

CHILD GUIDANCE CENTRE, 'SOCIAL CARE' AND ECONOMIC CONSCRIPTION IN JAPAN

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The Concerned Japanese Citizens for the
Rights of the Child to Eradicate Child
Guidance Centre Sufferings (JCREC)

UPR Info Pre-sessions

1

Domestic Legal Provisions to Remove Children from Their Families

- **Article 33 of the Child Welfare Act** allows the child guidance centre the catch-as-catch-can removal of child from a family. **Significant human rights infringements** have ensued.
- **Article 28 of the Child Welfare Act** allows the child guidance centre to file a plea to family court. Once the plea is upheld, the child will be transferred to an alternative care facility (ACF) against the will of the parents. Many children have suffered from **institutional abuse** at ACF.
- **Article 817-2 to 11 of Civil Code** allows the child guidance centre to transfer children thus removed for **adoption for money** with the child's biological birth record erased from the family register.

2

Past UN Recommendations on the Issue/ 1. CRC

- UN recommendation made by the Committee on the Rights of the Child (UNCRC) in 2019:

28(c) There is allegedly **a strong financial incentive** for child guidance centres to receive more children.

29(a) Introduce a **mandatory judicial review for determining whether a child should be removed from the family**, set up **clear criteria** for removal of the child and ensure that children are separated from their parents **as a measure of last resort only**, when it is necessary for their protection and in their best interests, **after hearing the child and its parents**.

3

Past UN Recommendations on the Issue/ 2. CCPR

- UN recommendation made by the Human Rights Committee in 2022:

45(b) Amend the legislation to **establish clear criteria for removal of a child** from the family and introduce a **mandatory judicial review for all cases** to determine whether that is warranted, ensuring that children are separated from their parents **as a measure of last resort only**, when it is necessary for their protection and in their best interests, **after hearing the child and the parents**

47 In accordance with rule 75, paragraph 1, of the Committee's rules of procedure, the **State party is requested to provide, by 4 November 2025**, information on the **implementation of the recommendations** made by the Committee in paragraphs ... **45 (Rights of the child)** above.

➔ Japan is asked to implement the UNCRC Urgent Recommendation 29(a) within three years.

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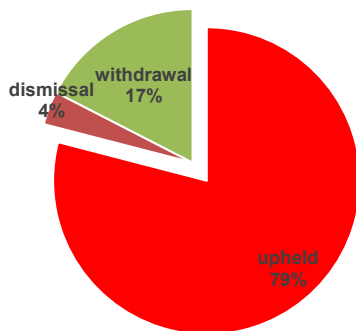
Current Situation in Japan

- Japanese Government will introduce ‘**temporary custody warrant**’ issued by court; it is **far from fulfilling the conditions of judicial review set by the UNCRC 2019 urgent recommendation 29(a), as Paras. 45 & 46 of the UNCCPR 2022 recommendation suggest.**
- The Government **Child and Family Agency** (to be established in April 2023) will **increase the number of child guidance centres by 10 times.**

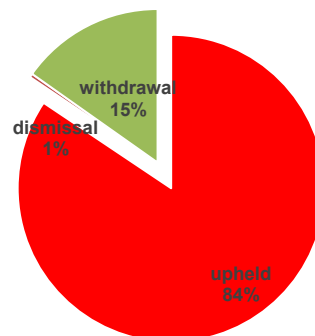
5

Judiciary is a Mere Appendage of the Child Guidance Centre

ARTICLE 28: judicial review in transferring children to alternative care facility (2021)



ARTICLE 33: judicial review in extending the temporary custody beyond initial two months (2021)



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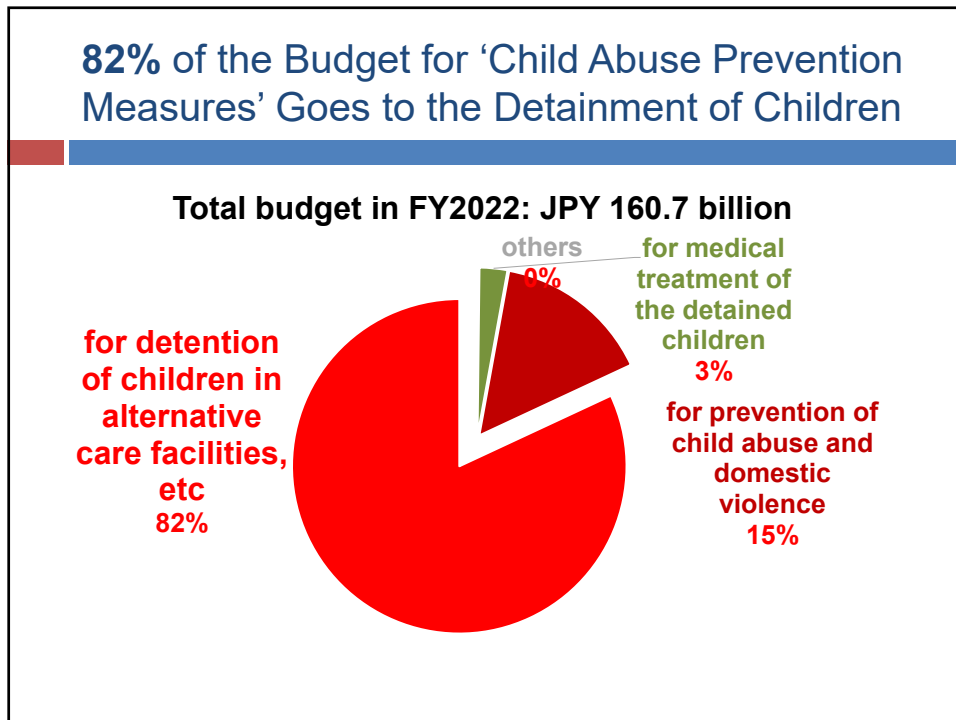
WHY IS THE JAPANESE GOVERNMENT SO AVARICIOUS WHEN IT COMES TO REMOVING CHILDREN FROM THEIR FAMILIES AND PUTTING THEM UNDER THE STATE CONTROL?

7

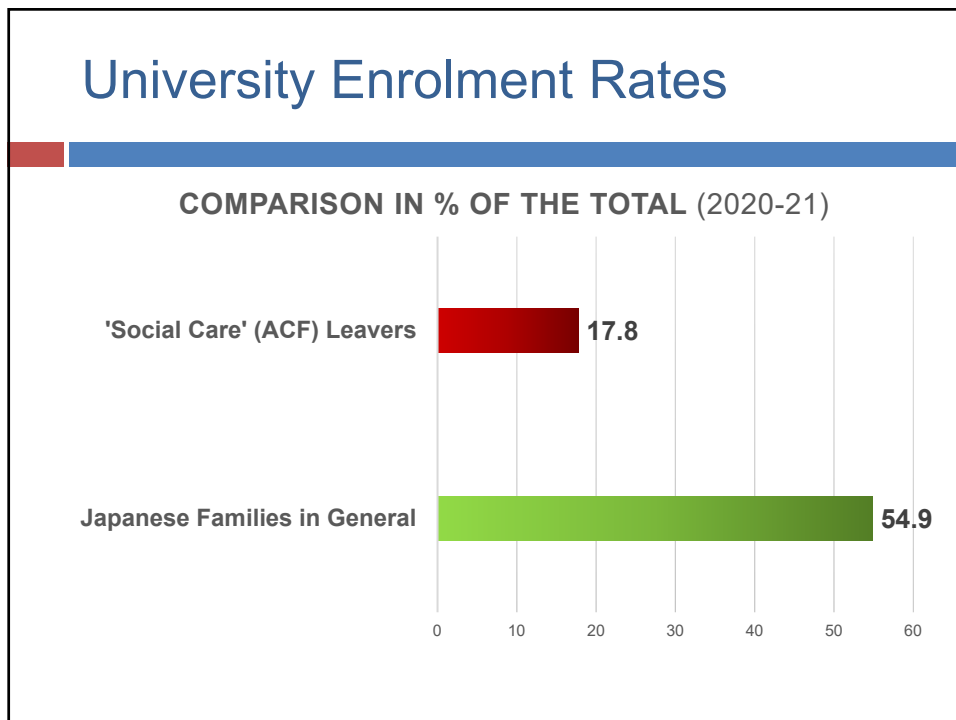
'Strong Financial Incentive'

- The Government keeps paying ca JPY350 to 400 thousand/month/child to child guidance centres as '**unit custody allowance**' and to alternative care facilities as 'involuntary admission allowance' (*sochi-hi*) to run their business, thereby maintaining their vested interests.
- The annual budget of CGC is allocated based on the unit custody allowance multiplied by the **anticipated number of children to be removed from family for that fiscal year (= 'abduction quota')**

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Alternative Care Leavers Have No Future, and Are Prone to Go Homeless

- ‘once they leave the alternative care, system leaves them prone to **homelessness, low-paying work, little opportunity for higher education...**’
(*WITHOUT DREAMS: Children in Alternative Care in Japan*, Human Rights Watch, 2014, p.13)
- An ACF leaver: ‘I have no hope in my future; thus, I’m thinking of **committing suicide before 40.**’
- **Poverty is artificially created** in this system of state appropriation of the child.

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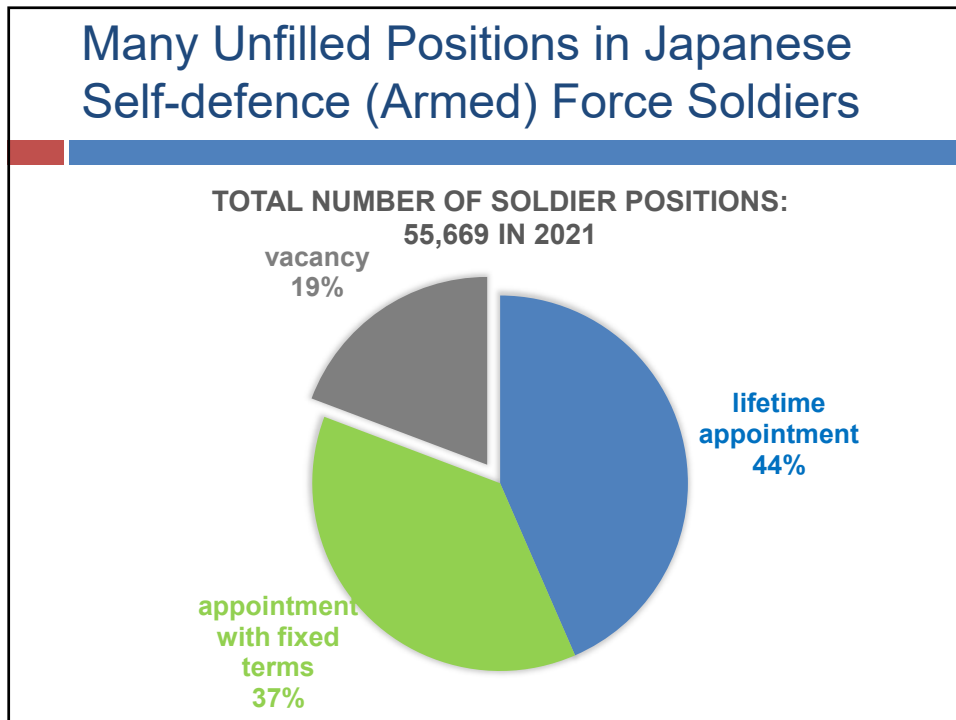
Economic Conscription

- ‘**Economic conscription** is the mechanisms for **recruitment of personnel for the armed forces** through the use of **[poverty]...**’ (Wikipedia)
- In Japan, those young people who are unable to repay student loan were reported to have been brought into the economic conscription.



‘Economic conscription’ to those in poverty? Tokyo Shimbun 3 Sept 2014

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Self-defense (armed) Force Recruiters Visit an Alternative Care Facility (ACF)

➔

She is absorbingly interested in the military jeep.

A boy leaving this ACF this year will join the armed forces.

➔

過去の活動レポート

[← 一覧へ戻る](#)

自衛隊のジープに興味深々です。

2018-03-07

3月7日 今年度卒業・就職する子どもの中に進路が自衛隊入隊する男子がいます。本日、自衛隊の方が来寮した際に外で遊んでいた子ども達がジープに興味心身で集まっていた！ 自衛隊の方より、いろいろと説明を受けて貴重な体験をさせて頂きました！

https://www.wago.or.jp/publics/index/7/detail=1/b_id=43/r_id=873/

- ▶ 児童養護施設 洗心寮
- ▶ 子ども家庭支援センター和合
- ▶ 里親制度について
- ▶ あさがおしオクラブ
- ▶ 活動レポート
- ▶ 交通アクセス
- ▶ 情報公開
- ▶ 寄付募集
- ▶ 個人情報保護方針
- ▶ リンク集

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It's Legal! -- **Child Trafficking** in the Name of 'Special Adoption'

A public case worker labels a pregnant woman who fits under certain criteria (e.g. poverty, psychological trouble) as '**SPECIFIED EXPECTANT MOTHER**'

Once the mother gives birth, the child guidance centre (CGC) abducts the baby under **ARTICLE 33** of Child Welfare Act.

The CGC files a petition to a family court to **deprive the legal parental responsibility** of the biological mother under Article 817-2 to 11 of Civil Code.

The baby's biological family relation is erased from the family register and the baby is transferred to an NPO.

The NPO hands over (**≈sells**) the baby **for ca. JPY 2 million** to an infertile family, sometimes overseas.

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The 'Child and Family Agency' of Japanese Government

- To be established in April 2023.
- The ruling LDP plans to **increase** the nefarious **child guidance centres** (with name changes) and their personnel **by 10 TIMES!!**
- ➔ More children are brought into 'social care'!
- ➔ **Larger pool for economic conscription and child trafficking.**

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Suggested Recommendations

- This bizarre **system of state appropriation of the Child MUST BE STOPPED** immediately.
- To achieve this:
 1. Honestly and thoroughly **abide by all the UNCRC and CCPR recommendations** in this regard.
 2. **Eradicate** and dismantle the current human-right depriving system consisting of child guidance centre and 'social care' altogether.
 3. **Repeal Articles 28** (involuntary placement of a child to ACF) **and 33** (temporary custody at arbitrary discretion of CGC) of the Child Welfare Act and **Articles 817-2 to 11** of Civil Code ('special adoption')

