall be well understood, and the adequate guidance shall be made not to abuse the compulsive power upon the child without good reason. But the decision of the Family Court means the obligatory one, then, the compulsion must be exercised.

(12) In case the freedom of the child's movement is restricted as a phase of the compulsory measure based on the decision of the Family Court, the attention shall be payed to the following points.

A. As the restriction of freedom of the movement is exercised in order to achieve the purpose of training and education, every attention shall be paid that the restriction of freedom of the movement shall not be conducted for its own sake. While the restriction of freedom of the movement is conducted, every effort shall be made to fulfull the end of care and protection for the child by using the adequate measure based upon the continuous observation of the child's life.

B. It is needless to say that the restriction of freedom of the movement should be exercised within the limit directed by the Family Court, but it should be made within t e minimum period of time and the minimum limit to be needed.

C. In case the restriction of freedom of the movement is taken the opinion of a psychiatrist and other specialists must be requested.

D. The child shall be placed comfortably in the living environment, still, bright and isolated from the outside.

E. The restriction of freedom of the movement shall be exercised with the full consideration on the child's health and supervision.

(m) It is not required to obtain the approval of the Family Court in order to release or change the measure of the child who is placed in Kyogoin based upon the decision of the Family Court. The governor of To, Do, Fu or the prefecture or the head of the child welfare center may release or change the measure at any time when he thinks it necessary (however, when the decision of the Family

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Court is an obligatory one, then he must obey this decision). This measure shall be taken based upon the opinion of the superintendent of Kyogoin in case of (j) A, upon the opinion of the governor of To, Do, Fu or the prefecture under whose jurisdiction the Kyogoin where the child is placed is located in case of B-(A), upon the opinion of governor of To, Do, Fu or the prefecture under whose jurisdiction the Kyogoin where the child is placed located in case of B-(B), and upon the opinion of the Superintendent of the National Musashino Gakuin in case of B-(B). When the above measure is taken it must be reported to the Family Court afterwards.

(n) It should be considered as a general rule that the Kyogoin where the child is placed according to (j)-B-(A) and (B) based upon the decision of the Family Court is to keep the child during just the period in need of the compulsory measures and during the minimum period necessary for the training and education in accompany with it. Therefore when the governor of To, Do, Fu or the prefecture under whose jurisdiction such Kyogoin is, or the superintendent of the National Musashino Gakuin requests the release or change of the measure for the child, the governor of Do or the prefecture who had asked for the training and education of the child, or the head of the Child Welfare Center must take the responsibility for the care of the child and not to impose a too heavy burden on the superintendent of Kyogoin.

(5) Temporary care and the use of the parental right. The compulsory measure may be taken toward the child without the decision of the Family Court when the superintendent of the child welfare agency should exercise this parental right over the child based on the temporary care as provided by Article 33 of the Child Welfare Law and Article 47 of the same Law. But the temporary care is not the ultimate dispostion for treatment is made and when the superintendents of the Child Welfare Agencies assume the parental right, they may take the compulsory measure over the children as the parental right had its own limit in the light of its character.

(b) The authority of the temporary care may be exercised for the protection of the child without regarding the child's own will if it is necessary.

(c) If a question is raised of the limit of the parental right assumed by the superintendents of the Child Welfare Agencies, it may be inquired with the Welfare Ministry. But to bring an absender child back may be done as right within the parental right. To confine a child in a room is beyond the parental right and cannot be carried without the decision of the Family Court as stated above.

III. The Close Liaisons between the Agencies Concerned.

As the Child Welfare Law and Juvenile Law are concurrently concerned with the protection of the child, the close liaisons with not only the Family Court but also the police and other Agencies concerned shall be kept for their smooth enforcements.

This instruction is prepared with the understandings of the Family Court and to the Unite of the Criminal Affairs of the National Police.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Referring the organization and operation

etc of the Local Child Welfare Board

1. Appointment of the members of the Board.

(1) Considering that the Local Child Welfare Board is the agency which represents the public opinion and is to become the driving force for child welfare, the selection of the Board members must be made out of all sorts of powerful persons of the men of learning, business men, literary men, the persons engaged in publicity works such as journalists and radio people etc. and the public officials concerned etc. besides those engaged in Child Welfare Services.

(2) The prefectures (Tokyo, Kanagawa, Aichi, Kyoto, Osaka, Hyogo, Fukuoka) which have the committees for the protection of vagrant and similar children according to the Notification No. 387 from Social Welfare Bureau, April 15, 1946, and the Notification No. 115 from Welfare Ministry, Sept 19, 1946, (exclusive of the committees for protection of vagrant and similar children in Tokyo-Yokohama district and in Kyoto-Osaka-Hyogo district.) shall make effort to appoint some of the members of the committees as the new Local Child Welfare Board members and othersmay be appointed as temporary members or child welfare workers etc. or by any other proper way in order to keep their zest and interest in child welfare work alive.

The same shall be applied with other prefectures beside those above said where there are the child protection committees.

(3) The members and the temporary members of the Local Child Welfare Board shall be honorary.

(4) The number of Local Child Welfare Board members who are the public officials concerned shall not exceed one fourth of the total number of the Board members.

(5) The tenure of Local Child Welfare Board membership, excepting those who are the public officials concerned is two years, provided that it may be dissolved before the tenure is expired for the special reasons. The tenure of the supplementary member is the time left his predecessor.

2. Operation of the Board.

(1) The Chairman of the Local Child Welfare Board presides over the Board and is to call the Board meeting.

Although the chairman is selected through votes by the members, you shall make effort so that the first class civilian who is most interested in the child welfare work may be selected.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(2) The chairman of the Local Child Welfare Board shall call the Local Child Welfare Board meeting at the request of the governor of Metropolis, Hokkaido or the prefecture, or the request of one fourth or more of the Board members.

(3) All matters of the Local Child Welfare Board shall be decided by a majority of those present.

In the case of the same number for the both the chairman of Board shall decide the issue.

(4) In the case you have the committees for protection of vagrant and other children etc., in the cities, towns, villages, etc., in your prefecture, you shall utilize them as the sub-committees of the Local Child Welfare Board encouraging their activities and their growth by keeping with close liaison.

(5) The Local Child Welfare Board which have common problems with the already established committees for protection of vagrant and other children in Tokyo-Yokohama district and in Kyoto-Osaka-Hyogo district, shall cooperate them in close liaison and promote the child welfare work.

3. Function and competence of the Board.

(1) Investigating and discussing the problem of Welfare of children and expectant and nursing mothers.

(2) The Local Child Welfare Board may answer the inquiry of the governors of Metropolis, Hokkaido or the prefecture or make recommendations to the administrative offices concerned.

(3) The Local Child Welfare Board may ask the administrative office concerned for the presence and explanation by the competent officials and presentation of the documents when there is special need.

(4) When Child Welfare Agencies do not reach the minimum standards in their equipment and operations, and the administrative office will order the agencies to correct it or terminate their services according to the provision of Article 46 of the law the opinion of the Child Welfare Board must be referred to.

(5) When Metropolis, Hokkaido and the prefecture will establish Kyogo-in, according to the provision of Article 13 of the draft of Cabinet Order for Enforcement of Child Welfare Law, the governor of Metropolis, Hokkaido or the prefecture shall decide the number and the capacity of Kyogo-in after referring to the opinion of the Local Child Welfare Board.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(6) When the governor of Metropolis, Hokkaido or the prefecture will register one who wishes to be a foster parent according to the provision of Article 32 of the draft of Enforcement Regulation of Child Welfare Law, the opinion of the Local Child Welfare Board shall be referred to.

Referring appointment, supervision and guidance etc. of the Child Welfare Officials.

1. Appointment.

(1) According to the Article 9 of the draft of Cabinet Order, the child welfare officials should be persons of practical ability and skill as case workers and of mature character.

(2) According to the Item 4 of the Article 9, concerning persons whose qualification is to be certified, governor should present records of their history with governor's opinion to the Welfare Ministry, and get approval of the Welfare Ministry.

(3) About the Number and distribution of the Child Welfare Officials, you have been notified already by No. 26 issued by Welfare Ministry on Dec 23, 1947.

Concerning the distribution in your prefecture according to the Article 11, paragraph 3 of the Law you shall locate them with priority in the cities with more children's problem.

(4) As the duty of child welfare officials is right in the field as the case-workers, you should be careful not to use them as ordinary officer clerks. There should be a strict division.

(5) The work centers of the child welfare officials are child welfare stations and in the district where there are not child welfare station, the centers may be put at the district offices, city, town or village offices or other proper child welfare agencies.

2. Duties.

(1) Child Welfare Officials should study and always be well acquainted with the conditions of the children and the expectant and nursing mothers of his district.

(2) Child welfare officials should receive consultation of any child welfare problems and give necessary advices.

(3) Child welfare officials should try to discover any problem at an early stage and give proper treatment according to the scientific diagnosis.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(4) Child welfare officials should maintain close liaison with the offices such as local government, district, city, town and village offices, in his assigned district and work in close touch with them.

(5) Child welfare officials should maintain close liaison with child welfare station, child welfare agencies or other agencies of the similar interests and help them for promoting their purposes.

(6) Child welfare officials should work with sure and prompt activities in carrying out his duties and keep his records in good conditions so that they can be available at any convenience.

(7) Child welfare officials can be a group work leader if necessary.

(8) The task above mentioned in Item 1 to 7 inclusive should be carried out with the cooperation of the district child welfare workers.

(9) For the children placed under the guidance of the child welfare official under the provision of Article 27, paragraph 1, Item c of the Law he should always keep in close touch with the children and their guardians so that the purpose of the protection and the guidance are well met.

3. Guidance and Supervision for Child Welfare Officials.

(1) Considering the importance of Child Welfare Officials Work, the director of Welfare Bureau, the chief of Child Welfare Section and the other officials concerned in your local government should be careful in supervising the child welfare officials and especially make full effort to give them guidance and training.

(2) You should require the child welfare officials in your Prefecture to have meeting periodically and have chances of your guiding and improving themselves concerning their work mutually.

(3) You should require the child welfare officials to keep the diaries of child welfare works and utilize them as materials for supervision.

(4) Although Welfare Ministry is planning the short training schedule for the child welfare officials, you should also plan the training course for them in order to improve their work.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

ENFORCEMENT OF CHILD WELFARE LAW

Ji-Hatsu No. 20. March 31st 1948

Child Welfare Law promulgated on Dec. 12th 1947 with its Cabinet order and Ministerial Ordinance is to insure the protection of all children especially those who were thrown out without parental care by war disasters and dislocated by various reason and make its fundamental principle clear. Success or failure of its operation will bring direct result for the future of child welfare in this country. So your full cooperation and intelligence on the following points are most needed (In this instruction Child Welfare Law is called as Law, Cabinet Order as Order and Ministerial Regulation as Regulation).

I. General

1. Importance of principle (Article 1 and 2). It should permeat into every level of services of Child Welfare Official, Worker, Child Welfare Station and their guidances and services of Child Welfare Board etc.

2. Coordinated operation with other laws (School Education, Labor Standardization, Juvenile, National Medical Treatment Laws).

3. Utilization with Juvenile Training and Ecuation Law and Law for Prevention of Curelty to Children. Both Laws were superseded by present Law. Dispositions under provision of these Laws are to be regarded under the provision of present Law. Ordinances for National and Prefectural Kyogo-In Personnel are to be left in tact with a partial revision.

4. Utilization of services of Child Welfare Station. Child Welfare Officials and Child Welfare Workers not only for the children in special need but also for general children to prevent from delinquency and to promote their welfare.

II. Child Welfare Board.

1. Because of Child Welfare Board is to represent the public opinions concerning probelms and work as a wodge for Child Welfare, selection of its members must be made from people of highest standing of Widely varied fields such as scholars, men of insudtry and commerce, literalists, publicity men of press and radio etc. It is to be instructed by Jou that the chairman of the board will be selected from the citizen members.

2. The members of Committee for Child Protection (Apr. 15th 1946, Sha-Hatsu Instruction No. 387) and Committees for Protection of Dislocated Children of Tokyo, Kanagawa, Aichi, Kyoto, Osaka, Hyogo and Fukuoka (Sept. 19th 1946, Hatsusha Instruction No. 115) who are deemed to be adequate shall be appointed as members or temporary members of Local Child Welfare Boards, Child Welfare Workers or by an other proper method arranged to have their interest in child welfare kept.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

It is the same with other prefectures besides the above seven where there are child protection boards.

3. Committees for Child Welfare in sub-divisions in your prefecture shall be so functionally arranged as they would work as subcommittees for the local (prefectural) Child Welfare Board working together in close co-ordination.

4. Coordination of local Child Welfare Boards with existing Keihin and Keihan Local Committees for Protection of dislocated chilren.

5. .Local Child Welfare Board is to investigate and discuss the problems of children. It is the Organ more than just consultation and to participate substantially with administration at the following points.

a). When the governor will order the establishment of Child Welfare Agency (Law, Art. 35, Para. 3).

b). When the governor will order the termination of service of Child Welfare Agency (Law, Art, 46, Para. 2 or Law, Art, 58, Para. 2)

c). When a foster parent will be registered (Regulation, Art, 31).

d). When matters regarding foster parent will be regulated (Regulation, Art 33).

6. The Board shall be called so and so (Name of the location) local Child Welfare Board.

7. As soon as the Board members were appointed, the list of the members containing the names, ages, occupations etc. shall be sent to this Bureau. The same is required at the time of release.

III. Child Welfare Official and Child Welfare Worker.

1. Selection of Child Welfare Official must be made on the basis of character and ability for case work (Order, Art. 8).

2. Whenever the Child Welfare Official is to be appointed under the provision of Cabinet Order, Article 8 Item 5 "Other persons having equal and similar qualification for Child Welfare Officials, the case shall be consulted to this Bureau would personal history of the candidate.

3. Instruction about the number and distribution of Child Welfare Officials has been made on Dec. 23rd, 1947 (Ji-Hatsu No. 26). The more congested areas with more children's problems in your district shall have the priority.

4. The Office of Child Welfare Officials who have to perform case work with children shall not be mixed up with the Office Wrokers.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

5. The Office of Child Welfere Officials shall be located in Child Welfare Station. But in case of the absence of the station, it may be located in the Local Office, prefectural Branch Office, Offices of city, ward, twon or village or any proper Child We fare Agency.

6. Minsei-Iin will become automatically Child Welfare Worker. For this reason reselection of Minsei-Iin is going to be made but of such persons adequate for both Minsei-Iin and Child Welfare Worker.

The following measures shall be arranged by you.

a). Training courses for Child Welfare Workers to be given.

b). Utilizing the organization of Minsei-Iin for study on children's problems.

7. Responsibilities of the Child Welfare Officials and the Child Welfare Worker.

a). Thorough investigation andiknowledge of the conditions of the children and pregnent and nursing mothers in her area.

b). Consultation, advise for, early discovery of and taking necessary measures for children's problems. In order to insure her effective service, a record for each child must be kept and work diary shall be kept by each Child Welfare Official.

c). Keeping a good liaison with the workers in the offices of city, ward, town or village, local office, or the prefectural Officers in her area.

d). Liaison and functional coordination with Child Welfare Station, Child Welfare Agencies and any other facilities pertaining child welfare.

e). When necessary recreation and more positive activities for promotion of child welfare by group guidance.

f). The Child Welfare Official shall guide the Child Welfare Workers in her area and execute her duty with their cooperations.

g). Keeping close touch with the children or their guardians to unsure the effective service in guiding them (Law, Art. 26, Para. 1, Item b of Law, Art. 27, Para. 1. Item b).

8. Recongnizing the importance of the services of Child Welfare Officials and Child Welfare Workers, special attention must be paid for supervision and arrangement for their training by the heads of social Welfare Department Child Section and others in the related sections in your prefecture.

9. Regular conferences of the Child Welfare Officials in your district shall be called for guidance and study.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

10. For training of Child Welfare Officials short course is being planned by the Ministry. Arrangement for teaching course in each of your prefecture shall be also made.

11. Functional coordination of Kyogo case Workders (prefectural officials) established by Ji-Otsu-Hatsu No. 46, Dec 23rd 1947 with Child Welfare Officials and Child Welfare Workers for the special services for these children discharged from Kyogo-In and the children in need of training and education as per the instruction of Jan. 23rd this year.

12. As soon as the Child Welfare Officials were appointed, report shall be made with their personal histories to this Bureau. The same is required at the time of release.

IV. 1. Location of the station is important as it works as the Central organ for child guidance. The areas with congested populat on, juvenil and adolescent delinquencies and the children in need of special care should have the priority in selecting the location.

In case the existing facilities should be utilized, health center, child welfare agencies schools etc. may be used.

2. Utilization of existing materials advised. Small private room for interview shall be equipped.

3. The existing adequate facilities for educational and child health consultation shall be utilized by functional cooperation.

4. The status of Child Welfare Station director and workers is similar with that of Child Welfare Official. All the workers of the Station shall be so trained to be able to do case work.

5. Although the Station has to deal with the children with special problems it should convince the public that the Station is ready to give consultation and advice for the children who are more normally situated.

6. Avoid the stereotyped procedure in treating the children. Sound scientific investigations medical, psychiatric, and psychological (intelligence-investigation should be made.

7. Careful attention must be paid for the cases (Law, Art. 27, Para. 1 Item c) (When the child is to be taken away from his guardian). Social investigation must include visitings.

8. Supervision over the temporary sheltering home attached to the station should be made by the director of the Station. Food, clothing, living conditions and children's play etc. must be careful supervised to avoid their running away.

9. Through knowledge of and good coordination with the related children's agencies, planning the children in fit agencies. Shokutaku may be asked to some convenient workers of such agencies.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

10. Central Child Welfare Station shall always be informed about the actual conditions with in the prefecture, by taking reports from the local Child Welfare Stations.

11. Child Welfare Station must be ready for revalling services so that more communities may be served.

V. Welfare Program and Security.

1. Health guidance card is to be issued by the governor for the persons who are unable to pay for health guidance (Law, Srt, 19, Para. 4). By this care physicians and midwives can be paid by the prefecture. The blanks must be handed to each Child Welfare Worker beforehand.

2. Matters pertaining its expenses will be notified later.

3. Designations of physicians and midwives by the governor must be made wide enough for mothers to make choose.

4. The old pregnant mother's handbook are same in their handling except.

a). The old one was given for mothers only while the new one is for her child through his mother. So in the case of twin two books will be issued

b). Foundling is to have a book.

5. The old one (Pregnant mothers' handbook under the regulation of pregnant mother's handbook) is regarded as the same with the new one and still vailed. Any preschool children who has lost the old book since Jan. 1st this year may receive the new book.

6. The mayor must keep goodliaison with the child welfare officials and Child Welfare Workers not let alone the cases in need (Law, Art. 22 -- indigent pregnant mother's care -- 23 -- mothers with dependent children -- and 24 -- day nursery care).

7. Child Welfare Station shall keep good liaison with city, town, village offices, police Dep't and schools etc., in order to discover early the children in need of special care (Law, Art. 26 -- children without guardians - 27 -- children with inadequate guardians).

8. Liaison with Juvenile court for the cases to be reported to the Court (Law, Art. 25 provise and Juvenile Law, Art. 29).

9. When the station director or the governor is to place the child and his gaurdian under the guidance of a Child Welfare Officials or a Child Welfare Worker, kindly explantation according to the individual case shall be given to them.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

10. Child Welfare Official or Child Welfare Worker must take in account of individual case in studying the children's family economical condition, environment, health condition, age and character etc. and take the measure according to his individual need, Monthly report with her opinion must be submitted to the Station.

11. With the case in need of the approval from the Court of Domestic Relations (Law, Art. 28), the governor must make the appeal to the Court according to Domestic Relaton Court Law enforced from Jan. 1st, 1948, its regulation (Supreme Court Regulation No. 15 Dec. 29th 1947) and its special Regulation (Supreme Court Regulation No. 16, Dec. 29th 1947).

12. In past Welfare Minister's order was needed to admit a child to the National Kyogo-In. But, under the present Law it is not necessary, but just the consent of its superintendent. No change about the children.

13. In case of death, release, termination, suspension or a change of the care of the child (Regulation, Art. 29) the superintendent of the child welfare agency must report it to the child welfare station, the latter's director shall report it accompanied with his opinion to the governor who disposes accordingly (Regulation, Art. 28).

14. In case a child ran away from Kyogo-In, search must be made. If he was not found for 30 days after careful search, application for the measure of Regulation, Art. 27, Item b to the Governor must be made immediately by the superintendent.

15. For the Regulation of a foster parent, the following are important:

a). The person must be genuinely interested in bringing up the child.

b). The person must have a good common sense.

c). The person must be without hereditary or contageous diseases.

d). The person must have a certain property.

e). The environment must be good.

In case a child to be placed in a foster home, the following points must be considered.

a). When the child is placed, a family discord shall not occur.

b). The occupation of the foster parent must be suited the dhild's apptitude.

16. The operative condition of the foster homes may have varieties according to the local conditions. The detail must be studied with the local child Welfare Board and carried out according to the local need.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

17. Governor must supervise through Child Welfare Station etc. to prevent exploitation of the child who is placed in a foster home (Law, Art. 29 or 30).

18. It should be propagated that in case one wishes to consign him to the foster home which is regulated by this law.

19. In order to discover the abused children etc., the governor must order the Child Welfare Worker or Prefectural Officials concerned with child welfare inclusive of Child Welfare Official to step in the place where the child lives for necessary information (Law, Art. 89). It must be done carefully not to be considered as stepping against one's civil right.

20. The children over 18 years of age in the homes for feebleminded children, physically handicapped children and Kyogo-In must be reviewed by child welfare Station in order to avoid for them to be utilized as labor force in these homes. Civil right must be regarded in this.

21. "The public officials concerned with the child welfare work" provided in Law, Art. 29, 46 and 62, include the public employees for city, town and village.

22. The temporary shelter homes established by the prefecture shall be regarded as these attached to the Child Welfare Stations and not independent ones.

23. For the temporary sheltering of a child (Law, Art. 33, para. 1 or 2) the home must be considered from treatment, environment, and the conditions of the agency or the house etc.

24. The temporary sheltering home attached to the Child Welfare Station must have equipment and functions applicable for the same for dependent, neglected and abused children.

25. Punishment of Law, Art. 34, para. 1 is the same provided by child Law for Prevention ofCruelty to children amplified and to which addition of what was lacking. In past under the Enforcement Regulation of Law for Prevention of Cruelty to children, a permission for release of the prohibition regulated by the prefecture may be secured from the governor. But with the present Law, all the items of Article 34, Para. 1 shall be prohimited without exeception.

26. Regarding the word exploitation of the children in the home for dependent, neglected or abused, feebleminded, physically handcapped children or Kyogo-In, it means to use their Labor beyond their capacity and the hours. Actual application shall be measured by the minimum standards of Art. 34, Para. 3.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

VI. Child Welfare Agencies:

1. Prefectures have the responsibility to establish child welfare agencies according to Law, Art. 35, Para 1 which shall be limitted for the time being with Kyogo-In only according to Order, Art. 10. Para. 1.

2. Definitions of Child Welfare Agencies are provided in Law, Art. 35 to 44, and their equipments and operations shall be based on their minimum stadards provided in Law, Art. 45. The following points must be considered.

a). The lying-in agency provided under the present Law is other then those provided by National Medical Treatment Law and what is licenced under this Law for maternity service for indigent mothers.

b). Children's recreational agencies here do not include with the purpose of profit.

c). The homes for physically handicapped children include the homes for the blind, deal or dumb children and the homes for dependent, neglected or abused (normal dependent) children include those where the discharged children from Kyogo-In are to be admitted to give vocational education and after-care for them.

3. The following measures shall be taken for the agencies with child welfare facilities provided by Law. Art. 36 to 44, from Jan. 1st 1948:

a). Kyogo-In under the providion of the old Juvenile Training and Education Law shall become the same under this Law (Art. 67).

b). The agencies with child welfare facilities among the welfare agencies licenced under the provision of Daily Life Security Act shall become automatically the child welfare agencies under this Law (Law, Art. 69).

c). Any agencies other than a and be must secure the approval provided by Law. Art. 35.

d). The face card for each child welfare agency must be filled according to the classification of their services.

4. The assumption of parental right over the child under his care must be limitted only when it is inevitable in Kyogo-In for instance.

5. Education of the children in the homes for dependent, neglected, abused, feebleminded or physically handicapped children under the provision of school Education Act may be provided by one of the following with Kyogo-In it is the same as before.

a). Attendance to the nearby primary or middle school or special class.

b). Branch schools or special class equipped within the institution.

c). Making the institution itself a primary, middle or special school.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

6. The governor of the prefecture must make thorough investigation about distribution of Child Welfare Agencies and how much they are utilized while the application of minimum standards is made before he issues his approval.

7. When the governor is to give his approval for the child welfare agency established by city, town or village, he is required to consult with Welfare Ministry beforehand. It is the same with those to be established by the prefecture.

8. The following standards must be applied for the approval for the infant homes, mothers' homes, day nurseries, homes for weak or crippled children to admit the indigent children.

a). The home must admit the designated children more than one half of in total inmates in order to secure the approval for a designated home with the exception of special local condition and urgent need.

b). A part of an agency partitioned for the designated use may be approve for a designated home independently.

9. For the application of approval for termination of a child welfare institution, the governor must not only make the investigation on the items of Regulation, Art. 38, but also consult with Welfare Ministry for one race national subsides for its equipments. It is the same with the termination of those established by the prefecture.

VII. Nursery teachers.

1. The status of nursery teacher is created this time for the women take care of the children in the child welfare agency. The women who take care of the children in the child welfare agencies on April 1st, 1948 not acquired the certificate may keep on their present service until 1950 after which, date they must have the certificate.

2. The term, nursery teacher here is not limitted with those who work in day nurseries but meant for those who work in any Child Welfare Agencies who take the responsibility of children's care and guidance. Midwife, nurse or public health nurse, superintendent of mother's home or woman who helps nursery teachers, however, are not applicable.

3. As for the training plan for the nursery teachers, a partial instruction was made on Feb. 7th this year as per "The first training course for nursery teachers of nursery agencies, ji-Otsu-Hatsu No. 3". It is hoped the same plan shall be made by each prefecture for which it must be consulted with Welfare Ministry to secure the approval of Order, Art. 13, Para. 1, Item 1.

4. Examination for nursery teachers is to be excuted by the governor of the prefectures. Further instructions pertaining the course of examinative selection of the examination board members and fee shall be made later.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

5. About matters pertaining the establishment of a permenent training facility, instruction will be made separately.

VIII. Expenses.

1. All expenses paid under this Law are for the institution care with one exception of foster home care. Public assistance for the children in their own homes are by Daily Life Security Law.

2. The living and general expenses for the children who have been receiving assistance by Daily Life Security Law in the institution under the same Law which were designated for Child Welfare Agencies and those other than the above or those licenced as Child Welfare Agencies shall to paid as provided by this Law, Art. 27, Para. 1,. Item 3 from the date this Law goes into effect. Expense for the care of the children assisted by Daily Life Security Law consigned for the foster parents and registered. Provided that is shall be limitted for only those through with the procedure by the Law.

3. The expenses for the mothers with dependent children, infants and preschool children who have been receiving assistance under Daily Life Security Law in the institutions under the same Law which are to provide lodging or day care or other agencies liccenced for mother's home or day nursery by Child Welfare Law shall be paid from the date this Law goes into effect under the provisions of 23 or 24 provided that it shall be limitted for only those through the procedure by the Law.

4. The expenses for delivery of mothers in the lying-in agency under this Law receiving assistances by Daily Life Security Law shall be paid under the provision of Law, Art. 22. The services are limitted to attendance for delivery, prenatal and postnatal treatment, nursing and necessary medical treatment for delivery. Provided that it shall be limitted for only those through with the procedure of the Law.

5. Lying-in agency is to render the maternity servides for indigent women and the charge (Law, Art. 56, Para. 1) shall not be made for those admitted by the provision of Law, Art. 22.

6. In case person cared for or persons responsible for the care of such individuals are unsle to meet the expenses (Law, Art. 56, Proviso of Para. 2) provision of Regulation, Art 50 is made and the city, town or village who used to bear no expense in past under Juvenile Training and Education Law shall bear the expense of Law, Art. 56, Para. 2 exclusive of the proviso as the general rule.

7. Remittance by the gov rnor provided by Regulation, Art. 50, Item c is limitted to the expense for the temporary care. With any other cases in need of remittance of the same Item must be consulted with Welfare Ministry.

8. About the matters pertaining the expense, a partial instruction was made on Dec. 23rd last year by Welfare Ministry, Hatsu-Ji No. 26 and March 18th this year by the saem, No. 137. Further instruction will be made for the Articles which will be enforced from April 1st this year.

- the End -

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Ji Hatsu No. 116

12 February 1949

TO : Governor of Kyoto Pref.

FROM : Director of Child Welfare Bureau, Welfare Ministry

SUBJECT: Answer on the doubtful point on the management of the Child Welfare Institution concerning "On the unreasonable uses of the Government and public educational institutions."

With reference to the above mentioned subject on which you inquired to this office with the extra, dated 5 Feb. 1949, it is desired that you will made the proper management taking the following items into your consideration. It is added that this matter has already been arranged with the Ministry of Education.

ITEM

1. The government and public school institutions are possible to be used under other purposes than the school education in the case when those are used according to the Law or a provision of the instruction based on the Law, or when those uses are made under the purpose of social education and other public works. In such cases, the agreement by a manager or president of the competent school is necessary to be made.

2. In consequence, the use of the competent school to be made without the agreement by the manager or president of its school. (If a manager is the governor of the pref. or Mayor of city, town or village. If it is an education committee, the agreement by education committee) is the violation against Art. 36 of "government Ordinance concerning the security of school institution", and if any hindrance is made on the education, the building and land of the competent school institution are to be returned.

3. The nursery as the child welfare institution is not the institution established under the original object of education, but as it is recognized to be a public institution as mentioned in the 1st par., the permission is given to the use of the competent school to be made under the agreement by the manager or president of its school.

4. Moreover, as to this matter, it is desired that you will take the proper measure under close connection with the Military Government Team and Education Committee in your prefecture.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Ji Hatsu No. 103

18 February 1949

TO : Governor of Each Prefecture

FROM : Director of Child Welfare Bureau, Welfare Ministry

SUBJECT : Change of the private reformatory Institution into the Child Welfare Institution.

It is under expectation that out of the private reformatory institutions which were in the past under the jurisdiction of the Legal Affairs Board, considerably many institutions will have the desires to change their natures into Child Welfare Institutions based on the "Child Welfare Law", according to the provision of Item 3, Art. 15, Supplementary Rules of the "Law for Establishment of Legal Affairs Board." As to this matter it is recognized that there are some prefectures in which any measure has already been taken, but, on the occasion of the imminence of time limit, it is desired that you will take the complete measure, specially paying your attention to the following items. Moreover, this matter has already been arranged with the Legal Affairs Board.

ITEM

1. Among the institutions which have not yet changed into Child Welfare Institutions, there are considerably many institutions unsuitable for child welfare institutions in their nature and courses for management. Therefore as to change these institutions, really suitable institutions are to be approved, being selected with full care under close examination of those real qualities.

2. As to the examination as listed in the above item, the following items are specially in need of attention.

a. Is it suitable according to the "Lowest Standard of Child Welfare Institutions?

b. Are the properties of a manager and staffs suitable?

c. Have the usual course for management made the good record to meet the idea of the juvenile protection.

d. Have the usual course for management has not run to the commercialism in employing fuveniles?

3. The institution which is recognized to be suitable at the result of the above examinations is to receive an approval for the protection institution.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

4. As to the examination as listed in the 1st and 2nd items, to take close connection with the competent juvenile court respectively.

5. The examination as listed in the 1st and 2nd itmes is to be executed as soon as possible and all preparative determinations concerning the approval of each institution for the child welfare institutions are to be funished not later than the end of February.

6. As to the institutions which are under preparative determinations of the approval, the procedure necessary for approval to each institution is to be finished so that those can start those operations as new institutions from 1st April without heving any confusion and the approval is to be made dated 1 April.

At the same time, to execute the judgement to the children in accommodation at the child welfare center under the close connection with the Juvenile Court before 31 March. As to children in need to transfer them to other institutions, to take the measure necessary for it, and as to children to stay at the former one, to take the measure based on the "Child Welfare Law" at the same time with the simultaneous release of the treatment based on the "Juvenile Law", dated 31 March and to finish the arrangement for the accommodation to the child welfare institution.

In consequence, the children to stay at the former institution are to receive the measure so that they can continue heir livings at the former one which changed into the child welfare institution without having any change on their living in fact.

7. As to the institution which received the preparative determination of the approval for the child welfare institution before the end of Feb. through the measure as listed in the 5th par., it is desired that the following items will be reported to this office by 20 Feb. this year.

a. Name of institution

b. Subject of manage

c. Name of Chief of Organization

d. Date of establishment

e. No. of staffs

f. Location (Station nearby)

g. Capacity

h. No. of persons in accommocation as of the end of Jan

i. Reference items

Moreover, the institution which received the approval for the Child Welfare institution is to submit a report to this office, according to the same procedure as in the past.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Hatsu-Ji, No. 67. 29 December 1918

TO : Each of Governors of Metropolis, Hokkaido and the Prefectures.

FROM : Vice-Minister of Welfare

RE : The Enforcement of Minimum Standards of Child Welfare Agencies.

In accordance with the provision of Article 45 of Child Welfare Law (Law as the same herinafter) the Minimum Standards for Child Welfare Agencies (the Ministerial Ordinance as the same hereinafter) is being promulgated today in order to establish the standards of the equipment and operation of all the child welfare agencies established by the Nations, Metropolis, Hokkaidom the Prefectures, cities, towns, villages, and individual person so that the child wel are institutions in this country which were apt to fall behind in its operation may be brought up on more scientific and logical baisi. So the enforcement of this Ministerial Ordinance has a great deal of consequence on the child welfare institutions both existing and to be established in future and by it better child welfare service is expected to be actually propelled. For these reasons its purport must be made understood by all concerned and at the same time your guidance and supervision pertaining to the operation of this Ministerial Ordinance are requested in order to fulfill the purpose of this Ordinance with attention on the following points as well as with the full consideration on the local situations.

NOTES

I. Fundamental Matters.

1. The Ministerial Ordinance did not set the standards too high for child welfare agencies to be able to meet at present time and in addition to it the transitory provisions as will be explained later in this instructive notice are provided during which period they are to be straightened up. While there must be some institutions which may not reach the standards set by this ordinance and will not be able to reach within the set period, Metropolis, Hokkaido, the Prefectures, cities, towns and villages are requested to take active step to bring up the standards of the child welfare agencies established by them with their best effort and to give helpful adivce and assistance for those who conduct the private child welfare institutions. It should be certainly avioded to take such a negative measure as to discharge inmates from the institutions who need to stay there without due effort as stated above just because to meet the Ministerial Ordinance.

2. In past child welfare agencies lacked social and scientific considerations pertaining to those to be admitted. Taking the mothers' home for instance, while there are great many persons who wish to be admitted to it, not all of those who are already in the home should have no piority of admission necessarily. There are also instances that children are admitted because, their families want or of the application by certain party without utalizing the chill welfare station

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(center) and consequently for the children who were diagnosed scientifically for the admission after careful case work and classification there are no room to admit. Although private contract may be allowed, the social significance and scientific character of the child welfafe agency must be respected by more adequate functioning, avoiding unreasonable treatments as bevefiting a certain party only and ignoring more really needy cases.

3. As for the compensation of the workers of child welfare institutions, while this Ministry will try its best, your guidance for the child welfare agencies under your jurisdiction to make their effort to promote it at all time is highly valued.

4. During the period of the transitory provisions, the time should not be wasted with no effort but should be utilized for the concrete reformation of the qualification and the number of the workers, equipment and general management, your guidance for the cooperation of those who have established the child welfare agencies to fulfill the reformation through mutual liaison and careful consideration on the specific local situations and characteristics of the individual child welfare agencies is requested.

II. Supervision.

1. General matters.

(1) In case the governor of Metropolis, Hokkaido or the prefecture should give advice according to the provision of Article 3 of the Ministerial Ordinance, it may be given to all, a kind or all of the several kinds of child welfare agencies or individual agency under his jurisdiction. But unlike the violation of these standards its validity remains only to give each child welfare agency the goal to which it should make its effort to reach and, if the child welfare agency does not take the advice, the governor can not order reformation or suspension of its service as long as it is in compliance with the Ministerial Ordinance nore the acceptance of the advice has no legal effect as the condition of approval for the establishment of a child welfare institution. The contents of the advice given generally, not to a particular individual case shall be reported to this Ministry.

(2) According to Article 5 of the Ministerial Ordinance the public officials designated by the governor of Metropolis, Hokkaido or the prefecture are to supervise the child welfare institution established by any one other than the Nation on compliance with the Minimum Standards with clear responsibility for the kind of institutions or the area assigned for each. The superintendent of the child welfare institution must post the certificate of approval where it is visible, for instance at the entrance or any other proper place. In case of only minor defects, a time limit should be set for reformation and a separate paper from the certificate of approval stating about them should be given with the certificate.

(3) What is provided in Article 9 of the Ministerial Ordinance, "attaching another kind of the child welfare agency to a child welfare agency," means for instance attaching an infant home to a lying-in agency or a day nursery because there is none of such agency available in neighborhood and for other such reasons.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

It is also allowed to establish various kinds of child welfare agencies synthetically if the land environment and construction of the building etc. are adequate.

For such cases all the child welfare institutions established by any ones other than the Nation, Metropolis, Hokkaido or the prefecture need the separate approval from the administrative office for each of both, the main as well as the attached agencies.

The equipment and the personnel which are not allowed to be used for both interchangeably under the provision of the proviso of Article 9 of the Ministerial Ordinance are as follows:

(A) Equipment:

a. Lying-in agency; delivery room, operating room, room for pregnant and nursing mothers, room for mother and infant, clinic room for the pregnant and nursing mothers.

b. Infant home; sleeping room, observation room and sick room.

c. Mothers' home; rooms for mothers and children.

d. Day nursery; infant room.

e. Home for dependent, neglected and abused children; living room.

f. Home for feebleminded children; rest room and living room.

g. Home for weak children; living room, observation room and sick room.

Home for crippled children; clinic room, living room, operating room, sick room and phipio-therapy room.

Home for blind and deaf-and-dumb children; living room.

h. Kyogo-in; living room.

(B) Personnel

The full time physician, midwife, nurse, women with the experience in infant care, matron, nursery teacher, children's leader, phipio-therapist, Kyogo and Kyobo.

(4) It is desirable that the water testing (Article 12 of the Ministerial Ordinance) will be done by most feasible method according to the local situation after consulting with the agency for the hygiene inspection conducted by the Nation, Metropolis, Hokkaido, the prefecture, the city, town or village.

(5) For the regulation of the charge for the expense to be livied from the inmate or the person responsible for the inmate by one who conducts the municipal or the private child welfare agency, the approval must be secured from the governor of Metropolis, Hokkaido or the prefecture as provided by Article 15, Paragraph 2 of the Ministerial Ordinance. The regulation provided here for the expense to be borne includes both of the amount to be charged

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

under the porvision of Article 56 of Law for the expense needed for the procedure provided by Law, Article 22 to 24 inclusive and 27, Paragraph 1, Item 3, and the amount to be charged under the private contract. And the following points must be observed for working out the regulation:

(A) The amount to be charged under the provision of Law, Article 56 for the expense of the procedures provided by Law, Articles 22 to 24 inclusive and 27, Paragraph 1, Item 3, means the limit of the amount by the "following 5" out of the Vice-Minister's instructive notice, 29th, December, 1948. Welfare Ministry, Hatsu-Ji No. 64 "Re: The Limit of Expense Incurred by the Enforcement of the Minimum Standards of the Child Welfare Agencies".

(B) It is alright to set the lower amount than this and the approval should be given only when there is the full prospect of logical means to supplement the deficit which is not to be supplemented by the National treasury and of no infringement on the treatment of children.

(C) The amount of charge under the private contract should be set by preceding two paragraph as its basic rule.

(6) The Ministerial Ordinance provides the detailed regulation pertaining to the book-keeping for each of child welfare agencies to provide, which has the aim to reform the operation hitherto so illogical and inefficient besides to improve the financial supervision which was done very poorly in past booking on the part of the agency itself and straightening up of the mixing the managers own personal property and accounting with those of the child welfare agency. So your guidance is requested with the above points in your mind.

The forms of "the book-keeping to show the properties" and "the book-keeping to show the conditions of income and expenditures" will be sent to you separately.

2. Matters pertaining to each of the child welfare agencies.

(1) The Ministerial Ordinance provides the three stages of conception of the day nursery as "the day nursery with capacity for over 30 infants and preschool children inclusive" (Article 50), "the day nursery with capacity for 15 to 29 infants and preschool children inclusive" (Article 51), and "the day nursery with capacity for less than 15 infants and preschool children inclusive" (Article 58). The second one "with capacity for 15 to 29" may omit a part of the equipment of the standards provided by Article 50 with exception of the number of the personnel.

The day nursery with capacity for less than 15 should be equipped and operated with due respect for the provisions of the Ministerial Ordinance. There are so called "good neighbor", "the seasonal nursery facility" and "the neiborhood nursery facility" which should be differentiated from such small scaled day nursery as men ioned just above. So cal ed "good neighbor" is such a benevolent person who without any specific equipment takes care of a very small number of certain infants or preschool children not on regular term of period nor with compensation. By non-vocational nature such person is differentiated from the day nursery provided by the Law. The "seasonal nursery facility" is

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

a simple nursery facility opened at any convenient and proper place by volunteers in certain area in order to give assistance and to help for more logical and co-operative way of living for the families whose mothers have to work out or who have expectant or nursing-mothers or the invalid. As it is an enlarge "good neighbor" type by which it should be differentiated from the day nursery provided by the Law. While it is necessary to diffuse the idea and practice of the "good neighborer", "seasonal nursery facility" and "neighborhood nursery facility", they are not the day nursery under the provision of the Law and the Ministerial Ordinance is not applicable to them.

(2) The children's recreational agency must have the equipment of Article 60 and personnel provided by Article 61 of the Ministerial Ordinance. Such facilities for instances as a playground provided by a rail road company and a phyroom in a department store may be considered as those provided by the Law if they are run on independent accounting from the main industry, by responsible person and with purpose of genuine child welfare which deserves the exemption of tax and duties.

At present time when the children's recreational facilities are so behind, the existing ones should not be terminated or new ones suspended because they are short of the minimum stadards. It should be kept in your mind that simpler ones in larger numbers should be facilitated and improvement will be gradually to reach the standards.

III. Equipment.

1. The places in the child welfare agency where a physician is to practice medicine, i.e. clinic room, operating room, medical room and sick room etc., are subject to the provisions of Medical Service Law. Municipal and private child welfare agencies which contain such rooms must secure for these rooms the approval of Article 7 of Medical Service Law besides that of Child Welfare Law. The part of Medical Service Law which are applicable for such cases are mainly Article 23 of Medical Service Law and Article 17 and18 of the Enforcement Regulation of Medical Service Law.

It is without saying that No. 1 lying-in agency and the home for crippled children fall as the whole under the hospital and No. 2 lying-in agency under the midwifery home.

2. The observation room in the infant home or the home for weak children is the room to be used in order to enforce the provision of Article 37 or Article 91, Paragraph 1 of the Ministerial Ordinance. The phisio-therapy room in the home for crippled children is the room where massage or other phisio-therapies after the operation are to be given.

3. The room for the mother and child is the living room for them and there must be one or more for each family. Although the space of the room must be as a rule 0.75 tsubos or more for each person, it may be less than 0.75 tsubos in case there is a specific reason as no right sized room for the number of a family should be found etc.

4. The facility for nursery care provided in mothers' home needs no separate approval as the day nursery, and its standards may be tolerated within the limit that the essentials of the day nursery are not lost.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

IV. Personnel

1. The Ministerial Ordinance does not touch on the superintendents of child welfare agencies except in the case specifically designated. It is to say that any proper person out of the personnel provided by the Ministerial Ordinance or other proper person may be pointed. In case a proper person out of the personnel provided by the Ordinance should be appointed as the superintendent of a child welfare agency, the number of the personnel needs not be added.

It does not also touch on employees such as the junior etc.. But the minimum number of employees necessary for the functioning of the child welfare agency is perfectly alright.

2. Article 20 of the Enforcement Regulation of Medical Service Law indicates the standard numbers of the physician, pharmacist, registered nurse and midwife. It should be noted, however, that they are not minimum standards below which it should not go down.

3. The Ministerial Ordinance provides the qualification of the personnel, for instance "person who has engaged in a child welfare service for 2 years or more" (Article 44) and "person who has engaged in Kyogo (the juvenile training and education) service for 5 years or more" (Article 98). In judging a person for the above qualification a person who has the experience of such services greatly related with child care or Kyogo as the head or the worker of the child welfare center or the concerned prefectural official in the children's section or the maternal and child health section may pass for a candidate if or the maternal and child health section may pass for a candidate if he is considered as appropriate in his personality and past services etc.. Such person may be selected for a worker in the child welfare institution besides those who had the experience in child care or Kyogo in the child welfare institution or Kyogo-in. It should be remembered that the experience as a school master or a teacher does not mean as the experience in Kyogo service.

4. The form of the appointment paper for the worker of the child welfare agencies established by Metropolis, Hokkaido, the prefecture, the city, town or the village shall be as

"so and so, _____prefectural Shuji (clerical official)
Appointed as a matron of _____mothers' home".

As the titles of the workers in child welfare agencies (i.e. the matron nursery teacher, children's leader, children, children's recreational leader etc.), however, are, entirely different from those provided by Article 18, Paragraph 1 of the Enforcement Regulation of Local Self of the village must make an increase of the fixed number of the personnel by "jorei" (ordinance) when a superintendent or a worker of a child welfare agency is to be appointed as a clerical official (shuji) in the fixed number of the personnel. It is not necessary to appoint all the workers of child welfare agencies as clerical or technical official but may be left as a non-regular worker or an employee.

It should be remembered that any person who is not a public official cannot become an official in charge of revenue of Metropolis, Hokkaido or the prefecture.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

5. Number of the nursery teacher for a day nursery shall never be less than two (the Ministerial Ordinance, Article 53) and in case its superintendent is happened to be a nursery teacher she may be counted as one of them.

6. The children's recreational leader provided by Article 61 of the Ministerial Ordinance may serve for more than two children's recreational agencies as an itinerant one in case that is the only solution.

7. The worker who is to lead the school children in the mothers home where twenty or more children are admitted does not need specific qualification if she or he is capable, and may serve for more than one home.

8, The proviso of Paragraph 2, Article 72 of the Ministerial Ordinance permits for the children's leader or the nursery teacher of the home for dependent, neglected and abused children established by the Nation, Hokkaido, the prefecture, the city, town or the village to have those enumerated by items live with the children's leader and the nursery teacher are not allowed to live or to have their wives etc. live with the children. It applies to the superintendent of the home for dependent, neglected and abused children who has no qualification of the children's leader or the nursery teacher. For the case of item 4 to be allowed the governor of Metropolis, Hokkaido or the prefecture must give very careful investigation and he sure the situation indicates inevitable. It should be avoided that by looseness in giving the permission the home may be come more like the private home of the children's leader or the nursery teacher.

"Inevitable situation" means for instance having a daughter over twenty years of age who has to be with her parents.

It is the same when the superintendent of the home for dependent, neglected and abused children is to live with the children.

The foregoing principle should be observed in case of Article 81 and 102, Paragraph 3 of the Ministerial Ordinance.

V. Operations other than stated above.

1. General matters.

(1) The reason why the infant home is omitted from Article 11, Paragrapn 2 of the Ministerial Ordinance is that it si provided in Article 36, the omission of the day nursery and the children's recreational agency is due to technical difficulties and the omission of the lying in agency and the homes for weak and crippled children is due to the need of specific medical considerations on giving the bath for children in each of these child welfare agencies. It is without saying that the new born babies in the lying-in agency must have daily bath.

(2) Although the necessary medical findings must be entered into the maternal-and-child hand book or other medical record book by the physician who made the physical examination (The Ministerial Ordinance, Articles 13, 23 and 36) matters which impair personal prestige (for instance syphiles) should preferably not be entered in the maternal-and-child handbook.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(3) All the child welfare agencies need not provide regulations in regards to all of the items of the Ministerial Ordinance, Article 15, but only the necessary items, for instance the lying-in agency needs not regulation on annual program of Item 3.

"Matters concerning the type of children to be admitted" of Item 2 means the provision for the classified admission according to the sex, age etc.

2. Matters pertaining to each of the child welfare agencies.

(1) Daily living guidance in the homes for dependent, neglected and abused child, feebleminded, physically handicapped children and Kyogo-in (the Ministerial Ordinance, Articles 70, 78, 91 and 101) is the principal part of nurture and Kyogo in these child welfare agencies which is as extensive in its scope as all the matters which happen in the lives of children will be utilized for the guidance and through their daily living they are guided to become in future healthy social members physically and mentally.

(2) When the vocational guidance should be given in a child welfare institution, as the general rule it is preferable to give it within the very institution. For such occasion although it is not subject to labor Standard Law, it must be in compliance with the Ministerial Ordinance, Article 71 (inclusive of the cases to which Article 71 is applicable according to the Articles 80, 91 and 100).

The vocational guidance for the children in a workshop out of the child welfare institution should be limitted only when it is inevitable or when it is more appropriate for the vocational guidance of the children. In such case it is subject to Labor Standard Law and the compliance with the standards provided by the Ministerial Ordinance, Article 71, Paragraph 3 should be preferably advised to the workshop.

(3) In case a workroom should be provided in the mothers' home (the Ministerial Ordinance, Article 76) the kind of work must be selected with full consideration of the local industrial situation of particular district so that these mothers and children may be able to live on self-support in future.

Whether Labor Standard Law is applicable or not with the workrooms of the mothers' homes it must be decided upon the investigation of the actual conditions of each work room. Nevertheless even if there is no clearcut employer-and-employee relationship existing, Labor Standard Law is to be applied when there is in fact a party to conduct the work and the mother-and-children who are the workers which makes the relationship of employer-and-employee. Even with the cases to which Labor Standard Law is not applicable the spirit of the Law, specially exclusion of intermediate exploitation and abolition of enforced labor, must be strictly observed in order to protect the workers' physical as well as mental welfare and promotion of their economic status. For all kinds of the work-room of the mothers' home above mentioned

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

it must be operated without suppressing individual's voluntariness but utilizing it cooperatively and the personnel in charge must give them genial guidance. When Labor Standard Law is to be applied, the equipment of the existing workroom must comply with the general standards if necessary and aclose contact with the local Labor Standards Bureau shall be made in order to make it understood about those out of the safety and health regulations which may be tolerated and about their adequate functioning.

(4) Nursery hours of the day nursery is provided as eight hours per day as the general rule (the Ministerial Ordinance, Article 54) and the working hours of each nursery teacher will be properly arranged on the basis of somewhat eight hours a day.

(5) "Limitting the space for the child to live" in Article 104 of the Ministerial Ordinance does not mean to imprison the child but to keep him from going out of a certain boundary as a means to work out the purpose of Kyogo andit shall never be done in any way with cruelty whatsoever which may give the child physical pain or the like.

VI. Transitory Provisions.

1. The existing superintendents of Child Welfare Agencies, matrons, children's recreational leaders, children's leaders, Kyogo or Kyobo at the time this Ministerial Ordinance goes into effect may keep on their services until December 31st, 1952. It makes no difference whether the child welfare agency is national, Metropolitan, Hokkaido, prefectural, municipal or private and no approval of the governor of Metropolis, Hokkaido or the prefecture is necessary.

2. The child welfare agencies established by those other than the Nation, Metropolis, Hokkaido or the prefecture may pass for as approved for the proviso of Article 110 of the Ministerial Ordinance for six months after the date when this ministerial Ordinance goes into effect which means they must secure the approval on this from the governor of Metropolis, Hokkaido or the prefecture within the six months.

3. When the governor of Metropolis, Hokkaido, or the prefecture passes the paper to Welfare Minister by the provision of Article 111, Paragraph 2 of the Ministerial Ordinance certain length of time" as provided by Paragraph 3 of the same Article must be stated as own opinion giving considerations on the local condition and specific situation etc. of the district where the day nursery locates. The decision of the length of time, however, will be made by the Minister of Welfare after referring it to the opinion of the Central Child Welfare Board.

4. When the procedure of a transitory provision is taken, a contact with the Military Government must be made.

* * * * * * * * * * * *

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Hatsu Ji No. 64

December 29th, 1948

To : Each of Metropolis, Hokkaido and prefectures

From : Director of Children's Bureau, Welfare Ministry,
Director of Accounting Section, Welfare Minister's
Secretariat Office

Re : The limit of the Expense Indurred by the Enforcement of
Minimum Standards of the Child Welfare Agencies

Your full understanding and cooperation for its adequate administration are requested regarding the general revision, as per the following notes, of the limit of the expenses for the measures of Child Welfare Law, Articles 22 to 24, inclusive, and 27, Paragraph 1, Item 3, which is necessitated by the recent enforcement of the Minimum Standards of the Child Welfare Agency (1948 Welfare Ministerial Ordinance No. 63) according to the provision of Child Welfare Law, Article 45, and the recent inflation. It is to be effective after December 1st.

It shall be understood that 1948 May 29th Ji Hatsu No. 257, instructive notice of the Director of Children's Bureau, "Re: The amount of the expense to be paid for the Measures of Child Welfare Law" is to be superseded by this notice.

Notes

1. The limit of the Office Expense.

The office expense includes the expenses of the personnel necessary for the functioning of the institution (salary, pay, allowances, travel expense, etc.) and the necessary office expense (fixture, stationeries, light and fuel for the office work, etc.) and the limit of their expenses per capita per month according to the size of the intake of each agency is as follows.

This intake here does not mean so-called intake capacity, but it is the number drawn from the grand total number of days spent in the institution by each inmate admitted under the provisions of the Law and by the private contract during the three months' period prior to November 1st 1948, divided by the total number of days of the same period (with the day nursery holidays are to be excluded) which is to be set as the intake number of that institution after November 1948.

After the coming fiscal year the intake number of the last quarter of 1948 fiscal year (the total of those admitted by the Law and the private contract) divided by the number of days during the same period (the holidays excluded with the day nursery) will be taken as that of the first quarter of 1949 fiscal year and each subsequent quarterly intake number will be revised by the previous quarterly number in the same method thereafter. Table to show the limit of the office expense (per month).

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Infant Home and Nyuji Azukarijo.

Intake number	Limit of expense per month	Limit of expense per day
Under 30	¥1,826,10	¥ 60,87
31 - 40	1,712,70	58,09
41 - 50	1,659,60	55,32
51 - 60	1,587,30	52,91
61 - 70	1,515,00	50,50
71 - 80	1,443,00	48,10
81 - 90	1,370,70	45,69
90 - 100	1,298,70	43,29
Nyuji Azukarijo	1,035,30	34,51

Incl. #5

Mothers' Home

Intake Number	Limit of expense per month	Limit of expense per day
Under 30	¥847,20	¥ 28,24
31 - 40	843,60	28,12
41 - 50	839,70	27,99
51 - 60	814,20	27,14
61 - 70	789,000	26,30
71 - 80	763,50	25,45
81 - 90	738,30	24,61
91 - 100	713,10	23,77
101 - 110	701,70	23,39
111 - 120	690,30	23,01
121 - 130	678,90	22,63
131 - 140	667,50	22,25
141 - 150	656,10	21,87
151 - 160	649,20	21,64
161 - 170	642,30	21,41
171 - 180	635,70	21,19
181 - 190	628,80	20,96
191 - 200	621,90	20,51
201 - 210	615,30	20,51
211 - 220	608,40	20,28
221 - 230	601,50	20,05
231 - 240	594,90	19,83
241 - 250	288,00	19,60
251 - 260	581,10	19,39
261 - 270	574,50	19,15
271 - 280	567,60	18,92
281 - 290	560,70	18,69
291 - 300	554,10	18,47

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Day Nursery

Intake number	Limit of expense Per month	Per day
Under 50	¥ 336,90	¥ 11,23
51 - 60	324,90	10,83
61 - 70	312,90	10,43
71 - 80	300,90	10,03
81 - 90	288,90	9,63
91 - 100	276,90	9,23
101 - 110	271,50	9,05
111 - 120	266,10	8,87
121 - 130	260,70	8,69
131 - 140	255,30	8,51
141 - 150	249,90	8,33
151 - 160	248,10	8,27
161 - 170	246,30	8,21
171 - 180	244,50	8,15
181 - 190	242,70	8,09
191 - 200	240,90	8,03
201 - 210	239,10	7,97
211 - 220	237,30	7,91
221 - 230	235,50	7,85
231 - 240	233,70	7,79
241 - 250	232,20	7,74
251 - 260	230,10	7,67
261 - 270	228,30	7,61
271 - 280	226,50	7,55
281 - 290	224,70	7,49
291 - 300	223,20	7,44
301 - 310	221,40	7,38
311 - 320	219,60	7,32
321 - 330	217,80	7,26
331 - 340	216,00	7,20
341 - 350	214,20	7,14
351 - 360	212,40	7,08
361 - 370	210,60	7,02
371 - 380	208,80	6,90
391 - 400	205,20	6,84
401 - 410	203,40	6,78
411 - 420	201,60	6,72
421 - 430	199,80	6,66
431 - 440	198,00	6,60
441 - 450	196,50	6,55

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Homes for dependent, neglected and abused, and blind children

Intake number	Limit of expense	
	Per month	Per day
Under 30	¥ 847,20	¥ 28,24
31 - 40	843,60	28,12
41 - 50	839,70	27,99
51 - 60	814,20	27,14
61 - 70	789,00	26,30
71 - 80	763,50	25,45
81 - 90	738,30	24,61
91 - 100	713,10	23,77
101 - 110	701,70	23,39
111 - 120	690,30	23,01
121 - 130	678,90	22,63
131 - 140	667,50	22,25
141 - 150	656,10	21,87
151 - 160	649,20	21,64
161 - 170	642,30	21,41
171 - 180	635,70	21,19
181 - 190	628,80	20,96
191 - 200	621,90	20,51
201 - 210	615,30	20,51
211 - 220	608,40	20,28
221 - 230	601,50	20,05
231 - 240	594,90	19,83
241 - 250	588,00	19,60
251 - 260	581,10	19,39
261 - 270	574,50	19,15
271 - 280	567,60	18,92
281 - 290	560,70	18,69
291 - 300	554,10	18,47

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Home for feebleminded children

Intake number	Limit of expense per month	per day
Under 30	¥ 1,256,70	¥ 41,89
31 - 40	1,171,80	39,06
41 - 50	1,087,20	36,24
51 - 60	1,054,80	35,16
61 - 70	1,022,70	34,09
71 - 80	990,30	33,01
81 - 90	958,20	31,94
90 - 100	926,10	30,87

Home for Weak Children

Intake number	Limit of expense per month	per day
Under 50	¥ 980,40	¥ 32,68
51 - 60	943,50	31,45
61 - 70	906,90	30,23
71 - 80	870,00	29,00
81 - 90	833,40	27,78
91 - 100	781,50	26,05
111 - 120	766,20	25,54
121 - 130	750,90	25,03
131 - 140	735,60	24,52
141 - 150	720,30	24,01
151 - 160	705,00	23,50
161 - 170	689,70	22,99
171 - 180	694,40	22,48
181 - 190	659,10	21,97
191 - 200	643,80	21,46

Home for Crippled Children

Intake number	Limit of expense per month	per day
30	¥ 2,217.90	¥ 73,93

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Home for Blind Children

Intake number	Limit of expense per month	Limit of expense per day
Under 30	¥ 1,256,70	¥ 41,98
31 - 40	1,171,80	39,06
41 - 50	1,089,20	36,24
51 - 60	1,055,40	35,18
61 - 70	1,023,60	34,12
71 - 80	991,80	33,06
81 - 90	960,00	32,00
91 - 100	928,20	30,94

Kyogo-in - Homes for Juvenile Training and Education

Intake number	Limit of expense per month	Limit of expense per day
Under 30	¥ 1,173,30	¥ 39,11
31 - 40	1,099,80	36,66
41 - 50	1,024,50	34,15
51 - 60	987,90	32,93
61 - 70	951,60	31,72
71 - 80	915,30	30,50
81 - 90	879,00	29,30
91 - 100	842,70	28,09
101 - 110	836,40	27,88
111 - 120	830,10	27,67
121 - 130	823,80	27,46
131 - 140	817,50	27,25
141 - 150	811,20	27,04
151 - 160	806,10	26,87
161 - 170	801,30	26,71
171 - 180	796,50	26,55
181 - 190	791,70	26,39
191 - 200	786,90	26,23
201 - 210	782,10	26,07
211 - 220	777,30	25,91
221 - 230	772,50	25,75
231 - 240	767,70	25,59
241 - 250	762,90	25,43
251 - 260	758,10	25,27
261 - 270	753,30	25,11
271 - 280	748,50	24,95
281 - 290	743,70	24,79
291 - 300	738,90	24,63

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

II. The Limit of Service Expense

The service expense includes the expenses directly necessary for the care of the children admitted, such as food expense and others (expenses of kitchen and food utensils, fuesl,light, clothing and bedding, daily necessaries, as tooth powder, tissue paper, etc., educational materials, health and medical expenses, etc.) It means the expenses for all except the office expense. The limit of the service expenses per capita per day is as follows:

Table to show the limit of service expense

Institution	Food expense	Expenses for other than food	Total
Infant home and Nyuji Azukari jo	¥ 44,95	¥ 11,52	¥ 56,47
Mothers' home		3,20	3,20
Day nursey		2,56	2,56
Home for dependent	31,16	13,64	44,80
Home for feebleminded	37,32	13,64	50,96
Home for weak	31,16	13,64	44,80
Home for crippled	31,16	18,54	49,70
Home for blind	31,16	13,64	44,80
Home for deaf and dumb	31,16	13,64	44,80
Kyogo-in	37,32	13,64	50,96
Foster home care	31,16	13,64	44,80

III. Expense for the Lying-in Agency

The amount derived by "the method of calculating the amount of expense for the medical care provided by Health Insurance and Seamen's Insurance Law" 1948, August 1st Welfare Ministry Kokuji (announcement) No. 68 will be paid as the expense for the Lying-in agency. In case the food is not provided by the agency, ten points out of twenty points of admission expenses will be subtracted.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

The office and service expense, etc., are not to be paid as they are included in the amount calculated by preceding method.

IV. The cost price expenses of the following will be paid besides the office and service expenses.

1. Medica Expenses.

In case a child admitted to any of child welfare agencies, except the lying-in agency, mothers' home, day nursery and children's recreational agency and a child placed in a foster home is in need of a heavy medical expense for his hospitalization or any specific treatment, the expense will be paid according to "the method of calculating the amount of expense for the medical care provided by Health Insurance and Seamen's Insurance Law." 1948 August 1st Welfare Ministry Kokuji (announcement) No. 68, provided that ten points for the estimated food expense will be subtracted out of 20 points of admission expense according to preceding announcement and the admission expense will be counted as ten points.

Remarks

District A (Tokyo metropolis, Yokohama city, Nagoya city, Osaka city, Kyoto city, Kobe city, Kawasaki city, Ashiya city, Nishinomiya city, Amagasaki city) --- unit price per point is 11 yens.

District B (All the cities, towns and village other than of District A) --- unit price per point is 10 yens.

2. Expense for the artificial feeding

For an infant placed in a foster home in need of the artificial feeding, the cost expense of the rationed foodstuffs will be paid.

3. Expense for the school lunch

The cost expense for the school lunch charged by the school where the children admitted to any of child welfare institutions except the lying-in agency, infant home, mothers' home, day nursery, children's recreational agency, and Kyogo-in, or placed in foster homes, will be paid.

V. Each of Metropolis, Hokkaido and prefectures shall set the limits within the limits of expenses shown in I and II for each agency under its jurisdiction and take the measure to let the public know about it. (For instance as, Jakujii Gakuen, the home for dependent, neglected and abused children --- 00,000 yen)

VI. The limits set as preceding paragraph by each of Metropolis, Hokkaido and prefectures shall be immediately reported each time to this Ministry.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

HATSU JI No. 72

June 15, 1949

TO: Each of the Governors of To, Do, Fu and the Prefectures.

FROM: Vice-Welfare Minister

RE: Relations between Child Welfare Law and Juvenile Law.

Notifications regarding to the relations between Juvenile Law (1948 Law No. 168) and Child Welfare Law (1947 Law No. 164) has been given by Ji Hatsu No. 897, December 28th, 1948 "The Relations between amended Juvenile Law and Child Welfare Law". The Juvenile Law and Child Welfare Law, however, have been partially amended at the fifth Diet and promulgated on June 15, 1949 and enforced on the same day.

The relations between Juvenile Law and Child Welfare Law have been mixed and confused in their jurisdictions and complicated and difficult to understand. But the present amendments have adjusted their relations so far and hereafter both Laws shall be treated as follows.

NOTE: Age shall be counted in full and "The Head of the Child Welfare Station" in "The Governor of To, Do, Fu, or the prefecture or the head of the Child Welfare Station" means the head of the Child Welfare Station who has been authorized under the provisions of Article 32 of Child Welfare Law only.

I. Main Points in the Present Amendments.

1. Expansion of the scope to be dealt by Child Welfare Law due to the amendment of Juvenile Law.

Up to this time (a) "a juvenile who has committed a crime and a juvenile under fourteen years of age who has violated a criminal law or ordinance" and (b) "a juvenile over fourteen years of age who is in danger of committing a crime" have been put on trial at the Family Court exclusively and were not to be treated in the child welfare station. But according to the present amendment any person who has found (a) "a juvenile under fourteen years of age who had violated a criminal law or ordinance" is required to report him to the child welfare station instead of the Family Court and (b) "a juvenile over fourteen and under eighteen years of age who is in danger of committing a crime" may be reported either to the child welfare station or to the Family Court.

2. Use of compulsory measures toward the Child.

Up to this time there were no definite regulation concerning the use of the compulsory measure toward a child by the child welfare agencies. But by the present amendments provision is made so that such cases with exception of the case considered to fall under the provision of Articles 33 and 47 shall be referred to the Family Court when the governor of To, Do, Fu, or the prefecture or the head of the child welfare center deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty, (Child Welfare Law,

Inclosure No. 3

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 27-2 and Juvenile Law, Article 7,Paragraph 3) by which their relations have been clarified. Moreover in connection with it the provisions of Article 18, Paragraph 2 of Juvenile Law, "In the case of juveniles referred to the Family Court by the Prefectural Governor or the head of the child welfare center, the Family Court may remand the juvenile to the child welfare center with instructions as to the type of care and other measures to be taken" and Article 27, Paragraph 2 of Child Welfare Law, "the governor of To, Do, Fu, or the Prefecture shall follow the direction based on the decision of the Family Court when the compulsory measure is to be resorted to the child referred to by the provision of Article 18, Paragraph 2 of Juvenile Law" have been made.

3. Other Adjustment of Juvenile Law and Child Welfare Law.

Up to this time there were no provisions of Child Welfare Law to accept a juvenile referred to the governor of To, Do, Fu, or the prefecture or the head of the child welfare station from the Family Court, in accordance to the provision of Article 18 of Juvenile Law. But the amendment provides Articles 26 and 27 of Child Welfare Law to take care of the above.

II. Relations between Child Welfare Law and Juvenile Law

1. Report

The relations between a child who is to be reported to the Child Welfare Station (including its personnel) and a juvenile who is to be reported to the Family Court are as follows:

(Juvenile Law, Article 3 and Child Welfare Law, Article 25, proviso)

(1) The delinquent and predelinquent children - to the child welfare station.

(2) A child under fourteen years of age who is in danger of committing a crime -- to the child welfare station.

(3) A child over fourteen and under eighteen years of age who is in danger of committing a crime -- to the child welfare station or the Family Court.

(4) A juvenile over eighteen years who is in danger of committing a crime -- to the Family Court.

(5) A child under fourteen years of age who has violated a criminal law or ordinance -- to the child welfare station.

(6) A juvenile over fourteen years of age who has committed a crime -- to the Family Court.

The term "the juvenile who is in danger of committing a crime" in Items 2 to 4 inclusive means the one who is of ill nature and has a great possibility of committing a crime in the future especially in view of his character and his surrounding circumstances, among those who fall under the provisions from (a) to (d) in Article 3, Paragraph 1, Item 3 of amended Juvenile Law, "The juvenile who has committed a crime" in Item 6 means the one who is suspected of some concrete larceny and not the one who is considered to have committed a crime some time in view of his previous history.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(2) As all the persons who have found children stated in Items 1 to 3 inclusive and 5 are obliged to report to the Child Welfare Station, every effort shall be taken to have the general public understand and especially the child welfare official and the child welfare worker shall be required to do this reporting.

(3) A large number of these reports to the Child Welfare Station may be given by the National Rural Police Official or the Municipal Police Official, thereupon every effort shall be made to maintain a close liaison with the competent police station and to try to get its cooperation concerning the transportation of the child.

(4) A juvenile over fourteen and under eighteen years of age who is in danger of committing crime may be reported either to the child welfare station or to the Family Court. In this case although the responsibility of the report seems to be dual if the report is made either to the Child Welfare Station or the Family Court, it does not need to report to the other.

(5) When the Family Court discovered a juvenile under fourteen years of age after accepted, the juvenile is reported to the Child Welfare Station by the Probation Officer and the Child Welfare Station shall receive the case in accordance with Article 25 of Child Welfare Law. In case a juvenile is under the care of a Juvenile Detention Home, it is assumed to be difficult to fetch the juvenile under the present situation of the child welfare station the cooperation of the Family Court to bring the juvenile shall be asked.

(6) When the child welfare station discovered a juvenile over fourteen years of age who had committed a crime or a juvenile over eighteen years of age after accepted, the case shall be reported to the Family Court by the Child Welfare official or the child welfare worker.

2. Protection of the Child.

(1) Protection of the child who has been reported.

(a) The governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station shall be responsible for the protection of the child who has been reported in accordance with the provisions of Article 26 or Article 27 of Child Welfare Law.

(b) In accordance with the amendment of Juvenile Reformatory Law (1948 Law No. 20, enforced on May 30, 1948) the Junior Juvenile Detention Home is not to admit a juvenile under fourteen years of age. (Amended Juvenile Reformatory Law Article 2, paragraph 2) and the Local Juvenile Protection Commission which is established in accordance with the provisions of Offenders Prevention and Rehabilitation Law 1948 Law No. 142, enforced on July 1, 1948) also is not to deal with the juvenile under fourteen years of age. Hereafter every child under fourteen years of age is to be protected by the Child Welfare Agencies and the children in need of the special attention and ingenuity in the training and education are expected to be admitted to the Child Welfare Agencies, therefore every effort shall be made in reorganizing the agencies for accepting them.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. Protection of the child transferred in accordance with Article 18, Paragraph I of Juvenile Law.

(a) The Family Court shall, when it deems it proper, upon investigation of a juvenile reported there to take measures in accordance with the provisions of Child Welfare Law, transfer the case to the competent prefectural governor or the head of the Child Welfare Station by its decision the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station who has received such case shall take the most adequate measure for each child based upon its own investigation and diagnoses as well as referring to the result of investigation of the Family Court.

(b) When a case is to be transferred to the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station in accordance with the provisions of Article 18 of Juvenile Law, as it is assumed to be difficult to fetch a child from the Juvenile Detention Home to the Child Welfare Station under the present situation of the Child Welfare Station, in such cases some arrangement should be made with the Family Court so that a probation officer, a National Rural Police official, a Municipal Police official or a worker of the Juvenile Detention Home may bring the child.

(3) Protection of the child transferred in accordance with Article 24, Paragraph I, Item 2 of Juvenile Law.

(a) As the Family Court is to send an inquiry to the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Center regarding the reserve capacity etc., of the home for juvenile training and education or the home for dependent, neglected and abused children for an admittance in view of the need to decide for the referral to either of them in accordance with the provision of Item 2, paragraph I of Article 24 of Juvenile Law as one of the protective dispositions, upon the receipt of such inquiry the information shall be given to the Family Court after careful consideration on the actual situations of the institution under your jurisdiction.

(b) Even when the protective disposition of Article 24, Paragraph 1, Item 2 of Juvenile Law is decided, it is a general rule to refer the child to the Child Welfare Station and not directly to the home for juvenile training and education or the home for dependent, neglected and abused children (Rules of Juvenile Trial, Article 37, Paragraph 2).

(c) As it is considered to be difficult to do this referral on part of the Child Welfare Station under its present situation, in such cases some arrangement shall be made with the Family Court so that a probation officer, a National Rural Police official, a Municipal Police official or a worker of the Juvenile Detention Home may bring the child.

(d) When the child has been transferred to the child welfare station from the Family Court, the governor of To, Do,Fu or the prefecture or the head of the Child Welfare Station shall decide which institution the child should be actually admitted referring to the result of investigation made by the Family Court and within the frame of the disposition made by the Family Court and the measure of Article 27, Paragraph 1, Item 3 shall be taken in addition to the dispositions of the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Family Court. Consequently To, Do, Fu or the prefecture shall pay the expense for the above measure.

(e) It is not necessary to obtain an understanding of the Family Court beforehand regarding the release or change of the measure for the child admitted to the home for juvenile training and education or the home for dependent, neglected and abused children. The governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station may release or change the measure whenever he deems it necessary. But the release or the change of the measure shall be reported to the competent Family Court afterwards.

(f) When the child is transferred to the home for juvenile training and education or the home for dependent, neglected and abused children according to Article 24, Paragraph 1, Item 2, the Family Court may request to submit a report or an opinion in regard to the juvenile, (Juvenile Law Article 28) or make a suggestion concerning the measure for the child. Such transactions shall be made through the governor of To, Do, Fu or the prefecture or the head of the child welfare station.

(4) Use of the Compulsory Measure for the Child.

(a) When the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty with the child who is under the temporary protection or is placed in the home for juvenile training and education etc., such cases, with exception of the case considered to fall under the temporary shelter or the assumption of the parental right, shall be referred to the Family Court. (Child Welfare Law, Article 27-2).

When the superintendent of the home for juvenile training and education etc., deems it necessary to take any compulsory measure of the preceding paragraph over the child therein, he shall be guided to apply for it to the governor of To, Do, Fu or the prefecture through the head of the child welfare station with its reason.

(b) "When the compulsory measure is necessary" is considered to mean chiefly when the child is in need to be confined in a place with special equipment which facilitates to restrict or check the freedom of movement; (restriction of freedom of movement; the same shall apply hereinafter), but, at any time when any question arises with the concrete case it shall be referred to the Welfare Ministry.

(c) As the home for juvenile training and education has the essential purpose to train and educate the child without resorting to any compulsory measure, every effort shall be made to stick to this essential and the referral to the Family Court should be limited to the unavoidable and exceptional one only. Therefore for the development and the improvement of the skill in the training and education in the home for juvenile training and education, etc., much more study and guidance shall be made and given hereafter.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(d) The homes for juvenile training and education which are designated as those allowed to resort to the compulsory measure according to the decision made by the Family Court are besides National Musashino Gakuin as follows:

under whose direction?

Miyagi Prefecture	Shuyo Gakuin
Tokyo-To	Seimei Gakuin
Tokyo-To	Hagiyamajitsumu Gakko
Kanagawa Prefecture	Kokufu-jisshu Gakko
Aichi Prefecture	Aichi Gakuen
Kyoto-fu	Koyo Gakko
Osaka-fu	Shutoku Gakuin
Hyogo Prefecture	Noko Gakko
Hiroshima Prefecture	Hiroshima Gakuen
Fukuoka Prefecture	Fukuoka Gakuen

As the governor of Do or the prefecture or the head of the child welfare station under whose jurisdiction there is only the kyogoin which do not fall under the above has to refer the case sent by the Family Court under the provision of Juvenile Law, Article 18, Paragraph 2, to the governor of To, Fu or the prefecture who has the jurisdiction over the Kyogoin where the compulsory measure may be exercised or the superintendent of Musashino Gakuin to take care of the child, the preliminary understanding must be obtained for the case to be referred to the Family Court.

(e) When the case is to be referred to the Family Court, the referral sheet containing the following items shall be used (Rules of Juvenile Trial, Article 8). In this referral sheet the statement that the case is referred also under the provisions of Law, Article 27-2.

A. The names, ages, sexes, occupations, address of residence and the permanent domicile address of the juvenile and his guardian, and the institution where the juvenile is living at present, and its location.

B. The detailed reasons to make him committable for the compulsory measure.

C. Any other such matters as serve as references.

(f) It is presumed that the decision of the Family Court would be made with reference to the result of investigation and diagnosis made by the child welfare center, thereupon a copy of the investigation sheet of the child welfare center containing the child's history, behavior, health conditions and such other data as serve as references regarding the child welfare shall be forwarded to the Family Court as a part of the material of "Such matters as serve as references" of Item C of the preceding paragraph (e). Any other materials which serve an evidence and other references for trial at the Family Court, if any, shall be forwarded coupled with the above.

(g) When the governor of To, Do, Fu or the prefecture or the head of the child welfare center is referring a case to the Family Court in accordance with the provisions of the Child Welfare Law, Article 27-2, he may forward the referral sheet

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

only or send the child with this referral sheet according to the circumstances concerning which an arrangement with a complete understanding shall be made with the Family Court concerned. When the child is not sent to the Court, every effort shall be made to prevent the escape of the child until the decision of the Family Court be made: provided that during this period the Family Court has not made the decision, no compulsory measure such as confine the child in a room etc., shall be taken.

(h) When a child is summoned to the Family Court for a trial, the person in charge of the supervision over the child (the Child Welfare Center or the Kyogo-in personnel) shall go with the child to the designated place on the date for trial. The trial may be done some times at the place where the child is cared and protected.

(i) As the decision of the case referred to the Family Court in accordance with the Child Welfare Law, Article 27-2 is to be made according to the independent view of the Family Court, the case may be referred back again to the governor of To, Do, Fu or the prefecture or the head of the child welfare center in accordance with Juvenile Law, Article 18, Paragraph 2, or may be placed under the protective disposition of the Juvenile Law, Article 24, Paragraph 1, Item 1 (to be placed under the probation of the District Youth Offender Prevention and Rehabilitation Board) or of ibid Item 3. (To be committed to a reformatory).

(j) When the case is referred by the Family Court in accordance with the Juvenile Law, Article 18, Paragraph 2, the governor of To, Do, Fu or the prefecture or the head of the child welfare center shall take the following measures:

A. In the case of To, Do, Fu or the prefecture under which jurisdiction the Kyogoin where the compulsory measure may be taken is located.

The measure of Child Welfare Law Article 27, Paragraph 1, Item 3 shall be taken (provided, there is no need of it when the child is in Kygoin), a copy of the decision sheet of the Family Court shall be sent to the superintendent of the Kyogoin and the strict guidance and supervision shall be made not to taken a compulsory measure beyond the limit of the decision by the Family Court.

B. In the case of Do, Fu or the prefectures under which jurisdiction the Kyogoin with no compulsory measure allowed:

(A) In case the child is to be sent to Kyogoin other than National Musashino Gakuin, a copy of the decision sheet of the Family Court and the sheet containing the expected date of the child's entrance shall be sent to the governor of To, Fu or the prefecture who has given his approval already and the guidance and supervision over the child be requested, and at the same time the person who is in charge of the child's supervision and protection (child welfare centr or Kyogoin personnel) shall take the child to the designated Kyogoin. The governor of Do or the prefecture or the head of the child welfare center shall take the measure in accordance with the provisions of the Child Welfare Law, Article 27, Paragraph 1, Item 3 for the child and the necessary expenses after his admission to the institution shall be sent to To, Fu or the prefecture under which jurisdiction the competent Kyogoin locates. The amount of the expense shall be what the governor of To, Fu or the prefecture sets with the particular Kyogoin.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(B) In case the child is placed in the National Musashino-gakuin. A copy of the decision sheet of the Family Court and the sheet with the date of the child's entrance shall be sent to the Superintendent of the National Musashino Gakuin and ask him for his training and education of the child, and at the same time the person in charge of the supervision and protection over the child shall take the child to the National Kyogoin. It is needless to say that the measure of the Child Welfare Law, Article 27, Paragraph 1, Item 3 must be taken, but Do or the prefecture need not to pay the expenses after his admission. The superintendent of the National Musashino Gakuin shall take responsibility for the training and education of the child.

(k) The decision of the court chiefly shows the maximum limit the compulsory measure may be taken and it does not mean the compulsory power shall be used necessarily to its maximum limit or rather need not be taken at, shall with the cases possible. Therefore this policy shall be well understood, and the adequate guidance shall be made not to abuse the compulsive power upon the child without good reason. But the decision of the Family Court means the obligatory one, then, the compulsion must be exercised.

(12) In case the freedom of the child's movement is restricted as a phase of the compulsory measure based on the decision of the Family Court, the attention shall be payed to the following points.

A. As the restriction of freedom of the movement is exercised in order to achieve the purpose of training and education, every attention shall be paid that the restriction of freedom of the movement shall not be conducted for its own sake. While the restriction of freedom of the movement is conducted, every effort shall be made to fulfill the end of care and protection for the child by using the adequate measure based upon the continuous observation of the child's life.

B. It is needless to say that the restriction of freedom of the movement should be exercised within the limit directed by the Family Court, but it should be made within the minimum period of time and the minimum limit to be needed.

C. In case the restriction of freedom of the movement is taken the opinion of a psychiatrist and other specialists who must be requested.

D. The child shall be placed comfortably in the living environment, still, bright and isolated from the outside.

E. The restriction of freedom of the movement shall be exercised with the full consideration on the child's health and supervision.

(m) It is not required to obtain the approval of the Family Court in order to release or change the measure of the child who is placed in Kyogoin based upon the decision of the Family Court. The governor of To, Do, Fu or the prefecture or the head of the child welfare center may release or change the measure at any time when

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

he thinks it necessary (However, when the decision of the Family Court is an obligatory one, then he must obey this decision). This measure shall be taken based upon the opinion of the superintendent of Kyogoin in case of (j) A, upon the opinion of the governor of To, Fu or the prefecture under whose jurisdiction the Kyogoin where the child is placed is located in case of B-(A),upon the opinion of governor of To, Do, Fu or the prefecture under whose jurisdiction the Kyogoin where the child is placed is located in case of B-(B), and upon the opinion of the Superintendent of the National Musashino Gakuin in case of B-(B). When the above measure is taken it must be reported to the Family Court afterwards.

(n) It should be considered as a general rule that the Kyogoin where the child is placed according to (j)-B-(A) and (B) based upon the decision of the Family Court is to keep the child during just the period in need of the compulsory measures and during the minimum period necessary for the training and education in accompany with it. Therefore when the governor of To, Fu or the prefecture under whose jurisdiction such Kyogoin is, or the superintendent of the National Musashino Gakuin requests the release or change of the measure for the child, the governor of Do or the prefecture who had asked for the training and education of the child, or the head of the Child Welfare Center must take the responsibility for the care of the child and not to impose a too heavy burden on the superintendent of Kyogoin.

(5) Temporary care and the use of the parental right. The compulsory measure may be taken toward the child without the decision of the Family Court when the superintendent of the child welfare agency should exercise this parental right over the child based on the temporary care as provided by Article 33 of the Child Welfare Law and Article 47 of the same Law. But the temporary care is not the ultimate but the short transcient care until the decision of the ultimate disposition for treatment is made and when the superintendents of the Child Welfare Agencies assume the parental right, they may take the compulsory measure over the children as the parental right had its own limit in the light of its character.

(b) The authority of the temporary care may be exercised for the protectic of the child without regarding the child's own will if it is necessary.

(c) If a question is raised of the limit of the parental right assumed by the superintendents of the Child Welfare Agencies, it may be inquired with the Welfare Ministry. But to bring an absonder child back may be done as right within the parental right. To confine a child in a room is beyond the parental right and cannot be carried without the decision of the Family Court as stated above.

III. The Close Liaisons between the Agencies Concerned.

As the Child Welfare Law and Juvenile Law are concurrently concerned with the protection of the child, the close liaisons with not only the Family Court but also the police and other Agencies concerned shall be kept for their smooth enforcements.

This instruction is prepared with the understandings of the Family Court and to the Unit of the Criminal Affairs of the National Police.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

CHILD WELFARE

Child Welfare, as a term set off by itself, has the general implication, to the majority of people, the world over, as something about or to do with a child who is mentally deficient, delinquent, orphaned or homeless and the extra and special care and treatment of a child who is possessed of one or more of these particular conditions.

Mental deficiency, physical handicap, or social maladjustment are not the only factors in a full and understanding approach to a child and his care under the full meaning of the term, "Child Welfare." The program in its fullest meaning includes the responsibility of planning, cooperation and coordination in the fields of education, recreation, health and labor.

The responsibilities that are ours in a Child Welfare program for Japan can well be divided into two (2) phases, under the presumption, of course, that we are cognizant of all of the intricacies and ramifications in this broad field of Social Science.

The two (2) phases may well be divided into (1) Emergency Phase and (2) Planning and Post Emergency Operational Phases.

In the emergency phase, we will have to content ourselves with meeting the specific child care problems in the most expedient methods, with an attempt to apply to whatever Japanese child care technique that may exist, the benefits of our own training, observation and experience. This phase will mean, and has of necessity meant, closing our eyes to many inadequacies and inefficiencies in the public and private Japanese program of Child Welfare. The sustaining of life, on a minimum of subsistence, within a country stripped by a 9 year war, leaves little to find and much to want. Our main job and prime responsibility has been, during the emergency phase, to direct the Imperial Japanese Government to accept the full responsibility for the care and protection of homeless, dependent and neglected children. This was accomplished by the issuance of SCAPIN 775 dated 27 February 1946 subject: "Public Assistance" and later by the Imperial Japanese Government passing the Daily Life Security Law.

This Directive was not drafted specifically for the child who was in need of protection and care, but was drafted to throw upon the Japanese Government its full obligation of caring for all of its people who are in need by making available food, clothing, shelter and medical aid on the basis of that need, without preference or discrimination. This was the entering wedge to bridge the gap that had existed between the Japanese Government and its people. The beginning to end, the practice of the Government exacting responsibility of the classes to Government, without Government accepting any measurable responsibility for the people.

The Directive in all of its barrenness of just words is cold, but it accomplished the purpose for which it was intended - the immediate care of the needy people and this care being a Government responsibility. It was sort of a mechanical process - procurement of those supplies

11

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

needed and effecting their distribution - very little more was expected. The accomplishment was not satisfactory in all quarters, but in the overall program of relief, Japan's people received sufficient sustenance to maintain a social and economic living. By social, is meant that food riots and general disorder were diverted. By economic, is meant that the daily routines of farming and business continued.

The Japanese Government has had, since the initial occupation, many months of experience in the business of providing assistance to those of its people in need. The challenge before us now is to encourage and direct this beginning to the point where the original Directive, which now has become a Japanese law, ("Daily Life Security"), takes on the warmth of an understanding Japanese Government administration and where the desire to improve the social structure in Japan is constant.

This brings us into the second phase of Planning and Post Emergency Operation which has been our concern for several months and is our chief concern from here on out.

This phase brings us today face to face with defining, in our own minds, just what is the Child Welfare Program for Japan to embrace. In a very few words, it should provide for the "protection and care of homeless, dependent and neglected children, and children in danger of becoming delinquent and to provide an adequate child welfare service, properly staffed and financed to accomplish the foregoing responsibility of the Japanese people through their Government."

The purpose of Child Welfare Program is to provide specialized services to those children, who, because of some physical, mental or social handicap, require specific plans to meet their particular needs. This program is not limited to children who cannot be cared for in their own homes. A careful study of each situation may mean that the children of a family need not be separated - temporary placements may provide care for children who might otherwise have to be placed in poor-houses or local jails.

Child Welfare embodies the following four classifications of children who are in need of special services:

a. Physically handicapped

b. Mentally handicapped

c. Socially handicapped

d. Orphans

The physically handicapped child, in modern social trends, includes a child suffering from a malady which might lead to crippling. The services offered include hospitalization, transportation, appliances and/or boarding home care.

The mentally handicapped child calls for special plans to meet his

11

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

needs. Frequently mentally defective children need to be placed in a special institution equipped and staffed to deal with this particular child's problem. Careful psychological and social studies should be made of children needing such institutional care.

The socially handicapped child usually requires more skill, patience and time than will be needed by other children falling within a Child Welfare Program and it is a major problem confronting Japan today. This child comes from a home where the parents are not interested in his lot - where only one parent survives and the surviving parent is not capable along with "grubbing a living" to give the proper attention to the child - it involves the child who is turned out of the home without having had sufficient food and on his way to school, etc., falls into a system of his own or with a gang of others to procure a few odds and ends, be they "chocolette", "cigarettes" or other items with which he may barter or trade. A youngster in this group is a fertile field for the Japanese engaged in illicit traffic and often a juvenile is apprehended with U. S. Government Property or his person and as a consequence finds himself a resident of an environment that needs no description here - a Jap jail. On this point, however, it is well to acquaint you with your responsibility when you find conditions that warrant improvement within the local jail. AFPAC Regulations 80-20, dated 3 May 1946, paragraphs 1b and 2c also SCAPIN 93, dated 4 October 1945, sub-paragraph g, paragraph 4, subject: "Removal of Restrictions on Civil Liberties" are applicable to confinement of persons in Japanese prisons and jails. The AFPAC Regulations (80-20) allow persons committing offenses against the Occupation Forces to be confined in Japanese prisons and jails. However, the condition of the prisoners, their treatment and care is the responsibility of the local commanding officer. SCAPIN 93 charges the Imperial Japanese Government to give proper care and sustenance to those persons confined in jails and prisons by the Japanese. Therefore, the responsibility has been definitely placed, regarding the welfare of those persons confined in Japanese jails and prisons.

The streets, parks, railroad stations and areas surrounding Occupation Forces billets and buildings give visual and tangible evidence of the child falling into the socially handicapped group. Some of these children are orphans, but a surprising number are not, some are encouraged by their families to roam the streets in search of handouts for themselves, as well as being under obligation to bring home some of that American candy, etc. It takes little imagination to picture the chain of events that may develop in the life of the child coming from this type of home discipline.

The orphan and homeless child obviously needs first of all, a home. This child may be mentally or physically handicapped and if so, he requires special treatment beyond that extended to what we might call, for the lack of a better term, a normal orphan or homeless child. The home provided for this child in Japan will, under existing conditions, be a public institution or a private institution. Public institutional care of the child in Japan is far from measuring up to reasonable standards, because of many factors. Two major factors at present are the lack of

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

adequate supplies and suitable facilities. Private institutions are affording a higher standard of care due to two reasons, namely: (1) Staffed with better qualified personnel (having one or more persons with training and experience in North America and Europe) and (2) Supplemental funds through contributions.

Every effort should be made to first, assist in the improvement of the facilities now available, both public and private. Secondly, encourage and assist in securing qualified personnel. Thirdly, establish a system of child placement through a foster home program. Every child the world over is entitled to a home, if not his own, certainly a good substitute home and this does not preclude that a properly managed children's home cannot measure up to fill this need.

A word of caution on any contemplated foster home program in Japan is wise at this time. Japan is a maze of small family enterprises and every precaution must be taken to insure that a child placed in a foster home is not placed there through purchase, lease or under the guise of adoption and become the victim of involuntary servitude and for labor abuses. The labor laws in Japan do not extend any protection to minors working in enterprises operated by "members" of the same "family". Until such time as the labor laws in Japan give full protection to minors, every precaution must be exercised in the development of a foster home program for exacting safeguards and surveillance against the abuse and subversion of the program, otherwise the program will defeat its own purpose and will be another guise for exploiting the homeless child and the orphan for "family enterprises".

The problem that confronts us in the field of Child Welfare is not an easy one. Years, hundreds of years, of custom and tradition cannot be upset overnight. Two age groups in Japan are given special consideration as far as family social ties are concerned; the very young and the very old. The pressure of poverty has caused thousands of children to be "sold" into labor and/or services every year, either with or without their consent. The sale was usually the contract form where for a certain sum the child was sold into so many years servitude. Poverty in the rural districts of Japan, and it is still existent, was so great that the only apparent way to write off the family indebtedness was to actually sell the services of the child. While this condition was relived by the passing of the law, "Prevention of Cruelty to Children" in 1933, there still remains in Japan very little family feeling, as we know and understand it, for children. Particularly is this true of children outside their immediate family group. Exceptions to the Japanese laws have crept in, particularly during the war years. Today devious methods are being used by families, to pay off debts, and the industrialist, to keep production costs down, to put children in some form of labor bondage.

We have a responsibility of vital importance in assisting in the planning and operation of the welfare of the child in Japan. The extent to which we can mold public opinion to the need of an adequate Child Welfare Program and the power we exercise in having the Japanese

11

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Government accept this full responsibility, from the Ministry down through the local governments, will measure the progress of the Occupation in implanting the full meaning of democracy in the minds and hearts of Japan's young - where it can reflect itself in the years ahead.

MILTON J. EVANS
Chief, Welfare Service Branch
Public Health and Welfare Section, SCAP.

11

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

WB 145

Ji-U-Hatsu No. 33 November 14, 1949

To : Governors of To, Do, Fu and Prefectures.

From : Director of Children's Bureau, Ministry of Welfare.

Subject: About Distribution of UNICEF Supplies.

The above-mentioned matter was explained and instructed recently at the Conference of Heads of Local Child Welfare Sections on the 26th of last month according to the notices of Ji-U-Hatsu No. 23 and 24. However, the questions might occur in some points of the plan and the actual operation, therefore the distribution should be carried or carefully keeping in mind the following points.

Records

I. Objects of Distribution.

(1) The present recipients are children three to eight years of age as of November 1, 1949 in the families receiving the public and under Daily Life Security Law, so the children who were born from November 21, 1941 to November 1, 1946 are included.

The second objects of distribution are children eight to thirteen years of age as of November 1, 1949 - the children who were born from November 2, 1938 to November 1, 1941.

(At the second distribution, the clothing might not be given to all the children due to the output of the clothing).

(2) In case when the persons who were decided to be the recipients as of November 1, 1949 changed their addresses or they were ceased or abolished to receive the public aid, the handling of these persons shall be as follows:

(a) Cases when the persons should be counted as the objects of distribution.

In case when one who was receiving the public aid as of Nov. 1, 1949 has removed to the other place (including removal to outside the prefecture) after Nov. 2, and still is receiving the public aid.

In case when one who was receiving the public aid as of Nov. 1, 1949 has removed to the other place and was ceased or abolished to receive the public aid for a short time and became to receive the public aid again until the date of distribution.

(b) Cases when the persons should not be counted as the objects of distribution.

In case when one who was receiving the public aid as of Nov. 1, 1949 was ceased or abolished to receive the public aid from Nov. 2, 1949 to the date of distribution.

In case when one who was receiving the public aid as of Nov. 1, 1949 removed to the other place after Nov. 2 and was ceased or abolished to receive the public aid.

In case when one is taking proceedings to receive the public aid as of Nov. 1, 1949.

In case when one is receiving the public aid as of Nov. 1, 1949 removed to the other place after Nov. 2 and the new place cannot be known till the date of distribution.

Incl. No. 5

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

II. In case of removal in the above column of (a) (=) regarding to handling of the clothing, City, Ward, Town or Village (the former place of the recipient) which received the distribution should send the clothing to City, Ward, Town or Village (new place) where the recipient is living by the mail parcel (if it should be possible for one to take it, it should be taken), after confirming the fact that the removed one is receiving the public aid in new place, and the New City, Ward, Town or Village should deliver the clothing.

The necessary expenses for this handling should be paid by the shipping To, Do, Fu or Prefecture or City, Ward, Town or Village.

III. The receipt to come from the recipient in case of the delivery of the clothing in column (=) should be collected by New City, Ward, Town or Village of the recipient and forward to old City, Ward, Town or Village of the recipient. Old City, Ward, Town or Village of the recipient should send this receipt (copy) with this monthly supply report to To, Do, Fu or Prefecture.

In sending the monthly supply by report, City, Ward, Town or Village which received the allotment of UNICEF clothing should handle it, and special attention should be paid lest the duplication should occur in the monthly supply report of new City, Ward, Town or Village of the recipient.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

WB1YF

SOCIAL AFFAIRS BUREAU
MINISTRY OF WELFARE

Sha-Otsu-Hatsu No. 254

15 November 1949

TO : The Governor of _____Prefecture

FROM : Chief, Social Affairs Bureau, Ministry of Welfare

SUBJECT: Special Distribution of Winter Relief Clothing to the Persons in Need

As a plan for protecting actively the daily life of the persons in need during the winter period of an intense cold, the following special distribution program of winter relief clothing has been planned. Accordingly, you are requested, being well aware of the following matters, to take special troubles with nothing to be hoped for in its handling.

Notes:

1. Article allocated and quantity

(1) Blanket _____

(2) Clothing (Coat & trousers) _____

2. Purchase expenses

(1) The unit prices are as follows:

a. Blanket _____ Yen per piece.

b. Clothing _____ Yen per piece.

c. The above prices are those delivered to the prefecture (including carriage).

(2) The purchase expenses is to be met by the public assistance cost, so the public assistance cost already distributed should be appropriated to this purpose, but you will be aware that the deficit caused will be made up by the next distribution of the public assistance cost.

(3) Measures should be taken to make an immediate purchase by borrowing money in advance, so that the payment may be completed on receipt of the goods allocated.

(4) The carriage and other expenses necessary for the transportation in the prefecture should be borne by the prefecture.

3. Object of distribution

Out of the households now receiving living assistance under Daily Life Security Law (excluding repatriates after April, 1949), the persons particularly in need of clothing have been classified into A class and B class according to family composition and degree of destitution in clothing, and distributed in accordance to the following standard.

4. Distribution standard.

(1) Blankets for A class household.

A coat and trousers for B class household.

(2) One of two pieces of blanket for per household.

A coat and trousers per household.

Incl. No. 6

DECLASSIFIED E.O 12065 SECTION 3-402/NNDG NO. 775 013

5. Method of determining the persons eligible for distribution.

(1) The prefectural governor should decide the quota to the city, town or village according to the number of public assistance recipients, taking into consideration the quantity, price and kind of clothings allocated by the Ministry of Welfare.

(2) The headman of a city, town or village should determine the persons eligible for distribution by classifying fairly and appropriately the needy into A or B class, taking the opinion of the Welfare Commissioner Council (Minsei-iin Kyogikai) on the basis of the quantity allocated by the prefectural governor.

6. Acquisition of the relief goods and its distribution method.

(1) The clothing allocated will be shipped to the prefectural governor from the following firms:

Blanket _____

Coat & trousers_____

(2) On receipt of the goods, the quota determined by the preceding paragraph (1) of 5 will be sent to the headman of a city, town or village, and then the headman of a city, town or village will distribute the goods allocated to the needy persons determined by the preceding paragraph (2) of 5.

7. This winter relief program should be handled as Extra-assistance of Living assistance under the Daily Life Security Law, and in case the extent of the expenses paid for this extra-assistance is within the limits of the appropriation referred to in the preceding section 2. the headman of a city, town or village may handle this program, which will be regarded as having had an approval by the Minister of Welfare in accordance with the provision of Article 10, the Enforcement Ordinance of the Daily Life Security Law, and the particular application for approval will not be necessary.

8. Reporting.

(1) The headman of a city, ward, town or village should prepare "Card for Distributing Winter Relief Clothing to the Needy" according to Form (2) in the annexed paper to keep records.

(2) The headman of a city, ward, town or village should file the monthly report to the prefectural governor by the 10th of the following month, and the prefectural governor should compile the reports submitted and report to this ministry by the 20th of the following month without delay according to Form (2) in the annexed paper.

(3) The headman of a city, ward, town or village should get the receipts from the recipients and arrange them in order.

9. Supervision.

The prefectural governor should occasionally inspect the administrative condition relating to this program in accordance with this notification.

10. Others.

With respect to the distribution of goods, the utmost considerations should be taken in order that difficulties may not arise as to an illegal act.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

LIST BY PREFECTURE OF FIRST DISTRIBUTION OF UNICEF CLOTHING

Prefecture	Boy's Outer Clothing	Girl's Outer Clothing	Underwear
Hokkaido	4,330	4,156	8,486
Aomori	2,178	2,134	4,312
Iwate	2,667	2,709	5,376
Miyagi	3,776	3,489	7,265
Akita	3,029	2,943	5,972
Yamagata	2,261	2,109	4,310
Fukushima	4,394	4,109	8,503
Ibaragi	2,881	2,681	5,562
Tochigi	1,832	1,915	3,747
Gumma	2,928	2,895	5,823
Saitama	3,458	3,318	6,776
Chiba	1,075	1,315	2,390
Tokyo	8,290	7,794	16,084
Kanagawa	3,678	3,316	6,994
Yamanashi	1,936	1,845	3,781
Nagano	3,457	3,280	6,737
Niigata	4,612	4,513	9,125
Shizuoka	4,448	4,179	8,627
Toyama	2,229	2,069	4,298
Gifu	2,348	2,352	4,700
Ishikawa	1,907	1,700	3,607
Aichi	4,894	4,669	9,563
Mie	2,632	2,539	5,141
Fukui	1,238	1,267	2,505
Shiga	1,492	1,678	3,170
Kyoto	2,892	2,843	5,735
Osaka	3,642	3,354	6,996
Hyogo	4,998	4,857	9,855
Nara	1,386	1,379	2,765
Wakayama	2,003	1,828	3,831
Tottori	1,260	1,152	2,412
Shimane	1,642	1,601	3,243
Okayama	3,020	2,883	5,903
Hiroshima	3,128	2,987	6,115
Yamaguchi	2,340	2,259	4,599
Tokushima	2,086	2,133	4,219
Kagawa	1,599	1,690	3,289
Ehime	2,622	2,442	5,064
Kochi	1,864	1,761	3,625
Fukuoka	1,135	1,116	2,251
Saga	1,513	1,435	2,948
Nagasaki	2,440	2,281	4,721
Kumamoto	2,702	2,719	5,421
Oita	1,641	1,558	3,199
Miyazaki	1,677	1,627	3,304
Kagoshima	3,260	3,071	6,331
TOTAL	126,760	121,950	248,710

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

WB145

EN-SHI No. 1277

18 November 1949

TO : Governors of each Prefecture, Tokyo Metropolitan Office and Local Government of Hokkaido.

FROM : Director, Relief Bureau, Repatriation Relief Agency.

SUBJECT: Concerning Repairing of Residences for Repatriates from Abroad. (Instruction by Order of President).

As most of the residences for the repatriates from abroad were built as an emergency measure to meet the imminent situation immediately after the termination of hostilities when many repatriates returned to the homeland within a short period, the facilities, structure and environments of such residences are so bad that these factors are not only jeopardizing rehabilitation of the repatriates but also having an undesirable influence upon the social welfare. Accordingly the Government has decided to grant during current fiscal year the state liability of expenditures for repairing the residences to such To, Do, prefectures, cities, towns and villages, as are intending to repair such residences in accordance with the Standard for Maintenance and Repairing of Residences for Repatriates.

It is therefore requested that you, working out necessary plans immediately, submit by the end of this month an application for grant of the state liability of repairing expenditures, going through the particulars mentioned below.

1. To the application for grant of the state liability of repairing expenditures, the below-mentioned documents should be attached.

(1) The following documents are needed for each facility to be repaired:

a. Name and location of the facility, party who built the facility, party who is now in charge of the facility, scale and structure of the facility, number of the families and their members accommodated in the facility and their classification (classification of repatriates and others).

b. Details of the actual conditions of the part of the facility to be repaired.

c. Repairing plan containing design plan, specifications of works and costs. (Specification of costs should be compiled in accordance with the statement of accounts provided in Law No. 171 of 1947, namely, unit cost and number of materials should be clearly mentioned in it, and such a rough entry as, for instance, so and so yen for roofing works as a whole, should not be made to it).

d. Outline of control over the facility after such repairing be made and estimate of the prospected income and expenditure for the year after the repairs.

e. Survey on comparison of the rent to be revised after the repairs with the amount of the rent collected before the repairs.

f. Excerpt of the estimate of income and expenditure connected with the repairing of the party executing the repairing. (The final draft of the estimate to be presented to the legislative organ of the local entity concerned will do).

(2) Survey on the quantity of the designated productive materials broken down by each facility to be repaired.

(3) Excerpt of the estimates of income and expenditure connected with this matter of the To, Do and prefectures concerned. (The final draft of the estimate to be presented to the assemblies of To, Do and prefectures concerned will do).

Incl No. 7

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. As this repairing is to be executed not as public utilities works, on the decision of the amount of the state liability of repairing expenditures to be granted as well as on the approval for the contents of the repairing plans by this Board, the repairing works may be commenced immediately. However, as delivery of the state liability of the repairing expenditures will be put in execution in the 4th quarter of this fiscal year, necessary budgetary and other steps should be taken without fail on the part of To, Do, prefectures, cities, towns and villages concerned lest such cases should rise that the repairings are put in execution near the end of the fiscal year with the result of roughness of the works completed or budget for the repairings will be extended to the next fiscal year because of the repairing works not being completed within the present fiscal year.

Standard for Maintenance and Repairing of Residences for Repatriates

1. Purport.

In view of the present conditions that the already-built residences for repatriates do not meet prerequisites even in the minimum extent as residence from viewpoints of location, scale, equipments and environments and also are hampering the repatriates' rehabilitation and the social welfare, the maintenance and repairing indispensably required in the minimum extent shall be practiced in accordance with the present standard.

2. Residences for Repatriates to be Repaired.

Residences for repatriates to be repaired in accordance with the present standard shall be the collective residences, necessary for the continuous use as permanent residence for a considerable period of time; the party in charge of management thereof shall be Prefectural or Municipal Offices; and the repairing of these residences shall be limited to those needing imminent repairings. In principle, the temporarily-built residences just like accommodating camps with such location, scale and structure as regarded to be remarkably inadequate in the light of the relation with repatriates' occupations, the use of which are likely suspended in near future, shall be excluded from these repairings.

3. Extent of Repairing.

The repairings shall be conducted generally in accordance with each item of the under-mentioned standard with the object of maintaining the structure and facilities to the minimum extent necessary for residences for repatriates. Small repairings and equipment of the water-tank for fire prevention shall be done as much as possible by the dwellers therein at their own expenses.

(1) Roof.

a. Repairing of the leakage shall be limited to such extent as to be made by exchange of only the damaged part with the same new material for leakage prevention, (including the painting of the galvanized iron-plate with anti-corrosives such as coal-tar).

The roofing materials shall be, in principle, the usually-used ones and the change of such roof as already done with thin and small wooden plates or Japanese cedar bark, into the roof with galvanized iron-plates or tiles shall be limited to a special case.

b. Rain-pipes repairing shall be made, if the repairing of the damaged parts is indispensably needed for maintenance of the building.

(2) Room-partition.

The room-partition shall be done for such room where two different families live together without partition or with incomplete one.

(3) Ceiling.

DECLASSIFIED E.O 12065 SECTION 3-402/NNDG NO. 775 013

The living-room without ceiling or with incomplete one shall be made or repaired.

(4) Windows and Fittings.

a. The pane fitting of the window and exterior fittings of the building, if incomplete and quite bad for getting light and rain-proof, shall be repaired to meet the minimum requirements. Fitting of pane shall not exceed, in principle, 10 square shaku per one tsubo of the living-room, including the already-fitted ones.

b. If there is none of the indispensable fittings inside the residence, they shall be furnished within the minimum requirements.

(5) Floor.

The flooring of such living-room as without floor shall be made. If the floor is lowered down due to the damage of the foundation thereof, the necessary repairing shall be made.

(6) Cooking Equipments.

The cooking equipments of the minimum extent shall be made to meet requirements for fire-prevention and sanitation for such residences where the corridors are used as cooking places. (Cooking range shall be equipped, as a rule, by the dwellers at their own expenses.)

(7) Water-supply and Drainage Equipments.

As regards the water-supply and drainage equipments, only repairing of the damaged parts shall be made. New fitting of the water-pipe into each room shall not be, in principle, allowed.

(8) Water-Closet.

The water-closet shall be repaired for damage, but new fitting shall be limited to the minimum extent.

(9) Mats.

The living-room without mats or with heavily-damaged mats, shall be fitted or anew partly for the damaged mats with exchange of surface parts. The number of the mats in this regard shall not, as a rule, exceed the following limit.

Number of family-members.	Number of mats.
1.	2.
2.	3.
3-4.	6.
5-6	8.
7 or more.	Increase of one mat more than 8 with increase of one family-member.

(10) Fire Escape.

The fitting of the fire escape shall be made in agreement with the scale and the structure of the building, if it is recognized that the dwellers in the upstairs will likely be faced with great danger in case of emergency because of insufficient number of fire escapes.

(11) Miscellaneous Items.

a. The damaged and rotten parts of the wall, the pillar and the foundation works shall be repaired for the necessary strengthening.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

b. Although the residence is situated within the district of electric distribution available and yet without electric supply, the necessary works shall be rendered.

Repairing shall be made to avoid electric leakage caused by incomplete working.

c. The necessary work to get more light shall be done, if the windows of the corridor can get only exceedingly poor light.

d. The work for some ventilation in the cooking place, if very bad, shall be made to the necessary extent.

e. Other works for the indispensably-required minimum for dwelling, if very bad, shall be repaired.

It shall be kept, as a rule, to choose the material of the quality lower than the middle grade, if any, in making repairs.

4. Expenditures.

The defrayment from the national treasury shall be made within the range of the budget, not exceeding 80% of the expenditures required for the practices of the above-mentioned repairings (including the miscellaneous expenses for the field and office works). The repairings conducted by the Municipal Offices shall be subsidized from the national treasury through Prefectural Offices.

5. Management of Residences for Repatriates after Repairing.

As this kind of defrayment (subsidies) from the national treasury is anticipated difficult in and after next year, consideration should be taken with regard to the rents for such dwellers as now paying too lower rents that the rents be raised higher at the time of the repairing so as to pay the management expenses with the incomes from the rents as much as possible, and at the same time as regards the management it should be conducted adequately in accordance with the management standard for repatriates' residences, attached herewith, and further at this time more efforts should be made in inspiring dwellers with feeling for the protection of their residences in order that management of these housing facilities be conducted smoothly as those in bright atmosphere in co-operation of the dwellers with the managing party.

Standard for Management of Residences for Repatriates.

It is necessary for rehabilitation of repatriates that first of all, residences should be afforded to them so as to accommodate them in such environments as will stabilize their livelihood. Accordingly, as for the residences for accommodating repatriates therein, in order that the residents can live a permanent and hopeful life, making the residences thus afforded the basis of their livelihood, appropriate management as mentioned below should be conducted in particular.

1. The residences for repatriates built by To, Do, prefectures, cities, towns and villages should be managed by the said respective local entities. However, in case where it is deemed appropriate under special circumstances of the localities concerned that management of the residences built by To, Do and prefectures should be entrusted to cities, towns or villages concerned, such entrust of management may be put in execution.

2. Chief of each local entity, managing party of the residences, should designate managing assistants for each of such residences and make them to take charge of dealing with the following matters:

(1) Collection of house-rents.

(2) Upkeep and custody of the residence facilities.

(3) Upkeep and promotion of health and sanitation of the residents.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(4) Clearing and arranging of outside and inside of the residences and reforming and repairing of the environments.

(5) Management of common facilities.

(6) Prevention of outbreak of fire.

(7) Other matters relative to management of the residences.

3. The local entity, the managing party of the residences, should stipulate necessary regulations concerning management of the residences, and conduct fair and equitable dealing as regards, in particular, qualification, procedures of selection, responsibilities of the residents, quitting, collection of rents, and others, as well as guide the residents to observe the said regulations.

4. The expenses necessary for upkeep and management of the residences should be met with the collected rents as much as possible, and the deficit should be covered by the managing party from the general budget.

5. As to house-rents, reasonable ones should be decided according to the actual conditions of the facilities of the residences, taking the house-rents of the general residences in the localities concerned as the standard for them.

6. The managing party should prepare an account-book for each residence and thereby make clear at any time the situation of income and expenditure, and at the same time, he should always be acquainted with the actual circumstances of the residences, demanding reports on them periodically or at any time from the managing assistants.

7. He should arouse and elevate the residents' sentiment of tender care and protection for their residences and take every possible measures in guiding the residents to cooperate with the managing assistants so that their residences may be managed as bright residences.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

ENSHI No. 1278 18 November 1949

To: The Governor of Each Prefecture

From: The Chief,
Relief Bureau
Repatriation Relief Agency

Subject: Purchase of Company's Buildings, Used as Repatriates' Housing.

In view of the urgency in needing the housing for repatriates who returned to Japan from abroad shortly after the termination of the war, we rented the factories or dormitories from the company, the owner, to use them as the temporary housing for the repatriates after having made necessary repair or improvement.

The difficulty for each repatriate to secure his own house to move under the current situations, however, has forced the term of rent defer a great deal against agreement. This having inconvenienced the owner of the houses very much for enlargement of the scale of their enterprise or for liquidation of the company who have been dissolved, the owners of the houses, in question, have urged the inmates quit as soon as possible.

Under this situation, we have been negotiating with the Government authorities for purchasing these houses partly on the national account, after having investigated the situations of the houses purchase of which had been urged, and have finally secured their unofficial confirmation in this matter.

Such being the case, we would request you to send us, till end of this month, your application for payment of this national subsidy, having fully understood the following statement:

Statement

1) The building(s) to be purchased is(are) limited only to the one(s) which has (have) been used as the repatriates' housing under the rent agreement between the owner (company, etc.) and the prefecture, city, town or village authorities, and purchase of which by the tenant is urged urgently by the owner either because of their liquidation or because of enlargement of the scale of their enterprise.

2) The purchase price shall be fixed between the owner and the tenant (prefecture, city or village government) at a reasonable price within the amount estimated by the Official Price Estimating Committee based on the amount of money for repairing by the Prefecture, City or Town office, excluding the amount of purchase of the site.

3) The National Subsidy will be granted within the maximum limit of budget which is 80% of the amount estimated as per the above.

4) The purchase should be deferred, however strongly it may be pressed by the owner, if the location, scale or the construction of the building is not suitable for the inmates to make a living utilizing the building. It will be excepted from the case, however, if the building is in a position to be used as the temporary housing for the repatriates for the time being.

5) About the route of payment of the National Subsidy in case the buyer is a city, town or village office, remember that the National Subsidy will be paid to the city, town or village office through the prefecture, Tokyo Metropolitan or Hokkaido Government supervising the buyer.

6) In making the purchase plan, be sure to investigate well enough whether or not the building is mortgaged.

7) The following documents should be enclosed with the application for grant of the National Subsidy:

1. The following documents for ever institution (building) to be purchased:

Incl. No. 8

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

ENSHI NO. 1278 18 Nov. 49

a) Name, situation, scale, construction, founder, administrator, capacity of the building, how many persons are housed at present and descriptions of the inmates (classification of repatriates and others.)

b) Owner of the building.

For what purpose it had been used before it became to be used as repatriates' housing.

c) Reasons in detail why the building must be purchased.

d) Basis for estimation of purchase price, name of estimating agency and the written estimate of the purchase price.

e) The amount and the time (year) of payment for repairs of the building for using it as repatriates' housing.

f) Whether or not the building to be purchased is taken as security of mortgage.

g) Transcripts of Contract for Use of the building.

h) Unofficial agreement by the owner of the building to sell the building.

i) Extract of the budget of the annual income and the annual payment in connection with the purchase of the building by the public organization.

(Confirmed bill submitted to the resolving agency of the public organization will do.)

2. Extract of the budget of the annual income and the annual payment of the prefecture, Tokyo-to or Hokkaido Government in connection with the purchase of the building.
(Bill of prefecture assembly will do.)

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

AGMGPW 091 (JAPAN) 1st Ind
SUBJECT: Vagrant Children (28 Oct 49)

Headquarters Eighth Army, APO 343

TO: Supreme Commander for the Allied Powers, APO 500
(ATTN: Public Health & Welfare Section)

1. The problem of vagrant children does not appear to be as serious as it has been in the past. As pointed up in basic communication, however, most of the children who continue in this status are those with whom present methods have proved ineffectual.

2. This headquarters recommends the following as palliative measures:

a. Establishment of a system of continuous referral in place of the "round-up" system now being used. Actually this only means that responsible individuals will exert their authority continuously rather than during only designated hours.

b. When children are known to have records of repeated run-aways, placement should be made in institutions of moderate restraint.

c. Enforcement of the Child Welfare Law. Article 34 of the Law as amended by the Bill for Partial Revision of Child Welfare Law (Law No. 211, 15 Jun 49) provides authority for action against the oya-bun (bosses) whose control of gangs of children is notorious.

d. Establishment of a system for exchange among prefectures of information pertaining to such children and provision for return to parents or relatives when feasible.

3. As with vagrant adults, this problem is national in scope. Metropolitan areas such as Tokyo, Nageya, Osaka, Kobe and Fukuoka are able to cope with the problem only with national assistance.

FOR THE COMMANDING GENERAL:

J. A. O'BRIEN
CWO USA
Asst Adj Gen

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Ltr. Hqs. Tokyo Civil Affairs Team, subj: Vagrant Children, 28 Oct 49

AG 091.4 (28 Oct 49)PH 2d Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS, APO 500
5 Dec 49

TO: Commanding General, Eighth Army, APO 343

1. Recommendations proposed in basic communication and indorsement have been discussed with the Children's Bureau officials concerned.

2. Continuous referral is now practiced in several centers, successful operation usually depending on the degree to which police and child welfare personnel cooperate.

3. Child Welfare Centers and institutions have now been authorized to set up mild restrictive measures in order to offer better control over "absconders".

4. An attempt was made this year by the Children's Bureau to secure funds for inter-prefecture travel to return children to legal residence, however, they were not successful. The Bureau will encourage exchange of information and will propose methods by which such exchange of information and return of children can be accomplished.

5. Enforcement of Article 34 of the Child Welfare Law as amended (para 2c 1st Ind) is a matter for local authority. Welfare Officers should, through Team Legal Officers, encourage procurators and law enforcement agencies to carry out the intent of the law.

BY COMMAND OF GENERAL MacARTHUR:

C. D. CONLEY
Major, AGD
Asst Adj Gen

AGMGFW 091.4 3d Ind 12 Dec 1949

Headquarters Eighth Army, APO 343

TO: Chief, Kanto Civil Affairs Region, APO 201
(ATTN: Public Welfare Officer)

J. A. O'B

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Ji-Hatsu No. 186 March 4th, 1949

TO : Each of the Governor of Metropolis, Hokkaido or the prefectures.

FROM : Director of Children's Bureau, Welfare Ministry

SUBJECT: Duty of the child welfare official and the guidance and supervision for him.

Concerning the subject matter you must have understood already by Law, Ordinance, instruction by "Outline of the activity of the child welfare official and child welfare worker" and others issued through this Bureau. As the child welfare official is a new program in this country and is a most important field organ, the guidance and supervision for them shall be made with full consideration per the following note so that satisfactory results may be obtained.

Note

I. As the purpose of the child welfare officials are to give consultation and guidance for the problems concerning the welfare of children and make the effort for the promotion of positive welfare for them by case work method, their duty is mainly the case work for them and group guidance may be done according to the need of local situations.

Group work is necessary to effect the case work by the child welfare official and diffusion of child welfare thought through lectures and courses, etc., or group guidance towards the organization of the children's club and mothers club, etc., are most desirable. But just group work with no relation to their case work should be avoided.

II. As the child welfare official is not tied to a spot as an office worker, the following report program shall be taken in each prefecture for supervision and effective work.

1. The child welfare official shall have at her office work diary, children's records, reports of the meeting of child welfare workers at which he was present and other documents, etc.

2. The child welfare official shall submit the written report of the services rendered in the previous month before ___th every month to the prefecture (the head of Children's Section).

3. The child welfare official shall report the matters discussed in the meeting of the child welfare workers at which he was present.

4. The child welfare official shall make a close liaison with the local office or branch office to which jurisdiction his assigned area belongs.

III. The head of the child welfare center may have the child welfare official guide the child or its guardian (Law, Article 16, paragraph 1, item 2 and Law, Article 27, paragraph 1, item 2) and ask him to make the necessary investigations (Regulation, Article 5) and the child welfare official shall report the conditions concerning the children's welfare of his assigned area with his opinion about them (Regulation, Art. 6). The relation of the head of the child welfare center and the child welfare official in the above cases is in the line of their work, and the direction and supervision over the matters concerning the latter's status and public service is under the prefectural governor. In some prefectures the Head of the child welfare center is taking the direction and supervision over the child welfare officials which should be corrected as it is against the law and ordinance.

IV. As the fields of the child welfare service is in cities, towns and villages where activities of the child welfare officials are to be carried out, the child welfare official is naturally closely related with the city, town or village and

DECLASSIFIED E.O 12065 SECTION 3-402/NNDG NO. 775 013

their cooperation per the following must be made beyond the liaison which is provided by the law and ordinance.

1. The child welfare officials shall give the mayor of the city, town or village the information, materials and assistance concerning their work which is required by the city, town or village.

2. The mayor of the city, town or village shall cooperate with the child welfare officials in charge of the city, town or village concerning their work.

3. In the city district where the welfare committee offices are, the child welfare official shall keep close liaison with the Minsei office of her or his assigned area and the office shall be made to cooperate with the child welfare official.

V. The child welfare official shall get cooperation of the child welfare workers of her or his assigned area and make the close liaison with the latter as per the following:

1. The child welfare official shall attend to the meeting of the child welfare workers opened in the assigned area (in the rural area where the wider area is assigned to a child welfare official, he or she shall attend to one by one) and not only join in their discussion for the measures to be taken for the welfare of children but positive leading by presenting the problems for discussion and the opportunity for study should be done. It is the same with the meeting of the standing committee members of the child welfare workers.

2. When the child welfare official is to take a new case, he or she shall keep in touch with the child welfare worker in charge of the area the child lives and any case of delinquent, dislocated, cruelly treated or feebleminded children, etc., which seems too difficult for the child welfare worker must be willingly handled by the child welfare official keeping functional liaison with the former so that successful result may be obtained.

3. The liaison of the child welfare official with the child welfare worker shall be in the line of investigation, procedure or guidance for the children and the general guidance and supervision over the child welfare workers shall be by the Prefecture.

VI. Concerning the area to be assigned to a child welfare official it is said in Article 1 of Enforcement Regulation that the child welfare officials shall have the charge of city districts mainly and in the area outside the assigned area they shall keep the liaison and help to promote the activity of child welfare workers. But it shall be changed as they shall have the whole districts of the prefecture cut for each child welfare official and they shall work more in the urban districts where there are more problems of children within each area assigned and keep liaison with the child welfare workers and help to promote their activities.

2

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

HATSU JI No. 72 June 15, 1949

TO: Each of the Governors of To, Do, Fu and the Prefectures.

FROM: Vice-Welfare Minister

RE: Relations between Child Welfare Law and Juvenile Law.

Notifications regarding to the relations between Juvenile Law (1948 Law No. 168) and Child Welfare Law (1947 Law No. 164) has been given by Ji Hatsu No. 897, December 28th, 1948 "The Relations between amended Juvenile Law and Child Welfare Law". The Juvenile Law and Child Welfare Law, however, have been partially amended at the fifth Diet and promulgated on June 15, 1949 and enforced on the same day.

The relations between Juvenile Law and Child Welfare Law have been mixed and confused in their jurisdictions and complicated and difficult to understand. But the present amendments have adjusted their relations so far and hereafter both Laws shall be treated as follows.

NOTE: Age shall be counted in full and "The Head of the Child Welfare Station" in "The Governor of To, Do, Fu, or the prefecture or the head of the Child Welfare Station" means the head of the Child Welfare Station who has been authorized under the provisions of Article 32 of Child Welfare Law only.

I. Main Points in the Present Amendments.

1. Expansion of the scope to be dealt by Child Welfare Law due to the amendment of Juvenile Law.

Up to this time (a) "a juvenile who has committed a crime and a juvenile under fourteen years of age who has violated a criminal law or ordinance" and (b) "a juvenile over fourteen years of age who is in danger of committing a crime" have been put on trial at the Family Court exclusively and were not to be treated in the child welfare station. But according to the present amendment any person who has found (a) "a juvenile under fourteen years of age who had violated a criminal law or ordinance" is required to report him to the child welfare station instead of the Family Court and (b) "a juvenile over fourteen and under eighteen years of age who is in danger of committing a crime" may be reported either to the child welfare station or to the Family Court.

2. Use of compulsory measures toward the Child.

Up to this time there were no definite regulation concerning the use of the compulsory measure toward a child by the child welfare agencies. But by the present amendments provision is made so that such cases with exception of the case considered to fall under the provision of Articles 33 and 47 shall be referred to the Family Court when the governor of To, Do, Fu, or the prefecture or the head of the child welfare center deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty, (Child Welfare Law,

Inclosure No. 3

INCL. TO # 138
15-31 Aug. 49

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 27-2 and Juvenile Law, Article 7,Paragraph 3) by which their relations have been clarified. Moreover in connection with it the provisions of Article 18, Paragraph 2 of Juvenile Law, "In the case of juveniles referred to the Family Court by the Prefectural Governor or the head of the child welfare center, the Family Court may remand the juvenile to the child welfare center with instructions as to the type of care and other measures to be taken" and Article 27, Paragraph 2 of Child Welfare Law, "the governor of To, Do, Fu, or the Prefecture shall follow the direction based on the decision of the Family Court when the compulsory measure is to be resorted to the child referred to by the provision of Article 18, Paragraph 2 of Juvenile Law" have been made.

3. Other Adjustment of Juvenile Law and Child Welfare Law.

Up to this time there were no provisions of Child Welfare Law to accept a juvenile referred to the governor of To, Do, Fu, or the prefecture or the head of the child welfare station from the Family Court, in accordance to the provision of Article 18 of Juvenile Law. But the amendment provides Articles 26 and 27 of Child Welfare Law to take care of the above.

II. Relations between Child Welfare Law and Juvenile Law

1. Report

The relations between a child who is to be reported to the Child Welfare Station (including its personnel) and a juvenile who is to be reported to the Family Court are as follows:

(Juvenile Law, Article 3 and Child Welfare Law, Article 25, proviso)

(1) The delinquent and predelinquent children - to the child welfare station.

(2) A child under fourteen years of age who is in danger of committing a crime -- to the child welfare station.

(3) A child over fourteen and under eighteen years of age who is in danger of committing a crime -- to the child welfare station or the Family Court.

(4) A juvenile over eighteen years who is in danger of committing a crime -- to the Family Court.

(5) A child under fourteen years of age who has violated a criminal law or ordinance -- to the child welfare station.

(6) A juvenile over fourteen years of age who has committed a crime -- to the Family Court.

The term "the juvenile who is in danger of committing a crime" in Items 2 to 4 inclusive means the one who is of ill nature and has a great possibility of committing a crime in the future especially in view of his character and his surrounding circumstances, among those who fall under the provisions from (a) to (d) in Article 3, Paragraph 1, Item 3 of amended Juvenile Law, "The juvenile who has committed a crime" in Item 6 means the one who is suspected of some concrete larceny and not the one who is considered to have committed a crime some time in view of his previous history.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(2) As all the persons who have found children stated in Items 1 to 3 inclusive and 5 are obliged to report to the Child Welfare Station, every effort shall be taken to have the general public understand and especially the child welfare official and the child welfare worker shall be required to do this reporting.

(3) A large number of these reports to the Child Welfare Station may be given by the National Rural Police Official or the Municipal Police Official, thereupon every effort shall be made to maintain a close liaison with the competent police station and to try to get its cooperation concerning the transportation of the child.

(4) A juvenile over fourteen and under eighteen years of age who is in danger of committing crime may be reported either to the child welfare station or to the Family Court. In this case although the responsibility of the report seems to be dua if the report is made either to the Child Welfare Station or the Family Court, it does not need to report to the other.

(5) When the Family Court discovered a juvenile under fourteen years of age. after accepted, the juvenile is reported to the Child Welfare Station by the Probation Officer and the Child Welfare Station shall receive the case in accordance with Article 25 of Child Welfare Law. In case a juvenile is under the care of a Juvenile Detention Home, it is assumed to be difficult to fetch the juvenile under the present situation of the child welfare station the cooperation of the Family Court to bring the juvenile shall be asked.

(6) When the child welfare station discovered a juvenile over fourteen years of age who had committed a crime or a juvenile over eighteen years of age after accepted, the case shall be reported to the Family Court by the Child Welfare official or the child welfare worker.

2. Protection of the Child.

(1) Protection of the child who has been reported.

(a) The governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station shall be responsible for the protection of the child who has been reported in accordance with the provisions of Article 26 or Article 27 of Child Welfare Law.

(b) In accordance with the amendment of Juvenile Reformatory Law (1948 Law No. 20, enforced on May 30, 1948) the Junior Juvenile Detention Home is not to admit a juvenile under fourteen years of age. (Amended Juvenile Reformatory Law Article 2, paragraph 2) and the Local Juvenile Protection Commission which is established in accordance with the provisions of Offenders Prevention and Rehabilitation Law 1948 Law No. 142, enforced on July 1, 1948) also is not to deal with the juvenile under fourteen years of age. Hereafter every child under fourteen years of age is to be protected by the Child Welfare Agencies and the children in need of the special attention and ingenuity in the training and education are expected to be admitted to the Child Welfare Agencies, therefore every effort shall be made in reorganizing the agencies for accepting them.

INCL. to # 138
15 - 31 Aug. 49

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. Protection of the child transferred in accordance with Article 18, Paragraph I of Juvenile Law.

(a) The Family Court shall, when it deems it proper, upon investigation of a juvenile reported there to take measures in accordance with the provisions of Child Welfare Law, transfer the case to the competent prefectural governor or the head of the Child Welfare Station by its decision the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station who has received such case shall take the most adequate measure for each child based upon its own investigation and diagnoses as well as referring to the result of investigation of the Family Court.

(b) When a case is to be transferred to the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station in accordance with the provisions of Article 18 of Juvenile Law, as it is assumed to be difficult to fetch a child from the Juvenile Detention Home to the Child Welfare Station under the present situation of the Child Welfare Station, in such cases some arrangement should be made with the Family Court so that a probation officer, a National Rural Police official, a Municipal Police official or a worker of the Juvenile Detention Home may bring the child.

(3) Protection of the child transferred in accordance with Article 24, Paragraph I, Item 2 of Juvenile Law.

(a) As the Family Court is to send an inquiry to the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Center regarding the reserve capacity etc., of the home for juvenile training and education or the home for dependent, neglected and abused children for an admittance in view of the need to decide for the referral to either of them in accordance with the provision of Item 2, paragraph I of Article 24 of Juvenile Law as one of the protective dispositions, upon the receipt of such inquiry the information shall be given to the Family Court after careful consideration on the actual situations of the institution under your jurisdiction.

(b) Even when the protective disposition of Article 24, Paragraph 1, Item 2 of Juvenile Law is decided, it is a general rule to refer the child to the Child Welfare Station and not directly to the home for juvenile training and education or the home for dependent, neglected and abused children (Rules of Juvenile Trial, Article 37, Paragraph 2).

(c) As it is considered to be difficult to do this referral on part of the Child Welfare Station under its present situation, in such cases some arrangement shall be made with the Family Court so that a probation officer, a National Rural Police official, a Municipal Police official or a worker of the Juvenile Detention Home may bring the child.

(d) When the child has been transferred to the child welfare station from the Family Court, the governor of To, Do,Fu or the prefecture or the head of the Child Welfare Station shall decide which institution the child should be actually admitted referring to the result of investigation made by the Family Court and within the frame of the disposition made by the Family Court and the measure of Article 27, Paragraph 1, Item 3 shall be taken in addition to the dispositions of the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Family Court. Consequently To, Do, Fu or the prefecture shall pay the expense for the above measure.

(e) It is not necessary to obtain an understanding of the Family Court beforehand regarding the release or change of the measure for the child admitted to the home for juvenile training and education or the home for dependent, neglected and abused children. The governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station may release or change the measure whenever he deems it necessary. But the release or the change of the measure shall be reported to the competent Family Court afterwards.

(f) When the child is transferred to the home for juvenile training and education or the home for dependent, neglected and abused children according to Article 24, Paragraph 1, Item 2, the Family Court may request to submit a report or an opinion in regard to the juvenile, (Juvenile Law Article 28) or make a suggestion concerning the measure for the child. Such transactions shall be made through the governor of To, Do, Fu or the prefecture or the head of the child welfare station.

(4) Use of the Compulsory Measure for the Child.

(a) When the governor of To, Do, Fu or the prefecture or the head of the Child Welfare Station deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty with the child who is under the temporary protection or is placed in the home for juvenile training and education etc., such cases, with exception of the case considered to fall under the temporary shelter or the assumption of the parental right, shall be referred to the Family Court. (Child Welfare Law, Article 27-2).

When the superintendent of the home for juvenile training and education etc., deems it necessary to take any compulsory measure of the preceding paragraph over the child therein, he shall be guided to apply for it to the governor of To, Do, Fu or the prefecture through the head of the child welfare station with its reason.

(b) "When the compulsory measure is necessary" is considered to mean chiefly when the child is in need to be confined in a place with special equipment which facilitates to restrict or check the freedom of movement; (restriction of freedom of movement; the same shall apply hereinafter), but, at any time when any question arises with the concrete case it shall be referred to the Welfare Ministry.

(c) As the home for juvenile training and education has the essential purpose to train and educate the child without resorting to any compulsory measure, every effort shall be made to stick to this essential and the referral to the Family Court should be limited to the unavoidable and exceptional one only. Therefore for the development and the improvement of the skill in the training and education in the home for juvenile training and education, etc., much more study and guidance shall be made and given hereafter.

INCL. TO # 138
15-31 Aug. 49

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(d) The homes for juvenile training and education which are designated as those allowed to resort to the compulsory measure according to the decision made by the Family Court are besides National Musashino Gakuin as follows:

Miyagi Prefecture	Shuyo Gakuin
Tokyo-To	Seimei Gakuin
Tokyo-To	Hagiyamajitsumu Gakko
Kanagawa Prefecture	Kokufu-jisshu Gakko
Aichi Prefecture	Aichi Gakuen
Kyoto-fu	Koyo Gakko
Osaka-fu	Shutoku Gakuin
Hyogo Prefecture	Noko Gakko
Hiroshima Prefecture	Hiroshima Gakuen
Fukuoka Prefecture	Fukuoka Gakuen

As the governor of Do or the prefecture or the head of the child welfare station under whose jurisdiction there is only the kyogoin which do not fall under the above has to refer the case sent by the Family Court under the provision of Juvenile Law, Article 18, Paragraph 2, to the governor of To, Fu or the prefecture who has the jurisdiction over the Kyogoin where the compulsory measure may be exercised or the superintendent of Musashino Gakuin to take care of the child, the preliminary understanding must be obtained for the case to be referred to the Family Court.

(e) When the case is to be referred to the Family Court, the referral sheet containing the following items shall be used (Rules of Juvenile Trial, Article 8). In this referral sheet the statement that the case is referred also under the provisions of Law, Article 27-2.

A. The names, ages, sexes, occupations, address of residence and the permanent domicile address of the juvenile and his guardian, and the institution where the juvenile is living at present, and its location.

B. The detailed reasons to make him committable for the compulsory measure.

C. Any other such matters as serve as references.

(f) It is presumed that the decision of the Family Court would be made with reference to the result of investigation and diagnosis made by the child welfare center, thereupon a copy of the investigation sheet of the child welfare center containing the child's history, behavior, health conditions and such other data as serve as references regarding the child welfare shall be forwarded to the Family Court as a part of the material of "Such matters as serve as references" of Item C of the preceding paragraph (e). Any other materials which serve an evidence and other references for trial at the Family Court, if any, shall be forwarded coupled with the above.

(g) When the governor of To, Do, Fu or the prefecture or the head of the child welfare center is referring a case to the Family Court in accordance with the provisions of the Child Welfare Law, Article 27-2, he may forward the referral sheet

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

only or send the child with this referral sheet according to the circumstances concerning which an arrangement with a complete understanding shall be made with the Family Court concerned. When the child is not sent to the Court, every effort shall be made to prevent the escape of the child until the decision of the Family Court be made: provided that during this period the Family Court has not made the decision, no compulsory measure such as confine the child in a room etc., shall be taken.

(h) When a child is summoned to the Family Court for a trial, the person in charge of the supervision over the child (the Child Welfare Center or the Kyogoin personnel) shall go with the child to the designated place on the date for trial. The trial may be done some times at the place where the child is cared and protected.

(i) As the decision of the case referred to the Family Court in accordance with the Child Welfare Law, Article 27-2 is to be made according to the independent view of the Family Court, the case may be referred back again to the governor of To, Do, Fu or the prefecture or the head of the child welfare center in accordance with Juvenile Law, Article 18, Paragraph 2, or may be placed under the protective disposition of the Juvenile Law, Article 24, Paragraph 1, Item 1 (to be placed under the probation of the District Youth Offender Prevention and Rehabilitation Board) or of ibid Item 3. (To be committed to a reformatory).

(j) When the case is referred by the Family Court in accordance with the Juvenile Law, Article 18, Paragraph 2, the governor of To, Do, Fu or the prefecture or the head of the child welfare center shall take the following measures:

A. In the case of To, Do, Fu or the prefecture under which jurisdiction the Kyogoin where the compulsory measure may be taken is located.

The measure of Child Welfare Law Article 27, Paragraph 1, Item 3 shall be taken (provided, there is no need of it when the child is in Kygoin), a copy of the decision sheet of the Family Court shall be sent to the superintendent of the Kyogoin and the strict guidance and supervision shall be made not to taken a compulsory measure beyond the limit of the decision by the Family Court.

B. In the case of Do, Fu or the prefectures under which jurisdiction the Kyogoin with no compulsory measure allowed:

(A) In case the child is to be sent to Kyogoin other than National Musashino Gakuin, a copy of the decision sheet of the Family Court and the sheet containing the expected date of the child's entrance shall be sent to the governor of To, Fu or the prefecture who has given his approval already and the guidance and supervision over the child be requested, and at the same time the person who is in charge of the child's supervision and protection (child welfare centr or Kyogoin personnel) shall take the child to the designated Kyogoin. The governor of Do or the prefecture or the head of the child welfare center shall take the measure in accordance with the provisions of the Child Welfare Law, Article 27, Paragraph 1, Item 3 for the child and the necessary expenses after his admission to the institution shall be sent to To, Fu or the prefecture under which jurisdiction the competent Kyogoin locates. The amount of the expense shall be what the governor of To, Fu or the prefecture sets with the particular Kyogoin.

INCL. to #158
15-31 Aug. 89

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(B) In case the child is placed in the National Musashino-gakuin. A copy of the decision sheet of the Family Court and the sheet with the date of the child's entrance shall be sent to the Superintendent of the National Musashino Gakuin and ask him for his training and education of the child, and at the same time the person in charge of the supervision and protection over the child shall take the child to the National Kyogoin. It is needless to say that the measure of the Child Welfare Law, Article 27, Paragraph 1, Item 3 must be taken, but Do or the prefecture need not to pay the expenses after his admission. The superintendent of the National Musashino Gakuin shall take responsibility for the training and education of the child.

(k) The decision of the court chiefly shows the maximum limit the compulsory measure may be taken and it does not mean the compulsory power shall be used necessarily to its maximum limit or rather need not be taken at, shall with the cases possible. Therefore this policy shall be well understood, and the adequate guidance shall be made not to abuse the compulsive power upon the child without good reason. But the decision of the Family Court means the obligatory one, then, the compulsion must be exercised.

(12) In case the freedom of the child's movement is restricted as a phase of the compulsory measure based on the decision of the Family Court, the attention shall be payed to the following points.

A. As the restriction of freedom of the movement is exercised in order to achieve the purpose of training and education, every attention shall be paid that the restriction of freedom of the movement shall not be conducted for its own sake. While the restriction of freedom of the movement is conducted, every effort shall be made to fulfill the end of care and protection for the child by using the adequate measure based upon the continuous observation of the child's life.

B. It is needless to say that the restriction of freedom of the movement should be exercised within the limit directed by the Family Court, but it should be made within the minimum period of time and the minimum limit to be needed.

C. In case the restriction of freedom of the movement is taken the opinion of a psychiatrist and other specialists must be requested.

D. The child shall be placed comfortably in the living environment, still, bright and isolated from the outside.

E. The restriction of freedom of the movement shall be exercised with the full consideration on the child's health and supervision.

(m) It is not required to obtain the approval of the Family Court in order to release or change the measure of the child who is placed in Kyogoin based upon the decision of the Family Court. The governor of To, Do, Fu or the prefecture or the head of the child welfare center may release or change the measure at any time when

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

he thinks it necessary (However, when the decision of the Family Court is an obligatory one, then he must obey this decision). This measure shall be taken based upon the opinion of the superintendent of Kyogoin in case of (j) A, upon the opinion of the governor of To, Fu or the prefecture under whose jurisdiction the Kyogoin where the child is placed is located in case of B-(A),upon the opinion of governor of To, Do, Fu or the prefecture under whose jurisdiction the Kyogoin where the child is placed is located in case of B-(B), and upon the opinion of the Superintendent of the National Musashino Gakuin in case of B-(B). When the above measure is taken it must be reported to the Family Court afterwards.

(n) It should be considered as a general rule that the Kyogoin where the child is placed according to (j)-B-(A) and (B) based upon the decision of the Family Court is to keep the child during just the period in need of the compulsory measures and during the minimum period necessary for the training and education in accompany with it. Therefore when the governor of To, Fu or the prefecture under whose jurisdiction such Kyogoin is, or the superintendent of the National Musashino Gakuin requests the release or change of the measure for the child, the governor of Do or the prefecture who had asked for the training and education of the child, or the head of the Child Welfare Center must take the responsibility for the care of the child and not to impose a too heavy burden on the superintendent of Kyogoin.

(5) Temporary care and the use of the parental right. The compulsory measure may be taken toward the child without the decision of the Family Court when the superintendent of the child welfare agency should exercise this parental right over the child based on the temporary care as provided by Article 33 of the Child Welfare Law and Article 47 of the same Law. But the temporary care is not the ultimate but the short transcient care until the decision of the ultimate disposition for treatment is made and when the superintendents of the Child Welfare Agencies assume the parental right, they may take the compulsory measure over the children as the parental right had its own limit in the light of its character.

(b) The authority of the temporary care may be exercised for the protectic of the child without regarding the child's own will if it is necessary.

(c) If a question is raised of the limit of the parental right assumed by the superintendents of the Child Welfare Agencies, it may be inquired with the Welfare Ministry. But to bring an absonder child back may be done as right within the parental right. To confine a child in a room is beyond the parental right and cannot be carried without the decision of the Family Court as stated above.

III. The Close Liaisons between the Agencies Concerned.

As the Child Welfare Law and Juvenile Law are concurrently concerned with the protection of the child, the close liaisons with not only the Family Court but also the police and other Agencies concerned shall be kept for their smooth enforcements.

This instruction is prepared with the understandings of the Family Court and to the Unit of the Criminal Affairs of the National Police.

1 NCL. to #138.
15-31 Aug. 49.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Ministry of Welfare, Hatsu-Sha No. 129 December 7, 1948

TO : The Prefectural Governors

FROM : Director of Social Affairs Bureau, Ministry of Welfare.

SUBJECT: Extent of the expenses to be Provided for Living Assistance under the Daily Life Security Law.

The extensive revision of the Standard Amount of Living Assistance was made in the 8th revision, as notified by Ministry of Welfare Hatsu-Sha No. 94, dated August 13, 1948, in conformity with the social andeconomic circumstances. But recently the raising in the price of rice as well as the increased rations of staple food and condiments have been put into effect, and at this opportunity an attempt has been made not merely to revise the standard amount, but also to adopt the method of computing the standard amount by "Combination system", in order that a proper and just protection, consistent with the actual circumstances of the needy may be materialized, and it has been so decided to enforce retroactively as from November 1st, according to "Substance of the Enforcement of the 9th Revision of the Standard Amount of Living Assistance, that I, by order, instruct you that you may handle it with nothing left to be desired. taking into consideration the following notes.

Notes :

1. Thorough-going guidance should be provided to make the welfare commissioner, and the head of city, town and village comprehend the purport of this revision and its handling method, simultaneously attempting to visualize the innovation and strengthening of the prefectural municipal, and local office functions as well as the improvement and rationalization of protection office work.

2. With regard to the protection cost to be borne by localities,which will be augmented necessarily by this revision, such an action as to raise the amount of local alloted tax is to be taken. Accordingly, strict guidance and super - vision should be made so as not to keep the needy from receiving necessary protection on the pretext of the stringency of local finance.

3. In the process of taking the procedures to provide living assistance, the so-called three-step procedures through city, town or village office, prefectural office and the Ministry of Welfare has been changed into the two-step procedures through city, town or village and prefecture, with a view to effecting the rapidity and appropriateness of protection, and it is intended that even the limitation of the two-step procedures will entirely be abolished at the earliest opportunity. Therefore, special attention should be paid to ensure adequate and proper determination of the minimum living cost by the city, town and village and of the excessive payment beyond the standard living assistance by the prefecture, so that the protection extended will never fail to be just and correct.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Substance of the Enforcement of the 8th Revision
of the Standard Amount of Living Assistance.

I. Purport and main points of this revision.

1. With increases in the ration of staple food, bean pasts, soy sauce, edible oil, etc., beginning from November 1, the food conditions of the country has been improved greatly, In proportion to the amounts increased, accordingly, an attempt has been made to raise the calorie standard employed as the basis of computing the minimum living cost. As a result the calorie standard underlying the determination of the minimum living standard has, as shown in Separate Paper V, Table of Standard Calorie by Age and Sex, reached 99.85 percent against the calorie figures indicated in the Standard Table showing the Calorie Requirement for Japanese compiled by the State Research Institute of Nutrition, thus resulting in a nearly satisfactory condition, only viewed from the point of calorie quantity.

2. With the revision of prices in rice, wheat, etc., on November 1, the computation of the food expenses has correspondingly been revised.

3. In the standard amount of living assistance so far a definite family make-up was supposedly set up, namely, up to the 7th revision, only a definite five-person household consisting of man (aged 64), woman (35), boy (9), girl (5) and boy (1), and in the 8th revision made on August 1 of this year, the definite households make-up composed of one to six family members were supposedly set up.

For example:

1-person household	Woman (aged 62)	
2- " "	Man (65), woman (58).	
3- " "	Woman (35), boy (10), girl (7).	
4- " "	Man (72), woman (37), boy (6), girl (3).	
5- " "	Man (64), woman (35), boy (9), girl (5), boy (1).	
6- " "	Man (81), woman (76), woman (33), girl (8), boy(6), boy (4).	

The minimum living cost necessary for the household make-up thus specified was computed only with an additional assowance by regional difference. This method was uniformally applied to all cases in so far as the number of family members was the same. According to the present standard amount in which the food expense occupies 85 percent approximately, however, there may be marked difference in the minimum living cost, if families differ in make-up, though just the same in the number of family member; so it has been recignized as unreasonable to continue this method. As a consequence the standard which is flexible enough to be adjusted to these differences of the number, sex and age of family members besides regional difference, has been established as indicated in Separate Table I, Table for computing the Standard Amount of Living Assistance, (Group I and II.)

4. Artificial feeding expenses, school lunch expenses, and schooling expenses treated hitherto as outside the scope of the standard amount have been included in the standard amount of living assistance.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

II. Handling method

I. The standard of living assistance.
The standard of living assistance is computed by the use of Separate Table

1. Table for computing the Standard Amount of Living Asistance (Grpup I and II).

2. Procedures to provide the living assistance.

(1) Determination of the minimum living cost.

(i)

The standard of the minimum living cost to be applied to each household is fixed by the use of Separate Table, "Standard Table for Determining the Minimum Living Cost" (hereafter will be called Standard Table for the Determination) (Refer to Example I).

(ii)

The minimum living cost actually required for each household is determined on the basis of the standard fixed inthe proceeding paragraph, by the use of Separate Table III, "Table for Determining the Minimum Living Cost", and that determination is made by the head of city, town or village through discussion of the welfare commissioner council on the basis of the statement of the needy person and the investigations and opinion by the welfare commissioner on charge.

i) The minimum living cost should not be determined vaguely, namely, by resorting to the so-called guess work, but accurately without fail in accordance with Separate Table II, following the next fuide.

(A) Food expenses (Refer to Example II)

(a) Staple Food expenses.

In case the whole of staple food is supplied by oneself, the rationed staple food expenses should wholly be eliminated, and the equivalent cost should be deducted from the expenses for rationed staple food.

(b) Vegetable purchase expenses

In case the whole of vegetables is supplied by oneself, the expenses for non-rationed subsidiary food should wholly be eliminated.

When a quarter of the required amount of vegetables is supplied by oneself, the expenses for non-rationed subsidiary food should be decreasesd for the portion exceeding a quarter.

(c) Fish purchase expenses

In case the whole of fish is supplied by oneself, the expensed