

Juvenile Training School Act

(Act No. 58 of June 11, 2014)

Table of Contents

| | |
|---------------|---|
| Chapter I | General Provisions (Articles 1 and 2) |
| Chapter II | Administration of Juvenile Training School (Articles 3 to 14) |
| Chapter III | Principles of Treatment, etc. (Articles 15 to 19) |
| Chapter IV | Admission (Articles 20 to 22) |
| Chapter V | Correctional Education |
| Section 1 | Purpose of Correctional Education, etc. (Article 23) |
| Section 2 | Contents of Correctional Education (Articles 24 to 29) |
| Section 3 | Program of Correctional Education, etc. (Articles 30 to 36) |
| Section 4 | Implementation of Correctional Education (Articles 37 to 43) |
| Chapter VI | Support of Reintegration into Society, etc. (Articles 44 to 47) |
| Chapter VII | Hygiene and Medical Care (Articles 48 to 59) |
| Chapter VIII | Lending, Supplying and Purchasing of Goods (Articles 60 to 63) |
| Chapter IX | Handling of Money and Goods (Articles 64 to 77) |
| Chapter X | Access to Books, etc. (Articles 78 to 80) |
| Chapter XI | Religious Acts, etc. (Articles 81 and 82) |
| Chapter XII | Maintenance of Discipline and Order (Articles 83 to 90) |
| Chapter XIII | Contact with the Persons Outside |
| Section 1 | Attention (Article 91) |
| Section 2 | Visits (Articles 92 to 97) |
| Section 3 | Correspondence (Articles 98 to 105) |
| Section 4 | Communication by Telephone, etc. (Articles 106 and 107) |
| Section 5 | Miscellaneous Provisions (Articles 108 to 111) |
| Chapter XIV | Rewards and Disciplinary Actions (Articles 112 to 119) |
| Chapter XV | Filing of Relief, etc. |
| Section 1 | Filing of Relief (Articles 120 to 128) |
| Section 2 | Filing of Complaints (Articles 129 and 130) |
| Section 3 | Miscellaneous Provisions (Articles 131 and 132) |
| Chapter XVI | Provisional Commitment (Article 133) |
| Chapter XVII | Transfer (Article 134) |
| Chapter XVIII | Release on Parole, Discharge, and Continuation of Commitment (Articles 135 to 139) |
| Chapter XIX | Release (Articles 140 to 143) |
| Chapter XX | Death (Articles 144 and 145) |
| Chapter XXI | Auxiliary Provisions (Article 146) |
| Chapter XXII | Penal Provisions (Article 147) |

Chapter I General Provisions

(Purpose)

Article 1 The objective of this Act is to secure both the proper management and administration of juvenile training schools, and the rehabilitation and smooth reintegration into society of inmates by providing, according to their individual characteristics, appropriate correctional education and other treatment that contributes to their sound development, while respecting their human rights.

(Definitions)

Article 2 In this Act, the meanings of the terms set forth in the following items are as prescribed in each item:

- (i) "inmate" means the adjudicated inmate or sentenced inmate;
- (ii) "adjudicated inmate" means a person who is committed to a juvenile training school for the execution of the disposition for rehabilitation of an adjudicated delinquent prescribed in Article 24, paragraph (1), item (iii) of the Juvenile Act (Act No. 168 of 1948) (including the measures under Article 138, paragraphs (2) and (4) (including if applied mutatis mutandis pursuant to Article 139, paragraph (3)) and Article 139, paragraph (2), and the measures under Article 72, paragraph (1) of the Offenders Rehabilitation Act (Act No. 88 of 2007); hereinafter simply referred to as "disposition for rehabilitation of an adjudicated delinquent" in item (i) of the following Article and Article 4, paragraph (1), items (i) through (iii));
- (iii) "sentenced inmate" means a person who has been committed to a juvenile training school for the execution of imprisonment or imprisonment without work pursuant to the provisions of Article 56, paragraph (3) of Juvenile Act, or a person who has been committed to a juvenile training school for the execution of cooperatively enforced punishment referred to in each item of Article 16, paragraph (1) of the Act on the Transnational Transfer of Sentenced Persons (Act No. 66 of 2002) pursuant to the provisions of Article 56, paragraph (3) of the Juvenile Act, applied pursuant to the provisions of Article 21 of the Act on the Transnational Transfer of Sentenced Persons;
- (iv) "custodian" means the custodian referred to in Article 2, paragraph (2) of the Juvenile Act;
- (v) "custodian, etc." means a person who falls under any of the following (a) to (c) (except for a person who has abused, abandoned with malicious intent, or engaged in an equivalent conduct that emotionally or physically harmed the inmate, and is likely to significantly impair the sound development of the same inmate):
 - (a) custodian of inmate;

- (b) spouse of inmate (including a person who has not yet registered the marriage but has a de facto relationship equivalent to a marital relationship. The same applies in Article 110, paragraph (1));
- (c) relative of inmate (except for the persons set forth in (a) and (b)).

Chapter II Administration of Juvenile Training School

(Juvenile Training School)

Article 3 Juvenile training schools are establishments to which the following persons are committed and that provide them with correctional education and other necessary treatment:

- (i) persons subject to execution of disposition for rehabilitation of an adjudicated delinquent;
- (ii) persons subject to execution of sentence of imprisonment or imprisonment without work (including cooperatively enforced punishment referred to in each item of Article 16, paragraph (1) of the Act on the Transnational Transfer of Sentenced Persons; hereinafter simply referred as a "sentence") at a juvenile training school.

(Types of Juvenile Training Schools)

Article 4 (1) Types of juvenile training schools are as set forth in the following items, and are to commit the persons set forth in each of those items:

- (i) class 1: persons who are subject to execution of disposition for rehabilitation of an adjudicated delinquent, do not have a serious physical or mental disability and are almost 12 years of age or older and younger than 23 years old (excluding those prescribed in the following item);
 - (ii) class 2: persons who are subject to execution of disposition for rehabilitation of an adjudicated delinquent, do not have a serious physical or mental disability, developed an advanced criminal tendency, and are almost 16 years of age or older and younger than 23 years old;
 - (iii) class 3: persons who are subject to execution of disposition for rehabilitation of an adjudicated delinquent, have a serious physical or mental disability and are almost 12 years of age or older and younger than 26 years old;
 - (iv) class 4: persons who are subject to execution of sentence at juvenile training schools.
- (2) For each juvenile training school, the Minister of Justice designates one or more types of juvenile training schools set forth in the items of the preceding paragraph.

(Separation of Inmates)

Article 5 (1) In a juvenile training school that is designated two or more different types of juvenile training schools including class 2 or class 4 pursuant to the provisions of paragraph (2) of the preceding Article, inmates are to be separated from each other into groups of those prescribed in paragraph (1), item (ii) of the same Article, those prescribed in item (iv) of the same paragraph and of the other inmates.

(2) Beyond what is provided for in the preceding paragraph, inmates are to be separated by gender.

(3) Notwithstanding the provisions of the preceding two paragraphs, if deemed appropriate and limited to outside the inmate's room (meaning a room the superintendent of the juvenile training school assigned as a place used by the inmate mainly for rest and sleep; the same applies hereinafter), the separation by the distinction set forth in the preceding two paragraphs may not be applied.

(On-the-Spot Inspection)

Article 6 In the interests of the appropriate enforcement of this Act, the Minister of Justice must designate inspectors from among the minister's staff and have the inspectors conduct on-the-spot inspections at each juvenile training school at least once per annum.

(Hearing of Opinions)

Article 7 The superintendent of a juvenile training school must endeavor to hear the opinions of staff of relevant public offices, public organizations and private organizations, and persons with relevant knowledge and experience, essential for contributing to the appropriate administration of the juvenile training school.

(Juvenile Training School Visiting Committee)

Article 8 (1) A Juvenile Training School Visiting Committee (hereinafter referred to as a "Committee") is to be established in each juvenile training school.

(2) The Committee is to visit the juvenile training school for which it has been established and give its opinion to the superintendent of the juvenile training school regarding its administration.

(Organization)

Article 9 (1) Committees are composed of a maximum of 7 members.

(2) The Minister of Justice is to appoint, as Committee members, persons who are of the highest moral character and integrity, and who have insight about the sound development of the youth, along with an interest in improving the administration of juvenile training schools.

- (3) Committee members are to hold their office for one year; provided, however, that they may be reappointed.
- (4) Committee members serve on a part-time basis.
- (5) Beyond what is provided for in the preceding paragraphs, necessary matters on the organization and administration of Committees are provided for by Ministry of Justice Order.

(Providing Information to Committees and Visits by Committee Member)

- Article 10 (1) The superintendent of a juvenile training school is to, pursuant to Ministry of Justice Order, provide Committees on a regular or as-needed basis with information on the state of administration of the juvenile training school.
- (2) In order to understand the state of administration of the juvenile training school, the Committee may have its members visit the school. In this case, if the Committee finds it necessary, the Committee may request cooperation from the superintendent of the juvenile training school for having Committee members conduct interviews with inmates.
 - (3) The superintendent of a juvenile training school must provide the necessary cooperation for the visit and the interviews with inmates set forth in the preceding paragraph.
 - (4) Notwithstanding the provisions of Article 99, any documents submitted to the Committee by inmates must not be examined.

(Publication of Opinions of Committee)

Article 11 The Minister of Justice is, once per annum, to compile the opinions expressed by Committees to the superintendent of the juvenile training school and the measures taken by the superintendent of the juvenile training school in response to those opinions, and publicize the outline thereof.

(Observation by Judges and Public Prosecutors)

Article 12 Judges and public prosecutors may observe juvenile training schools.

(Visit of Juvenile Training Schools)

Article 13 If a person requests to visit a juvenile training school and the superintendent of the juvenile training school finds it reasonable, the superintendent may permit it.

(Officials of Juvenile Training School)

Article 14 Juvenile training school officials are to be given training necessary for promoting a better understanding of the human rights of inmates and for acquiring and developing the knowledge and skills necessary for treating inmates appropriately and effectively.

Chapter III Principles of Treatment, etc.

(Principles of Treatment)

- Article 15 (1) Treatment of inmates is to be provided, while respecting their human rights and keeping a bright and well-regulated environment, to contribute to the sound mental and physical development of inmates, as well as to raise the awareness to motivate their willingness for rehabilitation, and to foster a spirit of autonomy, independence and cooperation.
- (2) Treatment of inmates must be conducted by utilizing the technical knowledge and skills of medicine, psychology, pedagogy, sociology and other fields of science, as well as, by adapting it to their individual characteristics, based on the character, age, personal history, physical and mental conditions and degree of development, the state of delinquency, family environment, friendships and other factors, while taking the best interests of the inmate into consideration.

(Stages of Treatment)

- Article 16 In order to conduct correctional education and other treatment according to their situation of rehabilitation, appropriate treatment for inmates is to be conducted by gradually raising or lowering the stages of treatment specified by Ministry of Justice Order regarding the following particulars, according to the performance evaluation under Article 35, paragraph (1):
- (i) objectives, contents and implementation methods of correctional education;
 - (ii) implementation methods of the support set forth in Article 44, paragraph (1);
 - (iii) implementation methods of treatment related to the life and behavior of inmates that is specified by Ministry of Justice Order, such as the designation of rooms and the assistance under Article 37, paragraph (3).

(Request for Cooperation to Custodian, etc.)

- Article 17 (1) The superintendent of a juvenile training school is to endeavor to facilitate the understanding of the treatment of inmates by custodians or other persons deemed appropriate through the provision of information, interviews with the official of the juvenile training school, etc., as well as endeavor to obtain their cooperation in the treatment by requesting them to participate in activities conducted in the juvenile training school.
- (2) If the superintendent of a juvenile training school finds it necessary, the superintendent may give guidance, advice, or take other suitable measures towards custodians of inmates for making them aware of their responsibility regarding the custody of the inmate and improving the effectiveness of the

correctional education.

(Request for Cooperation to Relevant Organs)

Article 18 (1) If the superintendent of a juvenile training school finds it necessary for the treatment of inmates, the superintendent may request the cooperation of family courts, relevant administrative organs as juvenile classification homes, regional parole boards and probation offices, schools, hospitals, organs related to child welfare, nongovernmental volunteers and others.

(2) A person that has cooperated pursuant to the preceding paragraph must not divulge any secret of inmates learned in the course of the cooperation.

(Inquiries for Public Offices and Other Organizations)

Article 19 If the superintendent of a juvenile training school finds it necessary for the appropriate treatment of inmates, the superintendent may request reports on necessary matters from public offices, or from public or private organizations.

Chapter IV Admission

(Notification upon Admission)

Article 20 (1) Upon the admission of an inmate, the superintendent of the juvenile training school must give notification of the following to the inmate:

- (i) matters pertaining to hygiene and medical care;
- (ii) matters pertaining to lending, supplying, and purchasing of goods;
- (iii) matters pertaining to handling of money and goods;
- (iv) matters pertaining to access to books, etc. (meaning written documents and pictures as books and magazines (except for correspondence and newspapers); the same applies hereinafter);
- (v) matters pertaining to religious acts, religious ceremonies and religious guidance;
- (vi) matters pertaining to the rules to be observed prescribed in Article 84, paragraph (1);
- (vii) matters pertaining to visits and correspondence;
- (viii) matters pertaining to disciplinary action;
- (ix) matters pertaining to a request under Article 120 or Article 121, paragraph (1);
- (x) matters pertaining to the filing of complaints.

(2) The notification under the preceding paragraph is made pursuant to Ministry of Justice Order and in writing with a plain language.

(Body Examination for Identification)

Article 21 (1) An official of juvenile training school designated by Ministry of Justice Order (hereinafter referred to as "designated official") may, upon the admission of inmates to the juvenile training school, examine the body of inmates to the extent necessary for identifying them. The same applies if it becomes necessary at a later date.

(2) In conducting the examination of female inmates pursuant to the provisions of the preceding paragraph, it must be conducted by a female designated official; provided, however, that if a female designated official is unable to conduct the examination, a male designated official may conduct the examination by directing a female official appointed by the superintendent of the juvenile training school.

(Notification of Admission)

Article 22 When an inmate is admitted to a juvenile training school, the superintendent of the juvenile training school is to promptly notify the custodian of the inmate or other persons deemed appropriate of that.

Chapter V Correctional Education

Section 1 Purpose of Correctional Education, etc.

Article 23 (1) The purpose of correctional education is to correct criminal tendencies of inmates, and to help inmates foster a healthy mind and body, and acquire the knowledge and ability necessary for adjusting themselves to life in society.

(2) Correctional education is to be provided systematically and organizationally, by appropriately combining the guidance under the following section, according to individual characteristics of inmates.

Section 2 Contents of Correctional Education

(Life Guidance)

Article 24 (1) The superintendent of a juvenile training school is to provide inmates with the life guidance necessary to help them acquire the knowledge and attitude to life required for living an independent life as responsible members of society.

(2) Upon providing the life guidance referred to in the preceding paragraph to inmates who have not decided what path to take in life, the superintendent of the juvenile training school must pay special attention to helping them acquire the ability to select a path according to their individual characteristics.

(3) Upon providing the life guidance referred to in paragraph (1) to inmates

under the circumstances set forth in the following items, the superintendent of a juvenile training school must pay special attention to helping them improve those circumstances:

- (i) lack of willingness to try to understand the feelings of persons who have suffered from crimes or acts infringing penal laws and regulations, and their families or the bereaved thereof;
- (ii) being dependent on drugs such as narcotics or stimulants;
- (iii) other circumstances specified by Ministry of Justice Order.

(Vocational Guidance)

Article 25 (1) The superintendent of a juvenile training school is to give inmates the vocational guidance necessary to encourage them to work and help them acquire vocationally-useful knowledge and skills.

- (2) If the implementation of the vocational guidance under the preceding paragraph generates income, this income is to be allocated to the National Treasury.
- (3) The superintendent of a juvenile training school may provide inmates who have received the vocational guidance under paragraph (1), upon their release, a financial incentive in an amount deemed reasonable in consideration of the extent of their acquisition of vocationally useful knowledge and skills and other circumstances, up to the amount calculated in accordance with the standards provided for by the Minister of Justice (referred to as "financial incentive for acquisition of vocational abilities" in the following paragraph).
- (4) Notwithstanding the provisions of the preceding paragraph, if an inmate has requested the provision of a financial incentive for acquisition of vocational abilities before their release, and the superintendent of the juvenile training school finds that the intended use of the financial incentive for acquisition of vocational abilities is reasonable, such as the purchase of purchased goods, etc. prescribed in Article 67, paragraph (1), item (i) at the inmate's own expense, the superintendent may, pursuant to the provisions of Ministry of Justice Order, provide the inmate with all or part of the requested amount up to the amount equivalent to the amount of the financial incentive for acquisition of vocational abilities that could be provided for the inmate if released at that time. In this case, the superintendent of the juvenile training school is to deduct the amount equivalent to the provided amount from the amount of the financial incentive for acquisition of vocational abilities that can be payed pursuant to the provisions of the preceding paragraph.

(Educational Guidance)

Article 26 (1) The superintendent of a juvenile training school is to provide educational guidance (meaning guidance equivalent to that of the school

education provided for by the School Education Act (Act No. 26 of 1947); the same applies hereinafter) for the inmates who have not completed compulsory education under the same Act and other inmates who is deemed to be hindered from rehabilitation or from smooth reintegration into society due to a lack of education fundamental to life in society.

- (2) Beyond what is provided for in the preceding paragraph, the superintendent of a juvenile training school may provide inmates for whom an improvement in education is likely to contribute especially to their smooth reintegration into society with the educational guidance suited to their stage of education.

(Educational Guidance on Education Equivalent to Curriculum of School)

Article 27 (1) If an inmate has completed, through educational guidance, all or part of the education equivalent to the curriculum of a school among the schools under Article 1 of the School Education Act (hereinafter simply referred to as "school"), the inmate is deemed to have completed all or part of this curriculum according to the scope of the education completed by the inmate.

- (2) If the superintendent of a juvenile training school is to provide educational guidance with the education equivalent to the curriculum of a school, the superintendent must follow the recommendations of the Minister of Education, Culture, Sports, Science and Technology, with regard to the educational guidance.

(Physical Education Guidance)

Article 28 The superintendent of a juvenile training school is to give inmates the physical education guidance necessary for them to foster a healthy mind and body fundamental to live independent lives as responsible members of society.

(Special Activities Guidance)

Article 29 The superintendent of a juvenile training school is to provide inmates with necessary guidance related to carrying out of social contribution activities, outdoor activities, sports, music, theatrical activities and other activities that contribute to developing their sense of sentiment and fostering a spirit of independence, autonomy and cooperation.

Section 3 Program of Correctional Education, etc.

(Correctional Education Curriculum)

Article 30 The Minister of Justice is to determine the main contents and standard periods of correctional education to be provided for inmates falling under each of the categories into which they are divided according to certain

common individual characteristics, as their age, existence of mental or physical disability and degree of criminal tendencies, ability necessary for adjusting to life in society and other circumstances (hereinafter referred to as "correctional education curriculum").

(Designation of Correctional Education Curricula for Each Juvenile Training School)

Article 31 The Minister of Justice is to designate correctional education curricula to be implemented in each juvenile training school.

(Juvenile Training School Correctional Education Curriculum)

Article 32 (1) If the juvenile training school has correctional education curricula to be implemented designated pursuant to the provisions of the preceding Article, the superintendent of the juvenile training school is to determine juvenile training school correctional education curriculum, pursuant to Ministry of Justice Order, for each of the designated correctional education curriculum.

(2) Objectives, contents, implementation methods and periods of correctional education, and any necessary matters for implementation of correctional education are to be stipulated in the juvenile training school correctional education curriculum referred to in the preceding paragraph, for each of the stages of treatment under Article 16.

(Designation of Correctional Education Curriculum of Inmates)

Article 33 (1) When an inmate is admitted to a juvenile training school, the superintendent of the juvenile training school is to, as soon as practicable, designate a correctional education curriculum for the inmate to take, based on opinions of a family court and a director of juvenile classification home.

(2) If the superintendent of a juvenile training school finds necessary, the superintendent is to consult the director of a juvenile classification home and change the correctional education curriculum referred to in the preceding paragraph pertaining to an inmate.

(Personalized Correctional Education Program)

Article 34 (1) If the superintendent of a juvenile training school designated the correctional education curriculum for an inmate pursuant to the provisions of paragraph (1) of the preceding Article, the superintendent is to formulate a program of correctional education for the inmate (hereinafter referred to as "personalized correctional education program").

(2) A personalized correctional education program is to stipulate, in line with the juvenile training school correctional education curriculum referred to in Article

32, paragraph (1), objectives, contents, implementation methods and periods of correctional education, and other necessary matters for the implementation of correctional education.

- (3) If the superintendent of a juvenile training school intends to formulate a personalized correctional education program, the superintendent is to formulate it based on the results of investigation by interviewing with the inmate or through other appropriate methods, as well as the opinions of a family court or director of juvenile classification home if there are any, taking into consideration as much as possible the preference of the inmate, the custodians or other persons deemed appropriate.
- (4) If the superintendent of a juvenile training school has formulated a personalized correctional education program pursuant to the provisions of paragraph (1), the superintendent is to promptly inform the inmate of the contents and notify the custodians, or other appropriate person thereof.
- (5) If the superintendent of a juvenile training school finds necessary, the superintendent is to revise the personalized correctional education program related to the inmate specified in paragraph (1).
- (6) The provisions of paragraphs (2) through (4) apply mutatis mutandis to the revision of the personalized correctional education program under the preceding paragraph.

(Conducting and Informing Performance Evaluation)

- Article 35 (1) The superintendent of a juvenile training school is to conduct a performance evaluation for each inmate, in order to understand the results of the correctional education, pursuant to Ministry of Justice Order.
- (2) The performance evaluation under the preceding paragraph is to be carried out in an integrative manner, pursuant to the provisions of Ministry of Justice Order, and with regard to the degree of achievement of objectives of the correctional education stipulated in the personalized correctional education program and other matters specified by Ministry of Justice Order.
 - (3) If the superintendent of a juvenile training school has conducted the performance evaluation under paragraph (1), the superintendent is to promptly inform the inmate of the results and notify the custodians, or other persons deemed appropriate thereof.
 - (4) If the superintendent of a juvenile training school gives the notification under the preceding paragraph or finds it appropriate, the superintendent is to give a notification about the life and the physical and mental condition of the inmate to the custodians or other persons deemed appropriate.

(Admission to Juvenile Classification Home for Classification)

- Article 36 (1) If the superintendent of a juvenile training school finds it

necessary to verify if a correctional education curriculum designated pursuant to the provisions of Article 33, paragraph (1) (if there is a change under paragraph (2) of the same Article, the one after the change; hereinafter referred to as "designated correctional education curriculum" in Article 134, paragraph (2)) or an individual correctional education program formulated pursuant to the provisions of Article 34, paragraph (1) (if there is a change under paragraph (5) of the same Article, the one after the change) is appropriate for an inmate, or for other reasons, the superintendent may have the inmate classified by the director of a juvenile classification home.

(2) If the superintendent of a juvenile training school intends to have an inmate classified by the director of juvenile classification home pursuant to the provisions of the preceding paragraph, and the director of the juvenile classification home finds that it is necessary to conduct the classification by committing the inmate to the juvenile classification home, the inmate may be committed to the juvenile classification home, within a period not exceeding seven days; Provided, however, that if there is any compelling reason, the inmate may be kept committed for a period not exceeding fourteen days through.

Section 4 Implementation of Correctional Education

(Daily Schedule of Inmates)

Article 37 (1) The superintendent of a juvenile training school is to, pursuant to Ministry of Justice Order, determine the daily schedule of inmates (meaning determining times for daily activities as meals and sleeping, times for correctional education and time to be set aside for leisure; the same applies in the following paragraph and Article 84, paragraph (2), item (ix)) and have the inmates follow it.

(2) If the superintendent of a juvenile training school finds it necessary, the superintendent may conduct correctional education also at a time other than the time set forth in the daily schedule.

(3) The superintendent of a juvenile training school is to, pursuant to Ministry of Justice Order, provide inmates with assistance regarding activities in the time to be set aside for leisure, such as studying, recreation and sports.

(Group Organization)

Article 38 (1) Correctional education is to, for an effective implementation, be conducted by organizing inmates into appropriate groups, taking into consideration factors such as the correctional education curricula that inmates should take and the stages of treatment as specified in Article 16.

(2) Upon conducting correctional education, if it is difficult for an inmate to

adapt to living in a group due to the mental and physical condition of the inmate, or if the superintendent of the juvenile training school finds it necessary to provide correctional education to the inmate separately, notwithstanding the provisions of the preceding paragraph, the superintendent may choose not to organize the inmate into a group.

(Correctional Education Outside the Juvenile Training School)

Article 39 Correctional education may, to the extent necessary for its effective implementation, be conducted in an appropriate location outside the juvenile training school.

(Assistance for Correctional Education)

Article 40 (1) The superintendent of a juvenile training school may, for an effective implementation of correctional education, with the approval from the superintendent of the Regional Correction Headquarters that has jurisdiction over the location of the juvenile training school, request business operators, school principals, persons with relevant knowledge and experience, or any other person deemed appropriate, to assist in conducting the correctional education.

(2) If the superintendent of a juvenile training school finds it necessary for the smooth reintegration into society of an inmate (except for the sentenced inmate for whom the period of time for parole qualification pursuant to the provisions of Article 28 of the Penal Code (Act No. 45 of 1907), Article 58 of Juvenile Act, or Article 22 of Act on the Transnational Transfer of Sentenced Persons has not passed yet; hereinafter the same applies in this Article), and finds it appropriate in consideration of the rehabilitation status and other circumstances of the inmate, the superintendent may have that inmate commute to places outside the juvenile training school and receive guidance from persons who provide guidance to inmates as the assistance under the preceding paragraph (referred to as "commissioned instructor" in the following paragraph and paragraph (5), item (iv)) unaccompanied by an official of the juvenile training school.

(3) Upon having inmates receive the guidance under the preceding paragraph (hereinafter referred to as "out-of-school commissioned guidance"), the superintendent of a juvenile training school must, pursuant to Ministry of Justice Order, make an arrangement with the commissioned instructor with regard to the contents and hours of the out-of-school commissioned guidance which the inmates are to receive, necessary measures for ensuring the safety and health of inmates, and other matters necessary for the implementation of the out-of-school commissioned guidance.

(4) The superintendent of a juvenile training school is to, prior to having an

inmate receive an out-of-school commissioned guidance, determine the rules concerning the out-of-school commissioned guidance with which the inmate must comply (hereinafter referred to as "special rules to be observed" in this Article) and inform the inmate about them.

- (5) Special rules to be observed are to provide for the following items in a concrete manner:
- (i) the inmate must travel by a specified route and means of transport;
 - (ii) the inmate must return to the juvenile training school by a specified time;
 - (iii) no inmate must, without just cause, enter a place other than the place where the inmate receive the out-of-school commissioned guidance;
 - (iv) the inmate must obey guidance related instructions from commissioned instructors;
 - (v) no inmate must, without just cause, come in contact with a person that has criminal tendencies, or is likely to hinder adequate implementation of correctional education.
- (6) If an inmate receiving out-of-school commissioned guidance has failed to obey the rules to be observed prescribed in Article 84, paragraph (1) or the special rules to be observed or if there is any other reason for finding that the inmate is not qualified for out-of-school commissioned guidance, the superintendent of a juvenile training school may suspend the guidance.

(Ensuring Safety and Health of Inmates)

- Article 41 (1) The superintendent of a juvenile training school must take the necessary measures for ensuring the safety and health of inmates who receive correctional education.
- (2) The inmate must observe the necessary rules according to the measures taken by the superintendent of the juvenile training school pursuant to the provisions of the preceding paragraph.
- (3) With regard to vocational guidance referred to in Article 25, paragraph (1), the measures to be taken by the superintendent of the juvenile training school pursuant to the provisions of paragraph (1) and the rules to be observed by inmates pursuant to the provisions of the preceding paragraph are provided for by the Minister of Justice, being dealt with in the same manner as the measures to be taken by business operators and the rules to be observed by workers for ensuring the safety and health of workers provided for by the Industrial Safety and Health Act (Act No. 57 of 1972) or other laws and regulations.

(Allowance)

- Article 42 (1) If an inmate dies as a result of receiving correctional education, the superintendent of the juvenile training school may, pursuant to Ministry of

Justice Order, pay a death allowance to the bereaved family, etc. (meaning the bereaved family or other person specified by Ministry of Justice Order; the same applies hereinafter.)

- (2) If an inmate who suffered an injury or illness as a result of receiving correctional education still remains physically disabled after recovery, the superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, pay a disability allowance to the inmate.
- (3) If an inmate suffered an injury or illness as a result of receiving correctional education and is yet to recover from the injury or illness at the time of release, and it is deemed reasonable by considering the nature, degree and other aspects of the injury or illness, the superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, pay an special allowance to the inmate.

(Balance with Damages)

Article 43 (1) If the State is responsible for the damages pursuant to the State Redress Act (Act No. 125 of 1947), the Civil Code (Act No. 89 of 1896), or other laws, and an allowance referred to in the preceding Article has been paid, the State is exempt, up to the amount of that payment, from the responsibility for the damages based on the same grounds.

- (2) The amount of money received as the allowance under the preceding Article must be free of taxes or other types of public charges.

Chapter VI Support of Reintegration into Society, etc.

(Support of Reintegration into Society)

Article 44 (1) The superintendent of a juvenile training school is to, for smooth reintegration into society of an inmate, support the inmate with difficulty in living an independent life after release from the juvenile training school, while respecting the inmate's intention, in the following manner:

- (i) helping the inmate obtain a suitable residence or other accommodation and get back to their normal life in that accommodation;
 - (ii) helping the inmate receive medical care and medical treatment;
 - (iii) helping the inmate with learning or obtaining employment;
 - (iv) beyond what is set forth in the preceding three items, giving the assistance necessary for the inmate to live a sound social life.
- (2) Support referred to in the preceding paragraph may, to the extent necessary for its effective implementation, be conducted in an appropriate location outside the juvenile training school.
 - (3) In implementing the support measures referred to in paragraph (1), the superintendent of a juvenile training school must endeavor to cooperate with

directors of probation offices.

(Day Leave and Furlough)

Article 45 (1) If the superintendent of a juvenile training school finds it necessary for smooth reintegration into society of an inmate (except for sentenced inmates for whom the period of time for parole qualification pursuant to the provisions of Article 28 of Penal Code, Article 58 of the Juvenile Act, or Article 22 of the Act on the Transnational Transfer of Sentenced Persons has not passed yet), to go outside the juvenile training school to settle important personal matters such as securing of residence and employment following their release, visit people relevant to their rehabilitation, or acquire other useful experience for life in society following their release, and finds it appropriate, taking into account circumstances such as the status of rehabilitation of the inmate, the superintendent may permit a day leave or a furlough for a period up to seven days unaccompanied by the officials of the juvenile training school.

(2) The provisions of Article 40, paragraphs (4) through (6) (except for paragraph (5), item (iv)) apply mutatis mutandis to the day leave and furlough under the preceding paragraph.

(Exclusion from the Term of Sentence)

Article 46 If a sentenced inmate on the furlough under paragraph (1) of the preceding Article fails to return to the juvenile training school by the date and time the superintendent of the juvenile training school has specified, the days of furlough must not be included as part of the term of their sentence; provided, however, that this does not apply if the failure to return is due to grounds not attributable to the inmate.

(Expenses for Day Leave and Furlough)

Article 47 With regard to the expenses required for the day leave or furlough under Article 45, paragraph (1), if an inmate is unable to afford them, or if the superintendent of the juvenile training school finds it appropriate, all or part of them must be borne by the National Treasury.

Chapter VII Hygiene and Medical Care

(Principle of Hygiene and Medical Care)

Article 48 At the juvenile training school, efforts are to be made to understand the physical and mental condition of inmates, and in order to achieve the healthy mental and physical development of inmates and to maintain the hygiene inside the juvenile training school, adequate hygienic and medical

measures are to be taken according to the public standards of hygiene and medical care.

(Physical Exercise)

Article 49 Except on Sundays and other days specified by Ministry of Justice Order, inmates must be provided with the opportunity to take adequate exercise, as much outdoors as possible to achieve their healthy mental and physical development; provided, however, that this does not apply if it is impossible to provide this opportunity within the working hours of the juvenile training school due to circumstances such as an appearance on an adjudication date or a trial date.

(Inmates' Duty of Cleanliness)

Article 50 Inmates must maintain the cleanliness of their own body, clothes and personal belongings, and their rooms and other places they use on a daily basis.

(Bathing)

Article 51 Inmates are, pursuant to Ministry of Justice Order, required to take baths adequate for maintaining the hygiene inside the juvenile training school.

(Haircuts and Shaves)

Article 52 (1) Inmates are, pursuant to Ministry of Justice Order, required to have haircuts and shaves.

(2) If an inmate requests to have a haircut at their own expense, and the superintendent of the juvenile training school finds it appropriate in relation to the treatment, the superintendent may permit it.

(Medical Examinations)

Article 53 (1) The superintendent of a juvenile training school must, pursuant to Ministry of Justice Order, conduct health examinations for inmates promptly after the admission to the juvenile training school and thereafter every six months or more. This also applies if it is considered necessary for the hygiene of the juvenile training school.

(2) Inmates must undergo the medical examination under the preceding paragraph. In this case, inmates may not refuse blood test, x-rays, or any other medical treatment necessary for conducting the health examination.

(Medical Treatment)

Article 54 (1) If an inmate falls under any of the following items, the superintendent of the juvenile training school is to promptly have a doctor, etc. (meaning a medical doctor or a dentist; the same applies hereinafter in this

paragraph and the following Article) who is an official of the juvenile training school or a doctor, etc. who is commissioned by the superintendent give that inmate medical treatment (including providing nutrition; the same applies hereinafter) and take other necessary medical measures; provided, however, that in cases falling under item (i), if there is no risk of causing the inmate's serious mental and physical impairment or infecting others with the disease, this is limited to cases in which the treatment is not given against the inmate's will:

- (i) if the inmate is injured or suffering from disease, or is suspected to have sustained an injury or to have a disease;
 - (ii) if the inmate refuses to ingest food and drink, and it is likely to inflict serious harm to the body or mind of the inmate.
- (2) If the superintendent of a juvenile training school intends to provide the opportunity for medical treatment pursuant to the provisions of the preceding paragraph, the superintendent may have the inmate visit a hospital or a clinic outside the juvenile training school as an outpatient as necessary, or may have the inmate admitted to a hospital or clinic outside the juvenile training school if it is unavoidable.

(Medical Treatment by Appointed Doctor)

Article 55 (1) For an inmate sustaining an injury or suffering from a disease, if the inmate, or a person who exercises the parental authority or the guardian of the minor (hereinafter referred to as "person who exercises parental authority, etc.") applies to appoint a doctor, etc. (excluding a doctor, etc. who is an official of the juvenile training school and a doctor, etc. commissioned by the superintendent of the juvenile training school) and receive medical treatment, and the superintendent of the juvenile training school finds it appropriate for the inmate's medical care in light of circumstances such as the type and degree of the injury or disease, the fact that the inmate had been seeing that doctor, etc. as an outpatient prior to the admission to the juvenile training school, the superintendent may permit the inmate to receive the medical treatment inside the juvenile training school at their own expenses.

- (2) If the superintendent of a juvenile training school permits the medical treatment under the preceding paragraph, and it is necessary in order to examine the method of medical treatment by the doctor, etc. who provides the medical treatment set forth in the same paragraph (hereinafter referred to as "appointed doctor" in this Article), or to conduct medical treatment in the juvenile training school afterwards, the superintendent may have an official of the juvenile training school attend the medical treatment, or ask the appointed doctor questions with regard to the medical treatment, or request the appointed doctor to submit materials related to the medical treatment such as

a copy of the inmate's medical records.

- (3) An appointed doctor must, upon the medical treatment, observe any instruction provided by the superintendent of the juvenile training school pursuant to Ministry of Justice Order.
- (4) If the superintendent of a juvenile training school has permitted the medical treatment under paragraph (1), and the appointed doctor refuses to comply with the measures taken by the superintendent pursuant to the provisions of paragraph (2) or disobeys the instructions provided by the superintendent pursuant to the provisions of the preceding paragraph, or it is inappropriate to continue the medical treatment, the superintendent may suspend the medical treatment and thereafter may elect not to permit the inmate to receive medical treatment from the appointed doctor.

(Notification of Critical Condition of Inmates)

- Article 56 (1) If the superintendent of a juvenile training school finds that the condition of an inmate sustaining an injury or suffering from a disease is or is likely to become critical, the superintendent of the juvenile training school must immediately notify the situation to the custodian of the inmate or other appropriate persons.
- (2) If there is a request from a person who received a notification under the provisions of the preceding paragraph of the willingness to nurse the inmate, and the superintendent of the juvenile training school finds it appropriate, the superintendent may permit the inmate to receive the nursing pursuant to Ministry of Justice Order.

(Measures for Prevention of Epidemics)

- Article 57 If it is necessary in order to prevent the occurrence of an infectious disease or to prevent its outbreak inside the juvenile training school, the superintendent of the juvenile training school is to conduct the medical examination under Article 53 or the medical treatment and other medical measures under Article 54, conduct a vaccination, a quarantine until the risk of spreading the disease has ceased to exist, or take other measures provided by Ministry of Justice Order.

(Protective Care Measures)

- Article 58 (1) With regard to inmates who are expectant or nursing mothers, inmates whose health is fragile, and other inmates who need protective care, the superintendent of a juvenile training school is to take measures equivalent to those for injured or sick inmates according to the circumstances under which they need protective care.
- (2) If an inmate is to give birth, the superintendent of a juvenile training school

is to, except if unavoidable, have the inmate admitted to a hospital, a clinic, or a midwifery home outside the juvenile training school.

(Child Care)

Article 59 (1) If an female inmate requests to nurse her child inside the juvenile training school, and the superintendent of the juvenile training school finds it appropriate, the superintendent may permit it until the child turns one year old.

(2) If an inmate requests to continue to raise a child who has been brought up inside the juvenile training school pursuant to the provisions of the preceding paragraph and has turned one year old, and it is specially necessary in light of the mental and physical condition of the inmate or for raising the child, the superintendent of the juvenile training school may permit the inmate to continue to do so for a maximum of six months.

(3) If an inmate is raising a child pursuant to the provisions of the preceding two paragraphs, the goods necessary for raising the child are to be lent or supplied.

(4) In the case prescribed in the preceding paragraph, if the inmate has requested to use or consume, or to have her child use or consume, goods purchased at her own expense necessary for raising the child, the inmate is to be permitted to do so as long as it does not hinder either the maintenance of discipline and order or the management and administration of the juvenile training school.

(5) With regard to a child being raised by an inmate pursuant to the provisions of paragraph (1) or (2), necessary measures such as medical examination or medical treatment are governed by the same rules as those for inmates.

Chapter VIII Lending, Supplying and Purchasing of Goods

(Lending and Supplying of Goods)

Article 60 (1) Inmates are lent, or supplied with, the goods set forth in the following items (excluding books, etc. and newspapers; hereinafter the same applies in this Chapter) and that are required for daily life in the juvenile training school (excluding goods set forth in the items of Article 62, paragraph (1)):

(i) clothing and bedding;

(ii) meals and water or tea;

(iii) goods such as daily necessities and school supplies.

(2) Beyond what is provided for in the preceding paragraph, inmates may, pursuant to Ministry of Justice Order, and as necessary, be lent room decorations and other goods used in the daily life in the juvenile training school (excluding goods set forth in the items of Article 62, paragraph (1)), or

be supplied with non-essential goods (excluding alcoholic beverages and cigarette; the same applies to item (iv) of the following Article).

(Use and Consumption of Purchased Goods)

Article 61 If an inmate requests to use or consume the following goods purchased at the inmate's own expense (excluding goods set forth in the items under paragraph (1) of the following Article), and the superintendent of a juvenile training school finds it appropriate for the treatment of the inmate, the superintendent may permit them to do so pursuant to Ministry of Justice Order:

- (i) clothing;
- (ii) foods and beverages;
- (iii) room decorations;
- (iv) non-essential goods;
- (v) daily necessities, school supplies, and other goods used in the daily life in the juvenile training school.

(Purchasing of Corrective Goods)

Article 62 (1) Inmates are to use goods purchased at their own expense with regard to the following goods, except if it is likely to hinder either the maintenance of discipline and order, or the management and administration of the juvenile training school:

- (i) corrective goods such as eyeglasses;
 - (ii) goods necessary for sending letters, such as envelopes;
 - (iii) clothing and other goods used during a day leave or a furlough under Article 45, paragraph (1), or attendance or visits under Article 110, paragraph (1);
 - (iv) other goods provided for by Ministry of Justice Order.
- (2) If an inmate is unable to use goods purchased at the inmate's own expense with regard to the goods set forth in the items of the preceding paragraph, and it is deemed necessary, the inmate is to be lent, or supplied with those goods.

(Standard of Lending and Supplying of Goods)

Article 63 Goods lent or supplied pursuant to the provisions of Article 60 or paragraph (2) of the preceding Article must be suitable for the sound development of inmates, and appropriate for a person in the position of an inmate and taking into consideration the actual living conditions of the citizenry.

Chapter IX Handling of Money and Goods

(Examination of Money and Goods)

Article 64 Officials of juvenile training schools may examine the following money and goods:

- (i) cash and goods an inmate carries at the time of admission;
- (ii) cash and goods (excluding letters; the same applies in the following item) an inmate obtained while in the juvenile training school but not the cash and the goods set forth in the same item (excluding goods supplied by the superintendent of the juvenile training school);
- (iii) cash and goods a person other than the inmate brought or sent to the juvenile training school to deliver to the inmate.

(Disposition of Goods in Possession at Time of Admission)

Article 65 (1) If any of the goods set forth in item (i) or (ii) of the preceding Article falls under any of the following items, the superintendent of the juvenile training school is to request the inmate to deliver the goods to the inmate's custodian, etc. or other persons deemed appropriate, or to dispose of them in other appropriate manner:

- (i) if the goods are inconvenient to keep in custody;
 - (ii) if the goods are likely to be decomposed or be lost;
 - (iii) if the goods are likely to be dangerous.
- (2) If the superintendent of the juvenile training school requests an inmate to dispose of the goods pursuant to the provisions of the preceding paragraph, and the inmate does not dispose of them within a reasonable period of time, the superintendent is to sell the goods and retain the proceeds; provided, however, that the superintendent may throw away goods that cannot be sold.

(Retrieval of Items from Outside)

Article 66 (1) If the cash or goods set forth in Article 64, item (iii) do not fall under any of the following items, the superintendent of a juvenile training school is to request the person who brought or sent the cash or goods (hereinafter referred to as "supplier") to retrieve the cash or goods:

- (i) if a custodian, etc. of the inmate has brought or sent the cash or goods;
 - (ii) if it is necessary for the inmate to receive the supply of the cash or goods in order to carry out a business that is significantly important for the status, legal situation, education or occupation of the inmate, such as the reconciliation of marital relations, pursuance of lawsuit or preparation for school or employment;
 - (iii) if receiving the supply of the cash or goods is likely to contribute to the rehabilitation of the inmate.
- (2) Notwithstanding the provisions of the preceding paragraph, with regard to cash or goods set forth in Article 64, item (iii) that do not fall under any of the

items of the same paragraph, if it is necessary for the inmate to receive the assistance necessary for living a sound social life or there are other circumstances under which it is necessary for the inmate to receive the cash or goods, and if the superintendent of the juvenile training school finds that there is no risk of causing the disruption of discipline and order in the juvenile training school or hindrance to adequate implementation of correctional education for the inmate, the superintendent may elect not to request the retrieval thereof.

- (3) With regard to the cash or the goods that are to be retrieved under paragraph (1), if it is unfeasible to make a request under the same paragraph because the supplier's whereabouts are unknown, the superintendent of the juvenile training school must make a public notice to that effect by the means prescribed by Cabinet Order.
- (4) If the supplier does not retrieve the cash or the goods prescribed in the preceding paragraph until the day on which six months starting from the day on which the request under paragraph (1) was made passes, or from the day on which the public notice was made pursuant to the provisions of the preceding paragraph, the cash or the goods are to be allocated to the National Treasury.
- (5) The superintendent of a juvenile training school may, even within the period set forth in the preceding paragraph, sell the goods prescribed in paragraph (3) which fall under any of the items of paragraph (1) of the preceding Article, and retain the proceeds; provided, however, that the superintendent of the juvenile training school may discard goods that cannot be sold.

Article 67 (1) If the goods set forth in Article 64, item (iii) (excluding goods that are to be retrieved under paragraph (1) of the preceding Article) fall under any of the following items, the superintendent of the juvenile training school is to request the supplier to retrieve them:

- (i) if the goods are other than those permitted for inmates to use or consume at their own expense, or goods deemed necessary upon their release (hereinafter referred to as "purchased goods, etc." in Articles 71 and 73);
 - (ii) if the goods fall under any of the items of Article 65, paragraph (1).
- (2) With regard to goods that are to be retrieved under the preceding paragraph, if it is unfeasible to make a request under the same paragraph because the supplier's whereabouts are unknown, or if it is inappropriate to make the request, or if the supplier has refused to retrieve the goods, the superintendent of the juvenile training school is to request the inmate to deliver the goods to the inmate's custodian, etc. or other persons considered to be appropriate, or dispose of them in other appropriate manner.
 - (3) The provisions of Article 65, paragraph (2) apply mutatis mutandis to the cases in which the request of disposition pursuant to the provisions of the

preceding paragraph is made.

Article 68 If the superintendent of a juvenile training school decided not to request retrieval under Article 66, paragraph (1) or paragraph (1) of the preceding Article regarding the cash or goods set forth in Article 64, item (iii), and the inmate refuses to receive the cash or goods, the superintendent is to request the supplier to retrieve the cash or goods. The provisions of Article 66, paragraphs (3) and (4) apply mutatis mutandis to those cases.

(Retention of Money and Goods)

Article 69 (1) The superintendent of a juvenile training school is to retain the following money and goods:

(i) the goods set forth in Article 64, item (i) or (ii) that do not fall under any of the items of Article 65, paragraph (1);

(ii) the goods set forth in Article 64, item (iii) that the retrieval under Article 66, paragraph (1), or Article 67, paragraph (1) is not to be required (excluding those the inmate refuses to receive);

(iii) the cash set forth in the items of Article 64 that the retrieval under Article 66, paragraph (1) is not to be required.

(2) If the total volume of goods (excluding those specified by Ministry of Justice Order) retained for an inmate (referred to as "total retention volume" in Article 71) exceeds the maximum retention volume (meaning a volume determined by the superintendent of the juvenile training school as the volume up to which each inmate can have stored; the same applies to the same Article), the superintendent of the juvenile training school may request the inmate to deliver the excess portion of the goods to the inmate's custodian, etc. or other persons deemed appropriate, or to dispose of them in other appropriate manner. The same applies to goods that have become likely to be decomposed or lost.

(3) The provisions of Article 65, paragraph (2) apply mutatis mutandis to cases in which a request pursuant to the preceding paragraph is made.

(Use of Retained Goods)

Article 70 (1) If an inmate requests the delivery of retained goods that are permitted to be used or consumed by the inmates pursuant to the provisions of this Act, the superintendent of the juvenile training school is to deliver it to the inmate pursuant to Ministry of Justice Order; provided, however, that this does not apply if the total amount of goods of the inmate exceeds the amount of goods that can be possessed by the inmate pursuant to the provisions of the following paragraph.

(2) The superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, impose restrictions necessary for the management and

administration of the juvenile training school on the method to possess the goods or retain the letters, the volume of goods or the number of letters allowed to possess or retain concerning the goods delivered to and possessed by inmates pursuant to the provisions of the main clause of the preceding paragraph and the letters received and retained by inmates.

- (3) If an inmate requests to the superintendent of the juvenile training school the receipt of the goods or retention of the letters concerning goods delivered to and possessed by the inmate pursuant to the provisions of the main clause of paragraph (1) or letters received and retained by the inmate, the superintendent of the juvenile training school is to receive or retain them.
- (4) If an inmate breaches the restrictions under paragraph (2) concerning the goods delivered to and possessed by inmates pursuant to the provisions of the main clause of paragraph (1) or letters received and retained by inmates, the superintendent of the juvenile training school may seize the goods or seize and retain the letters.

(Use of Retained Cash)

Article 71 If an inmate applies to spend the cash being retained in order to either purchase purchased goods, etc. or to cover expenses to be incurred by them in the course of their daily life in the juvenile training school, the superintendent of the juvenile training school is to permit the inmate to spend the necessary amount of cash; provided, however, that this does not apply to cases in which the consequent total retention volume is estimated to exceed the maximum retention volume after the purchase of the purchased goods, etc.

(Delivery of Retained Cash or Goods to Other Person)

Article 72 (1) If an inmate applies to deliver (excluding the delivery of letters; the same applies in the following paragraph) the money and goods being retained (excluding those falling under the documents and pictures set forth in Article 105; the same applies in the same paragraph) to another person (excluding those being committed to the same juvenile training school; the same applies in the following paragraph), and it falls under any of the following items, the superintendent of the juvenile training school is to permit it:

- (i) if it is to be delivered to the custodians, etc. of the inmate;
- (ii) if it is necessary for the inmate to deliver the supply in order to carry out a business that is significantly important to the status, legal situation, education, or occupation of the inmate, such as the reconciliation of marital relations, pursuance of lawsuit or preparation for school or employment;
- (iii) if the inmate delivering it is likely to contribute to the reformation and rehabilitation.

(2) If the inmate applies to deliver retained money and goods to another person, and it does not fall under any of the items of the preceding paragraph, the superintendent of the juvenile training school may permit it if the superintendent finds that there is a circumstance under which the inmate need to deliver the money and goods to receive assistance necessary for living a sound social life or other circumstances under which it is necessary for the inmate to deliver the money and goods, and the superintendent finds that there is no risk of causing the disruption of discipline and order in the juvenile training school or hindrance to adequate pursuance of correctional education for the inmate.

(Restrictions on Delivery of Goods)

Article 73 Beyond what is provided for in this Chapter, the superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, impose restrictions necessary for the management and administration of the juvenile training school on the delivery of money and goods to inmates by suppliers, and on the purchase of purchased goods, etc. by inmates.

(Delivery of Retained Money and Goods)

Article 74 The superintendent of a juvenile training school is to deliver the money and goods under retention to the inmate or a person who exercises parental authority, etc. of the inmate upon their release.

(Articles Left Behind by Released Person)

Article 75 (1) Articles left behind (meaning money and goods left behind in the juvenile training school; the same applies hereinafter) by released inmates are to be allocated to the National Treasury if the inmate or a person who exercises parental authority, etc. of the inmate do not make a request for the delivery, or has not provided the expense required for their delivery by the day on which six months passes from the day of the inmate's release.

(2) The superintendent of a juvenile training school may, even within the period set forth in the preceding paragraph, throw away articles left behind that have become likely to be decomposed or lost.

(Articles Left Behind by Escapee)

Article 76 (1) If an inmate falls under any of the following items, and the inmate or a person who exercises parental authority, etc. of the inmate has not made a request for the delivery or has not provided the expense required for the delivery of the article left behind by the day on which six months passes from the day prescribed in the items concerned, the article left behind is to be allocated to the National Treasury:

- (i) if the inmate has escaped: The day of the escape;
 - (ii) if the inmate fails to return to the juvenile training school in case of out-of-school commissioned guidance, or, a day leave or a furlough under Article 45, paragraph (1) by the date and time specified by the superintendent of the juvenile training school: The specified day;
 - (iii) if the inmate is released pursuant to the provisions of Article 90, paragraph (2) but fails to promptly appear at the location prescribed in paragraph (3) of the same Article after the conditions warranting evacuation prescribed in the same paragraph have ceased to exist: The day on which the conditions ceased to exist.
- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the articles left behind referred to in the preceding paragraph.

(Articles Left Behind by Deceased Person)

- Article 77 (1) Articles left behind by a deceased inmate are to, pursuant to Ministry of Justice Order, be delivered to the bereaved family, etc. upon their application.
- (2) If there are articles left behind by a deceased inmate, and it is not feasible to make the notification under Article 144 because the whereabouts of the bereaved family, etc. are unknown, the superintendent of the juvenile training school must make a public notice thereof by the means prescribed by Cabinet Order.
- (3) If no application set forth in paragraph (1) has been made by the day on which six months passes from the day of the notification under Article 144, or the day of the public notice made pursuant to the preceding paragraph, the articles left behind referred to in paragraph (1) are allocated to the National Treasury.
- (4) The provisions of Article 75, paragraph (2) apply mutatis mutandis to articles left behind referred to in paragraph (1).

Chapter X Access to Books, etc.

(Books, etc. in Juvenile Training School)

- Article 78 (1) The superintendent of a juvenile training school is to be committed to providing books, etc. that are appropriate to promote the sound development of inmates, is to actively utilize the books, etc. in carrying out the correctional education and the support for smooth reintegration into society, and is to provide the inmates with opportunities to read them voluntarily for educational or recreational purposes.
- (2) The superintendent of a juvenile training school is to specify the means of access prescribed in the preceding paragraph.

(Access to Purchased Books, etc.)

Article 79 (1) If an inmate requests to have an access to books, etc. purchased at the inmate's own expense, the superintendent may permit it if the superintendent of the juvenile training school finds that, by the access, there is no risk of causing the disruption of discipline and order in the juvenile training school, or hindrance to adequate pursuance of correctional education for the inmate.

(2) In considering whether or not to permit the access pursuant to the provisions of the preceding paragraph, the superintendent of the juvenile training school must pay attention to the fact that, in general, the access to books, etc. contributes to the sound development of the youth.

(3) If it is necessary to translate a book, etc. purchased at the inmates own expense in order to consider whether or not to permit the access pursuant to the provisions of paragraph (1), the superintendent of the juvenile training school may, pursuant to Ministry of Justice Order, charge the expenses to the inmate. In this case, if the inmate does not bear the costs, the access to the books, etc. is prohibited.

(Provision of Opportunity to Access News Report)

Article 80 The superintendent of a juvenile training school must, as much as possible, make efforts to provide inmates with access to information on the principal news by means such as keeping newspapers and broadcasting news reports.

Chapter XI Religious Acts

(Individual Religious Acts)

Article 81 Worship and other religious acts which an inmate performs individually must not be prohibited nor restricted; provided, however, that this does not apply if there is a risk of hindering either the maintenance of discipline and order or the management and administration of the juvenile training school.

(Religious Ceremonies and Counseling)

Article 82 (1) The superintendent of a juvenile training school must make efforts to provide the opportunity for inmates to participate in religious ceremonies presided over by religious leaders (limited to nongovernmental volunteers; hereinafter the same applies in this paragraph), or to receive religious counseling from religious leaders.

(2) If there is a risk of hindering either the maintenance of discipline and order

or the management and administration of the juvenile training school, the superintendent of the juvenile training school may refuse to permit an inmate to participate in the religious ceremonies prescribed in the preceding paragraph and to receive the religious counseling prescribed in the same paragraph.

Chapter XII Maintenance of Discipline and Order

(Discipline and Order in Juvenile Training Schools)

Article 83 (1) Discipline and order in the juvenile training school must be properly maintained, in order to secure the appropriate treatment of the inmates and to keep a safe and peaceful communal life which is adequate for their rehabilitation and smooth reintegration into society.

(2) Measures taken in order to achieve the objective set forth in the preceding paragraph must not exceed the extent necessary for the objective.

(Rules to Be Observed)

Article 84 (1) The superintendent of a juvenile training school is to determine the rules to be observed by inmates (hereinafter referred to as "rules to be observed" in the following paragraph and Article 113, paragraph (1)).

(2) Rules to be observed are to stipulate the following matters in a concrete manner:

(i) prohibition of criminal conduct;

(ii) prohibition of behavior or statement made in a rude or outrageous manner, or a conduct that disturb others;

(iii) prohibition of conduct that harms one-self;

(iv) prohibition of conduct obstructing officials of the juvenile training school from performing their duties;

(v) prohibition of conduct likely to interfere with the commitment of one-self or other inmates to the juvenile training school;

(vi) prohibition of conduct likely to disrupt the security of the juvenile training school;

(vii) prohibition of conduct detrimental to hygiene or public morals inside the juvenile training school;

(viii) prohibition of the wrongful use, possession, transfer, etc. of money and goods;

(ix) prohibition of refusal of the correctional education at the time of correctional education specified in the daily schedule;

(x) beyond what is set forth in the preceding items, matters necessary for the maintenance of discipline and order in the juvenile training school;

(xi) prohibition of planning, incitement, inducement, or aid of acts against

either the rules to be observed that stipulate the matters set forth in the preceding items, or the special rules to be observed prescribed in Article 40, paragraph (4) (including if it is applied mutatis mutandis pursuant to Article 45, paragraph (2)).

- (3) Beyond what is provided for in the preceding two paragraphs, the superintendent of the juvenile training school or official designated by the superintendent may, if necessary for maintaining discipline and order in the juvenile training school, give instructions to inmates with regard to their life and behavior.

(Body Search)

Article 85 (1) Designated officials may, if necessary for maintaining discipline and order in the juvenile training school, search inmate's body, clothes, personal belongings and room, and seize any of the inmate's personal belongings temporarily taking custody thereof.

- (2) The provisions of Article 21, paragraph (2) apply mutatis mutandis to the search of body and clothes of female inmates under the preceding paragraph.
- (3) Designated officials may, if necessary for maintaining discipline and order in the juvenile training school, inside the juvenile training school, search clothes and personal effects of a person other than an inmate (excluding an attendant who is an attorney or an attorney who intends to become an attendant upon the request of an inmate or custodian, or defense counsel, etc. (meaning the defense counsel or person intending to become a defense counsel referred to in Article 39, paragraph (1) of the Code of Criminal Procedure (Act No. 131 of 1948); the same applies hereinafter)), and seize the person of its personal effects temporarily taking custody thereof.
- (4) The search set forth in the preceding paragraph must not include the examination of the contents of documents and pictures.

(Control of Conduct and Other Measures)

Article 86 (1) If an inmate harms one-self or inflicts harm on others, escapes, obstructs officials of the juvenile training school from performing their duties, or engages in other conduct particularly detrimental to discipline and order in the juvenile training school, or attempts to do so, designated officials may control the conduct, restrain that inmate, or take any other necessary measures in order to deter the conduct, to a reasonable and necessary extent.

- (2) If a person other than inmates fall under any of the following items, designated officials may control that person's conduct, restrain the person, or take any other necessary measures in order to deter the conduct, to a reasonable and necessary extent:
- (i) if the person breaks into the juvenile training school, destroys facilities, or

- obstructs officials of the juvenile training school from performing their duties, or is about to engage in that conduct;
- (ii) if the person refuses to leave the juvenile training school even after demanded by a designated official;
 - (iii) if the person aids, incites or instigates, at the scene, either the escape of an inmate or the obstruction of the performance of duties by officials of the juvenile training school;
 - (iv) if the person exposes or intends to expose an inmate to harm.
- (3) Guarding equipment necessary for the enforcement of the measures prescribed in the preceding two paragraphs is specified by Ministry of Justice Order.

(Use of Handcuffs)

Article 87 (1) When designated officials escort inmates, or if an inmate is likely to engage in the following conduct and it is unavoidable, the designated officials may, by order of the superintendent of the juvenile training school and pursuant to Ministry of Justice Order, use handcuffs (including a string if it is attached to the handcuffs; the same applies hereinafter in this Article and Article 121, paragraph (1), item (vi)):

- (i) escaping;
 - (ii) inflicting harm on one-self or others;
 - (iii) damaging facilities, equipment, or any other property of the juvenile training school.
- (2) In the case referred to in the preceding paragraph, if there is no time to wait for the order from the superintendent of the juvenile training school, the designated officials may use handcuffs without the order. In this case, the designated officials must promptly report that to the superintendent of the juvenile training school.
- (3) When using handcuffs in the escort of inmates, attention must be paid not to unnecessarily harm their honor.
- (4) The model of handcuffs is specified by Ministry of Justice Order.

(Confinement in Protection Room)

Article 88 (1) If an inmate falls under any of the following items, and it is unavoidable, designated officials may confine that inmate in a protection room by order of the superintendent of the juvenile training school:

- (i) if the inmate is likely to harm one-self;
- (ii) if it falls under any of the following sub-items (a) through (c) and confinement is especially necessary in order to maintain discipline and order in the juvenile training school:
 - (a) if the inmate shouts or makes noises despite the orders of the designated

- officials to stop doing so;
- (b) if the inmate is likely to inflict harm on others;
 - (c) if the inmate is likely to damage or defile facilities, equipment, or any other property belonging to the juvenile training school.
- (2) In the case referred to in the preceding paragraph, if there is no time to wait for the order from the superintendent of the juvenile training school, the designated officials may confine the inmate in a protection room without order. In this case, the designated officials must promptly report that to the superintendent of the juvenile training school.
 - (3) The time of confinement in a protection room is to be within seventy-two hours or less; provided however, that, if it is particularly necessary, the superintendent of the juvenile training school may renew the time of confinement every forty-eight hours after its expiration.
 - (4) Efforts must be made for pacifying the inmate that is confined in a protection room.
 - (5) If it is no longer necessary to confine an inmate in a protection room, the superintendent of the juvenile training school must immediately order the suspension of confinement, even during the period referred to in paragraph (3).
 - (6) If the superintendent of the juvenile training school confines or renews the time of confinement of an inmate, the superintendent must promptly consult the opinion of a medical doctor that is an official of the juvenile training school, or a medical doctor that is commissioned by the superintendent.
 - (7) The standards for the structure and facilities of the protection room are provided for by Ministry of Justice Order.

(Returning Inmates)

- Article 89 (1) Designated officials may return an inmate if that inmate falls under any of the following items; provided, however, that after forty-eight hours have passed from the time specified in the respective items, in the case of an adjudicated inmate, the official may not attempt to return them without a return warrant issued by a judge in advance, and, in the case of a sentenced inmate, may not attempt to return them:
- (i) if the inmate escapes: The time of the escape;
 - (ii) if the inmate fails to return to the juvenile training school by the date and time specified by the superintendent of the juvenile training school in case of an out-of-school commissioned guidance, or a day leave or a furlough under Article 45, paragraph (1): That date and time.
- (2) If the return under the preceding paragraph is difficult, the superintendent of the juvenile training school may request the assistance of police officers. In this case, with regard to the police officers whose assistance was requested, the provisions of the preceding paragraph apply *mutatis mutandis*.

(3) The return warrant pursuant to the proviso of paragraph (1) (including if applied mutatis mutandis under the preceding paragraph) is issued by a judge of the family court having jurisdiction over the location of the juvenile training school upon the request of the superintendent of the juvenile training school. In this case, the provisions of Articles 4 and 36 of the Juvenile Act apply mutatis mutandis.

(Evacuation and Release during Disasters)

Article 90 (1) In case of earthquake, fire, or any other disaster, if it is not possible to evacuate within the juvenile training school, the superintendent of the juvenile training school must escort inmates to an appropriate location.

(2) In the case referred to in the preceding paragraph, if escorting inmates is not feasible, the superintendent of the juvenile training school may release them from the juvenile training school. The same applies in case of earthquake, fire, or any other disaster during which escorting inmates outside the juvenile training school to an appropriate location for evacuation is not feasible.

(3) Persons who have been released pursuant to the provisions of the preceding paragraph must promptly appear at the juvenile training school or a location specified by the superintendent of the juvenile training school after the conditions in which it is necessary to evacuate have ceased to exist.

(4) If adjudicated inmates who have been released pursuant to the provisions of paragraph (2) violate the provisions of the preceding paragraph not appearing to the juvenile training school or specified location, the designated officials may return the inmate by having a return warrant issued by a judge in advance.

(5) If the return under the preceding paragraph is difficult, the superintendent of the juvenile training school may request the assistance of police officers. In this case, with regard to the police officers whose assistance was requested, the provisions of the preceding paragraph apply mutatis mutandis.

(6) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the return warrant referred to in paragraph (4) (including if applied mutatis mutandis in the preceding paragraph).

Chapter XIII Contact with the Persons Outside

Section 1 Attention

Article 91 In permitting, prohibiting, suppressing, or imposing restrictions on an inmate's contact with the persons outside the juvenile training school (meaning visits, correspondence, and the communication referred to in Article 106, paragraph (1); hereinafter the same applies in this Article) pursuant to the provisions of this Chapter, attention must be paid to the fact that appropriate

contact with the persons outside the juvenile training school contributes to their rehabilitation and smooth reintegration into society.

Section 2 Visits

(Visitors)

Article 92 (1) If any of the persons set forth in the following items request to visit an inmate, the superintendent of the juvenile training school is to permit the inmate to receive the visit except if it is prohibited pursuant to the provisions of Article 109, paragraph (3):

(i) the custodian, etc. of the inmate;

(ii) persons whose visits are necessary in order to carry out a business that is significantly important for the status, legal situation, education or occupation of the inmate, such as the reconciliation of marital relations, pursuance of lawsuit or preparation for school or employment;

(iii) persons whose visits are likely to contribute to the reformation and rehabilitation of the inmate, such as a person related to the rehabilitation of the inmate.

(2) If a person other than those set forth in the items of the preceding paragraph requests to visit an inmate, and the superintendent of the juvenile training school finds that there are circumstances under which the visit is necessary for receiving the assistance necessary for inmates to live a sound social life or for any other reasons, and that there is no risk of causing the disruption of discipline and order in the juvenile training school or hindrance to the adequate pursuance of correctional education for the inmates, the superintendent of the juvenile training school may permit the inmate to receive the visit.

(Observation of Visits, etc.)

Article 93 (1) The superintendent of a juvenile training school is to appoint officials and have them observe visits (excluding visit by attendants, etc. (meaning attendant or, an attorney who intends to become an attendant upon the request of inmate or custodian; the same applies hereinafter) or by defense counsels, etc.) to the inmate or make audio or video recording of it; provided, however, that if it is deemed that there is no risk of either disrupting discipline and order in the juvenile training school or hindrance to the adequate pursuance of correctional education, the superintendent of the juvenile training school may elect not to have officials observe or record audio and video of the visit (referred to as "observe, etc." in the following paragraph).

(2) Notwithstanding the provisions of the preceding paragraph, the superintendent of a juvenile training school must not have officials observe, etc.

a visit to an inmate of any of the following persons, except if there are special circumstances under which it must be found that it is likely to disrupt discipline and order in the juvenile training school:

- (i) national or local government official conducting an inquiry into the measures taken by the superintendent of the juvenile training school toward the inmate, or any other treatment the inmate received;
- (ii) attorney performing the duty under Article 3, paragraph (1) of the Attorney Act (Act No. 205 of 1949) with regard to the measures taken by the superintendent of the juvenile training school toward the inmate, or any other treatment the inmate received.

(Suspension and Termination of Visits)

Article 94 (1) In cases falling under any of the following items (limited to item (i), (b) in cases of visits by an attendant, etc. or a defense counsel, etc.), an official of the juvenile training school may either control the conducts or oral statements, or suspend the visit. In this case, the official may order the inmate or the visitor to withdraw from the visiting site, or may take any other necessary measures to suspend the visit:

- (i) if the inmate or the visitor engages in conduct falling under any the following sub-item (a) or (b):
 - (a) conduct breaching the restrictions under paragraph (1) of the following Article;
 - (b) conduct detrimental to discipline and order in the juvenile training school;
 - (ii) if the inmate or the visitor makes any oral statement that falls under any of the following sub-items (a) through (e):
 - (a) oral statement that the official of the juvenile training school is unable to comprehend due to use of specific kinds of communication such as a code;
 - (b) oral statement that promotes, or induces a crime or delinquency;
 - (c) oral statement that is likely to disrupt discipline and order in the juvenile training school;
 - (d) oral statement that is likely to hinder adequate pursuance of correctional education for the inmate;
 - (e) in case of visit permitted due to the necessity of carrying out a specific business, oral statements that clearly deviates from the business to be carried out.
- (2) If a visit is suspended pursuant to the provisions of the preceding paragraph, and the superintendent of the juvenile training school finds it inappropriate to continue the visit, the superintendent may terminate the visit.

(Visit Restrictions)

Article 95 (1) With regard to visits to an inmate (excluding visits by attendants, etc. or defense counsels, etc.), the superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, impose restrictions that are necessary for the maintenance of discipline and order or the management and administration of the juvenile training school on the number of visitors, the visiting site, date and time, duration and frequency of visits, and other conditions of visits.

(2) If the superintendent of a juvenile training school intends to impose restrictions on the frequency of visits pursuant to the provisions of the preceding paragraph, the frequency must be not less than twice per month.

Article 96 (1) The date and time of visits to an inmate by an attendant, etc. or a defense counsel, etc. is set during working hours of the juvenile training school on days other than Sunday and other days specified by Cabinet Order.

(2) The number of visitors in a visit referred to in the preceding paragraph is three or less.

(3) Even if an attendant, etc. or a defense counsel, etc. requests to visit an inmate not on the basis of the preceding two paragraphs, the superintendent of the juvenile training school is to permit the inmate to receive the visit except if it hinders the management and administration of the juvenile training school.

(4) The superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, impose restrictions on the visiting site that are necessary for the maintenance of discipline and order or the management and administration of the juvenile training school as to the visit under paragraph (1).

(Accommodated Visit)

Article 97 If the superintendent of a juvenile training school intends to permit an inmate to receive the visit by the custodian or other person deemed appropriate, and finds it appropriate based on the intent of inmates, the custodian or other person deemed appropriate and other circumstances, the superintendent may, pursuant to Ministry of Justice Order, have the inmate receive the visit by the means of putting the inmate in a specially separated place inside the juvenile training school and having the custodian or other person deemed appropriate staying in that place.

Section 3 Correspondence

(Letters Permitted to Be Sent or Received)

Article 98 The superintendent of a juvenile training school is to permit an inmate to send and receive letters, except if it is prohibited by the provisions of this Section, Article 109, paragraph (3), or the following Chapter.

(Examination of Letters)

- Article 99 (1) The superintendent of a juvenile training school is to appoint officials and have them examine letters an inmate sends or receives.
- (2) With regard to the letters set forth in the following items, the examination under the preceding paragraph is to be conducted to the extent necessary for verifying if the letters fall under any of the following items; provided, however, that with regard to the letters set forth in item (iv), this does not apply if there are special circumstances under which it is likely to disrupt discipline and order in the juvenile training school:
- (i) letters an inmate receives from an attendant, etc. or a defense counsel, etc.;
 - (ii) letters an inmate receives from a national or local government agency;
 - (iii) letters an inmate sends to a national or local government agency which conducts an inquiry into the measures taken toward the inmate by the superintendent of the juvenile training school, or any other treatment the inmate received;
 - (iv) letters an inmate sends to or receives from an attorney (including a legal professional corporation; hereinafter the same applies in Article 101, paragraph (2)) who conducts the duty prescribed in Article 3, paragraph (1) of the Attorney Act with regard to the measures taken toward the inmate by the superintendent of the juvenile training school, or any other treatment the inmate received.
- (3) If the superintendent of a juvenile training school finds that there is no risk of disrupting discipline and order in the juvenile training school or hindrance to the adequate pursuance of correctional education for the inmate, the superintendent of the juvenile training school may, notwithstanding the provisions of the preceding two paragraphs, elect not to have the examination referred to in paragraph (1) conducted.

(Prohibition of Correspondence)

Article 100 With regard to the persons (except for custodians, etc. of the inmate) who have criminal tendencies or are likely to disrupt discipline and order in the juvenile training school or hinder the adequate pursuance of correctional education for the inmate by receiving from or sending correspondence to the inmates, the superintendent of the juvenile training school may prohibit the inmate from sending to or receiving correspondence from them; provided, however, that this does not apply if the inmate sends to or receives correspondence from the persons in order to carry out a business that is significantly important for the status, legal situation, education or occupation of the inmate, such as the reconciliation of marital relations, pursuance of lawsuit or preparation for school or employment.

(Restraint of Letters Due to Contents)

Article 101 (1) If, as the result of the examination under Article 99, it is found that all or part of a letter sent or received by an inmate falls under the following items, the superintendent of the juvenile training school may restrain the inmate from sending or receiving of the letter, or remove or erase the relevant part from the letter. The same applies if all or part of the letter referred to in the items of paragraph (2) of the same Article is found, in the course of verifying if the letter falls under the items thereunder, to fall under the following items:

- (i) if an official of the juvenile training school is unable to understand the letter or part thereof due to the use of a code or other reasons;
 - (ii) if there is a risk of infringing penal laws and regulations, or promoting or inducing a crime or delinquency by sending or receiving the letter or part thereof;
 - (iii) if there is a risk of disrupting discipline and order in the juvenile training school by sending or receiving the letter or part thereof;
 - (iv) if there is a risk of making the addressee feel extremely uneasy or inflicting a loss to the addressee because the letter or part thereof includes intimidating statements or statements that are clearly false;
 - (v) if the letter or part thereof includes statements that extremely insult the addressee;
 - (vi) if there is a risk of hindering adequate pursuance of correctional education for the inmate by sending or receiving the letter or part thereof.
- (2) Notwithstanding the provisions of the preceding paragraph, with regard to a letter an inmate sends to or receives from a national or local government agency and whose contents include the matters under the authority of the agency, or a letter an inmate sends to or receives from an attorney who performs the duty prescribed in Article 3, paragraph (1) of the Attorney Act with regard to the inmate, the superintendent of the juvenile training school may restrain the letter from being sent or received them from sending or receiving the letter, or remove or erase the relevant part from the letter only if all or part of the letter falls under any of items (i) through (iii) of the preceding paragraph.

(Restrictions on Letters)

Article 102 (1) The superintendent of a juvenile training school may, pursuant to Ministry of Justice Order, impose restrictions necessary for the management and administration of the juvenile training school upon the method of writing letters, the date and time for applying to send letters, the number of letters (except those for an attendant, etc. or a defense counsel, etc.) an inmate may

apply for to send, and the procedures for sending or receiving letters.

- (2) If the superintendent of a juvenile training school intends to impose restrictions on the number of letters an inmate may apply for to send pursuant to the provisions of the preceding paragraph, the number must be not less than four per month.

(Cost of Sending)

Article 103 If an inmate is unable to bear the cost for sending a letter, and the superintendent of the juvenile training school finds it appropriate in light of the purpose of the letter, all or part of the cost is to be borne by the National Treasury.

(Handling of Prohibited Letter, etc.)

Article 104 (1) The superintendent of a juvenile training school is to retain letters which the superintendent prohibits or restrains from being sent or received, pursuant to the provisions of Article 100, Article 101 or Article 109, paragraph (3), or is to retain the part of letters which the superintendent removes pursuant to the provisions of Article 101.

- (2) If the superintendent of a juvenile training school erases part of the text of a letter pursuant to the provisions of Article 101, the superintendent is to make a copy of the part to be erased and retain it.
- (3) The superintendent of a juvenile training school is to deliver all or part of the letter or the copy retained pursuant to the provisions of the preceding two paragraphs (hereinafter referred to as "prohibited letter, etc.") to the inmate or a person who exercises parental authority, etc. of the inmate upon release of the inmate.
- (4) If an inmate dies, the superintendent of the juvenile training school is to, pursuant to Ministry of Justice Order, deliver the prohibited letter, etc. to the bereaved family, etc. based on the application for it.
- (5) Notwithstanding the provisions of the preceding two paragraphs, if there is a risk of hindering the maintenance of discipline and order in the juvenile training school or promoting or inducing a crime or delinquency by inmates by delivering the prohibited letter, etc., the superintendent of the juvenile training school is not to deliver them. The same applies in the following cases, if there is a risk of hindering the maintenance of discipline and order in the juvenile training school or promoting or inducing crime or delinquency by inmates by delivering the prohibited letter, etc.:
- (i) if a released inmate or a person who exercises parental authority, etc. of the inmate requests delivery of the prohibited letter, etc. after release of the inmate;
- (ii) if an inmate falls under any of the items of Article 76, paragraph (1), and

the inmate or a person who exercises parental authority, etc. of the inmate requests delivery of the prohibited letter, etc.

- (6) The provisions of Article 75, paragraph (1), Article 76, paragraph (1), Article 77, paragraphs (2) and (3) apply mutatis mutandis to prohibited letters, etc. (except for those not being delivered pursuant to the provisions of the preceding paragraph) pertaining to an inmate. In this case, the term "application set forth in paragraph (1)" in paragraph (3) of the same Article is deemed to be replaced with "application set forth in Article 104, paragraph (4)".
- (7) Prohibited letters, etc. not being delivered pursuant to the provisions of paragraph (5) are to be allocated to the National Treasury on the day on which a period of three years passes from the day of the release or death of the inmate, or from the day on which the inmate has fallen under any of the items of Article 76, paragraph (1).

(Documents and Pictures Made by Inmates)

Article 105 If an inmate makes a document or picture (excluding letters) and applies to deliver it to another person, the superintendent of the juvenile training school may deal with the delivery by conducting examination or taking other measures in the same manner as for letters sent by the inmates.

Section 4 Communication by Telephone, etc.

(Communication by Telephone, etc.)

- Article 106 (1) If the superintendent of a juvenile training school finds that it contributes to the rehabilitation or smooth reintegration into society, or finds it appropriate, the superintendent may permit an inmate to communicate with persons set forth in the items of Article 92, paragraph (1) by telephone or by other means of telecommunication specified by Cabinet Order.
- (2) The provisions of Article 103 apply mutatis mutandis to the communication referred to in the preceding paragraph.

(Verification of Communication)

- Article 107 (1) The superintendent of a juvenile training school is to appoint officials and in order to verify the communication referred to in paragraph (1) of the preceding Article, have them monitor the communication or record the content of the communication; provided, however, that this does not apply if there is no risk of causing the disruption of discipline and order in the juvenile training school or hindrance to the adequate pursuance of correctional education for the inmate by the communication.
- (2) The provisions of Article 94 (except for paragraph (1), item (i), (a)) apply mutatis mutandis to the communication referred to in paragraph (1) of the

preceding Article.

Section 5 Miscellaneous Provisions

(Counseling or Assistance in the Contact with the Persons Outside)

Article 108 If an inmate receives a visit, send a letter, or engages in the communication set forth in Article 106, paragraph (1), and the superintendent of the juvenal training school finds it necessary for the inmate to communicate smoothly with the other parties and build good relations, the superintendent is to give counseling or assistance to the inmate; provided, however, that this does not apply if the inmate intends to receive the visit of an attendant, etc. or a defense counsel, etc. or other person specified by Ministry of Justice Order, or to send a letter to those persons.

(Visits, etc. in Foreign Languages)

Article 109 (1) If an inmate or the other parties of visits, etc. (meaning visits or the communication referred to in Article 106, paragraph (1); hereinafter the same applies in this Article) do not understand Japanese, the superintendent of the juvenile training school is to permit visits, etc. in a foreign language. In this case, if interpretation or translation is necessary in order to examine the oral statements or the content of the communication, the superintendent may, pursuant to Ministry of Justice Order, charge expenses to the inmate.

- (2) If the superintendent of a juvenile training school finds that an inmate or the other party of correspondence does not understand Japanese, or finds it appropriate, the superintendent is to permit sending or receiving letters in a foreign language. In this case, if translation is necessary in order to examine the contents of the letter, the superintendent of the juvenile training school may, pursuant to Ministry of Justice Order, charge expenses to the inmate.
- (3) Visits, etc. or correspondence are not permitted if the inmate does not bear the costs pursuant to the preceding two paragraphs.

(Attendance to the Funeral of Relatives, etc.)

Article 110 (1) If the superintendent of a juvenile training school finds it appropriate for an inmate to attend the funeral of relatives (meaning a spouse or relatives within the third degree of kinship; hereinafter the same applies in this paragraph) or to visit relatives in a critical condition due to injury or illness, the superintendent of the juvenile training school may permit it.

- (2) Of the expenses required in order to attend or visit under the preceding paragraph, the transportation costs pertaining to the inmate are borne by the inmate; provided, however, that if the inmate is unable to pay it in full because of indigence or for other reasons, the superintendent of the juvenile training

school may exempt the inmate from all or part of the costs.

(Effect of Treaty)

Article 111 If otherwise provided in a treaty, matters related to the visits and correspondence prescribed in this Chapter and the following Chapter are governed by the treaty.

Chapter XIV Rewards and Disciplinary Actions

(Rewards)

Article 112 If an inmate has done a good deed, the performance evaluation referred to in Article 35, paragraph (1) has improved, or the inmate has acquired a certain level of skills, the superintendent of the juvenile training school may, pursuant to Ministry of Justice Order, reward the inmate by giving words of praise, reward certificate or other rewards.

(Conditions of Disciplinary Action)

Article 113 (1) If an inmate refuses to comply with the rules to be observed or the special rules to be observed prescribed in Article 40, paragraph (4) (including if applied mutatis mutandis pursuant to Article 45, paragraph (2)), or disobeyed the instruction of an official of the juvenile training school based on Article 84, paragraph (3), the superintendent of the juvenile training school may impose disciplinary actions on the inmate.

(2) In imposing disciplinary actions, the superintendent of the juvenile training school must take into consideration factors related to the inmate who engaged in the conduct for which disciplinary actions are to be imposed (hereinafter referred to as "disciplinary offense") such as the age, mental and physical conditions, and demeanor, as well as the nature, seriousness, and motive of the disciplinary offense, and the impact of the disciplinary offense on the administration of the juvenile training school, the inmate's attitude after the disciplinary offense, and the impact of the disciplinary actions on the prospective rehabilitation of the inmate.

(3) Disciplinary actions must not exceed the extent necessary to deter the disciplinary offense.

(Categories of Disciplinary Actions)

Article 114 The categories of disciplinary actions which may be imposed on inmates are as follows:

- (i) severe admonition;
- (ii) confinement for a period not exceeding 20 days.

(Contents of Confinement)

- Article 115 (1) In the case of the confinement prescribed in item (ii) of the preceding Article (hereinafter referred to simply as "confinement" in this Article and Article 119, paragraph (3)) the conduct prescribed in the following items is suspended, and the inmates are treated in their room and encouraged to reflect on what they have done pursuant to Ministry of Justice Order:
- (i) using or consuming purchased goods (except for those specified by the superintendent of the juvenile training school) pursuant to the provisions of Article 61;
 - (ii) having an access to books, etc. and newspapers (except for those deemed necessary for the protection of the rights of defendants or suspects, or for the protection of rights such as for making arrangements for a lawsuit);
 - (iii) participating in religious ceremonies or receiving religious counseling with other inmates;
 - (iv) receiving visits (except if they receive a visit from a person set forth in the items of Article 92, paragraph (1) and if it is deemed necessary for the protection of the rights of defendants or suspects, or for the protection of rights such as for making arrangements for a lawsuit);
 - (v) sending or receiving letters (except if sending or receiving the letters set forth in the following (a) to (c) and if it is deemed necessary for the protection of the rights of defendants or suspects, or for the protection of rights such as for making arrangements for a lawsuit):
 - (a) letters sent to or received from custodians, etc. of the inmate;
 - (b) letters sent or received in order to carry out a business that is significantly important for the status, legal situation, education or occupation of the inmate, such as the reconciliation of marital relations, pursuance of lawsuit or preparation for school or employment;
 - (c) letters which if sent or received are likely to contribute to rehabilitation of the inmate.
- (2) Notwithstanding the provisions of Article 49, an inmate under a confinement may, in accordance with the standards provided for by Ministry of Justice Order, be restricted from exercising so long as it does not hinder the healthy mental and physical growth of the inmate.
- (3) An inmate in confinement is to, based on the objective of the confinement, be given appropriate correctional education.

(Allocation of Articles Related to Disciplinary Offenses in the National Treasury)

Article 116 Upon imposing disciplinary action, if it is necessary for maintaining discipline and order in the juvenile training school, the superintendent of the juvenile training school may allocate the articles set forth in the following

items in the National Treasury; provided, however, that this does not apply to articles that belong to a person other than the inmate who committed the disciplinary offense:

- (i) articles which are part of the disciplinary offense;
- (ii) articles used or intended for use in the disciplinary offense;
- (iii) articles produced or acquired by means of the disciplinary offense or articles acquired as reward for the disciplinary offense;
- (iv) articles received in exchange for the articles set forth in the preceding item.

(Investigation of Disciplinary Offense)

Article 117 (1) If the superintendent of a juvenile training school suspects that an inmate has committed a disciplinary offense, the superintendent must, as soon as practicable, carry out an investigation on the existence of a disciplinary offense and the circumstances to be taken into consideration pursuant to the provisions of Article 113, paragraph (2), and whether or not the requirements for the disposition under the preceding Article have been met.

(2) If it is necessary to carry out the investigation referred to in the preceding paragraph, the superintendent of the juvenile training school may have designated officials search inmates' body, their clothes, personal belongings, and rooms, and seize their personal belongings temporarily taking custody of thereof.

(3) The provisions of Article 21, paragraph (2) apply mutatis mutandis to the searches of the body and clothes of female inmates under the preceding paragraph.

(4) If the superintendent of a juvenile training school suspects that an inmate has committed a disciplinary offense, and it is necessary, the superintendent may, pursuant to the provisions of Ministry of Justice Order, take the necessary measures to restrain the inmate from having contact with other inmates.

(5) The period during which the superintendent of the juvenile training school may take the measures under the provisions of the preceding paragraph is ten days; provided, however, that if the superintendent finds there to be a compelling reason, the superintendent may extend the period by up to ten days.

(6) Even during the period referred to in the preceding paragraph, if it is no longer necessary to take the measures under paragraph (4), the superintendent of the juvenile training school must immediately suspend those measures.

(Procedures for Imposing Disciplinary Actions)

Article 118 (1) If the superintendent of a juvenile training school intends to impose disciplinary action on an inmate, the superintendent must, pursuant to Ministry of Justice Order, appoint three or more officials to conduct a hearing

and must provide the inmate with an opportunity for explanation. In this case, the superintendent of the juvenile training school must notify the inmate in writing of the date and time of, or the deadline for the explanation, as well as the summary of the fact which will be the cause for the disciplinary action (including a disposition under Article 116; hereinafter the same applies in the following paragraph and the following Article), and at the same time appoint a person in charge of assisting the inmate from among the officials of the juvenile training school.

- (2) The officials appointed pursuant to the first sentence of the preceding paragraph must deliberate on both the propriety of imposing the disciplinary action and the content of disciplinary action to be imposed, and submit a written report containing the opinions on the deliberated matters and the inmate's explanation to the superintendent of the juvenile training school.
- (3) The officials appointed pursuant to the second sentence of paragraph (1) must hear the circumstances from the inmate while taking the results of the investigation under paragraph (1) of the preceding Article into consideration, and sincerely assist the inmate in order to protect the legitimate interests of the inmate.

(Imposition of Disciplinary Action)

Article 119 (1) In imposing a disciplinary action, the superintendent of a juvenile training school is to notify the inmate of the content of disciplinary action and the summary of the facts found as the cause for the disciplinary action, and execute it immediately; provided, however, that if the inmate shows signs of remorse or there are other reasonable grounds, the superintendent of the juvenile training school may postpone the execution of or exempt the inmate from the whole or part of the disciplinary action.

- (2) The superintendent of a juvenile training school who imposes the disciplinary action must endeavor to foster the normative consciousness of the inmate who committed the disciplinary offense and contribute to the rehabilitation of the inmate.
- (3) In confining an inmate, the superintendent of a juvenile training school must consult a medical doctor of the juvenile training school or a doctor commissioned by the juvenile training school about the condition of the health of the inmate.

Chapter XV Filing of Relief, etc.

Section 1 Filing of Relief

(Filing of Relief)

Article 120 If an inmate has a complaint with regard to measures taken by the

superintendent of a juvenile training school against that inmate or a treatment that the inmate has received, the inmate may, in writing, file a request for relief with the Minister of Justice.

Article 121 (1) If an inmate who has been released from a juvenile training school has a complaint with regard to the measures set forth in items (i) through (iv) that were taken by the superintendent of the juvenile training school against that inmate, or with regard to conduct that is set forth in items (v) through (vii) and engaged in by the officials of the juvenile training school against that inmate, the inmate may, in writing, file a request for relief with the Minister of Justice:

- (i) disposition of charging expenses under Article 79, paragraph (3);
- (ii) prohibition on the delivery of prohibited letters, etc. under the first sentence of Article 104, paragraph (5) (limited to the prohibition on the delivery under paragraph (3) of the same Article; the same applies in Article 126, paragraph (1), item (vi));
- (iii) disposition of charging expenses under Article 109, paragraph (1) or (2);
- (iv) disposition of allocating articles in the National Treasury under Article 116;
- (v) use of physical force against the person;
- (vi) use of handcuffs;
- (vii) confinement in a protection room.

(2) The filing under the preceding paragraph must be filed within thirty days from the day immediately following the day of release from the juvenile training school.

(3) If there is a natural disaster or a compelling reason for not having filed a relief under paragraph (1) within the period prescribed in the preceding paragraph, notwithstanding the provisions of the same paragraph, a relief may be filed within one week from the day immediately following the day on which the reason has ceased to exist.

Article 122 The filing under Article 120 or paragraph (1) of the preceding Article (hereinafter referred to as "filing of relief") must be made by the person who intends to do it.

(Counselor)

Article 123 (1) An official appointed by the superintendent of the juvenile training school (hereinafter referred to as "counselor" in the following paragraph and Article 131, paragraph (1)) is to accept consultation from the inmate about the filing of relief.

(2) The counselor must not divulge the particulars about the filing of relief

learned through the consultation to other officials of the juvenile training school.

(Investigation)

Article 124 (1) The Minister of Justice is to conduct the necessary investigation into the matters regarding the filing of relief by the Minister's own authority.

(2) The Minister of Justice may, if necessary to conduct the investigation under the preceding paragraph, order the superintendent of the juvenile training school to make a report or submit materials and other objects, or have an official appointed ask questions or request submission of objects to the person who has made the filing of relief or other persons concerned, retain the objects those persons submitted, or conduct an inspection.

(Handling)

Article 125 (1) The Minister of Justice is to, upon receiving a filing of relief, handle it in good faith.

(2) The Minister of Justice is to endeavor as much as possible to complete the process within sixty days in case the filing of relief pertains to the acts of officials of the juvenile training school set forth in Article 121, paragraph (1), items (v) through (vii), and within ninety days in other cases.

(Measures of Minister of Justice)

Article 126 (1) If the Minister of Justice confirms that the filing of relief pertains to the measure set forth in the following items that was taken by the superintendent of the juvenile training school against the person who has made the filing, and that the measure is illegal or unjust, and finds it necessary, the Minister is to rescind or modify all or part of the measure:

(i) prohibition of receiving a medical treatment under Article 55, paragraph (1), or suspension of medical treatment under paragraph (4) of the same Article;

(ii) prohibition of use of retained cash under Article 71, or prohibition of delivery of retained cash and goods under Article 72;

(iii) disposition of charging expenses under Article 79, paragraph (3);

(iv) prohibition of or restriction on religious acts prescribed in Article 81;

(v) any prohibition or restraint of, or restriction on correspondence or delivery of documents and pictures under Article 100, Article 101, Article 102, paragraph (1), or Article 105;

(vi) disposition of not delivering prohibited letters, etc. under the first sentence of Article 104, paragraph (5);

(vii) disposition of charging expenses under Article 109, paragraph (1) or (2);

(viii) disciplinary action under Article 113, paragraph (1);

(ix) disposition of allocating goods in the National Treasury under Article 116;

(x) measures under Article 117, paragraph (4).

- (2) If the Minister of Justice confirms that the filing of relief pertains to the conduct of an official of the juvenile training school set forth in Article 121, paragraph (1), items (v) through (vii) against the person who has made the filing of relief, and that the conduct set forth in item (v) of the same paragraph is illegal, or that the conduct set forth in item (vi) or (vii) of the same paragraph is illegal or unjust, and finds it necessary, the Minister is to take measures necessary to prevent the reoccurrence of similar acts or other measures.

(Notification)

Article 127 When the Minister of Justice completes the process under Article 125, the Minister must promptly notify the person who has filed for relief of the results thereof (including the measures of Minister of Justice under paragraph (1) of the preceding Article); provided, however, that in the case of a filing of relief by the inmate (except for the filing of relief relevant to the measures taken by the superintendent of the juvenile training school or the conduct of an official of the juvenile training school set forth in the items of Article 121, paragraph (1)), this does not apply if the inmate has been released.

(Delegation to Ministry of Justice Order)

Article 128 Beyond what is provided for in this Section, necessary matters on the filing of relief are provided for by Ministry of Justice Order.

Section 2 Filing of Complaints

(Filing of Complaints with Inspector)

Article 129 (1) An inmate may, either orally or in writing, file a complaint with the inspector conducting the on-the-spot inspection pursuant to the provisions of Article 6 (hereinafter referred to simply as "inspector" in this Article and Article 131, paragraph (1)) with regard to the measures taken by the superintendent of the juvenile training school against the inmate or a treatment that the inmate has received.

- (2) The provisions of Article 122 apply mutatis mutandis to the filing of complaints under the preceding paragraph.
- (3) Upon receiving an oral filing of complaint, the inspector must not allow the officials of the juvenile training school to attend the filing.
- (4) If the inspector receives a filing of complaint, the inspector must handle it in good faith and notify the person who has filed the complaint of the results of the process; provided, however, this does not apply if the inmate has been released.

- (Filing of Complaints with the Superintendent of the Juvenile Training School)
- Article 130 (1) An inmate may, either orally or in writing, file a complaint with the superintendent of the juvenile training school with regard to the measures taken by the superintendent of the juvenile training school against the inmate or a treatment that the inmate has received.
- (2) The provisions of Article 122 apply mutatis mutandis to the filing of complaints under the preceding paragraph.
- (3) If an inmate intends to file a complaint under paragraph (1) orally, the superintendent of the juvenile training school may have a designated official hear the complaint.
- (4) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to the case in which the superintendent of the juvenile training school has received a filing of complaint.

Section 3 Miscellaneous Provisions

(Secrecy of Filing)

- Article 131 (1) The superintendent of a juvenile training school must take the necessary measures so that inmates may, upon making a filing of relief or a filing of complaint with the inspector, keep it secret to the officials of the juvenile training school (excluding the counselor who has been consulted about the filing of relief concerned).
- (2) Notwithstanding the provisions of Article 99, no document for filing of relief or filing of complaint must be examined.

(Prohibition of Adverse Treatment)

Article 132 No official of a juvenile training school must treat inmates in an adverse manner due to a filing of relief or a filing of complaint.

Chapter XVI Provisional Commitment

- Article 133 (1) In the following cases, if the superintendent of a juvenile training school finds it necessary, the superintendent may provisionally commit the inmates to other juvenile training school or the juvenile classification home:
- (i) in the case where the correctional education of inmates is conducted outside of the juvenile training school pursuant to the provisions of Article 39;
 - (ii) in the cases where the support referred to in Article 44, paragraph (1) is conducted outside of the juvenile training school pursuant to paragraph (2) of the same Article;
 - (iii) in the case of the attendance or visit under Article 110, paragraph (1).

- (2) When escorting an inmate (including returning the inmate pursuant to the provisions of Article 89, paragraph (1) (including if applied mutatis mutandis pursuant to paragraph (2) of the same Article) or Article 90, paragraph (4) (including if applied mutatis mutandis pursuant to paragraph (5) of the same Article)), if there are unavoidable reasons, the inmate may be provisionally committed to the nearest juvenile training school or juvenile classification home or specially separated place inside of a penal institution.
- (3) The provisions with regard to inmates are applied mutatis mutandis to the treatment of a person provisionally committed to a juvenile training school pursuant to the provisions of the preceding two paragraphs, Article 17-4, paragraph (1) or Article 27-2, paragraph (5) of the Juvenile Act, Article 123 of the Act on Juvenile Classification Home (Act No. 59 of 2014), as long as the provisions are not inconsistent with the nature thereof.

Chapter XVII Transfer

Article 134 (1) If the superintendent of a juvenile training school finds it necessary for the effective pursuance of correctional education or for other reasons, the superintendent may, with the approval of the superintendent of the Regional Correction Headquarters having jurisdiction over the location of the juvenile training school, transfer the inmate to a juvenile training school other than that juvenile training school.

- (2) In the case prescribed in the preceding paragraph, if the superintendent of the juvenile training school transferring the inmate intends to transfer the inmate due to the fact that a superintendent of a juvenile training school other than the juvenile training school concerned needs to newly designate a correctional education curriculum other than the designated correctional education curriculum pursuant to the provisions of Article 33, paragraph (1), the superintendent must, in advance, consult the director of a juvenile classification home; provided, however, that this does not apply to the case of transferring exclusively due to the medical reason.

Chapter XVIII Release on Parole, Discharge, and Continuation of Commitment

(Proposal for Release on Parole)

Article 135 With regard to an adjudicated inmate, if the superintendent of a juvenile training school finds that stage of the treatment under Article 16 has reached the highest stage, and it is appropriate to permit the provisional release, the superintendent must submit a proposal to the Regional Parole Board to the effect that the release on parole should be granted for the inmate.

(Proposal for Discharge)

- Article 136 (1) With regard to an adjudicated inmate, if the superintendent of a juvenile training school finds that the purpose under Article 23, paragraph (1) has been achieved, the superintendent must submit a proposal to the Regional Parole Board to the effect that discharge should be granted for the inmate.
- (2) If the superintendent of a juvenile training school has received the notice of decision to grant discharge of the adjudicated inmate from the juvenile training school under Article 46, paragraph (1) of the Offenders Rehabilitation Act from the Regional Parole Board, the superintendent is to designate the date to release the inmate within a period not exceeding seven days from the date of receiving the notice.

(Discharge at Twenty-Year-Old and Continuation of Commitment)

- Article 137 (1) When an adjudicated inmate has reached twenty years of age, the superintendent of the juvenile training school must discharge the inmate and release that person on the day following the day on which the person has reached the age of twenty; provided, however, that, if one year has not elapsed from the date of the ruling prescribed in Article 24, paragraph (1) of the Juvenile Act for the disposition for rehabilitation of an adjudicated delinquent prescribed in item (iii) of the same paragraph, it is possible to continue the commitment within the period of one year from the same date.
- (2) The provisions of the preceding paragraph do not apply to the adjudicated inmate for whom the family court has set a period of time to be committed to a juvenile training school pursuant to the provisions of the first sentence of Article 72, paragraph (2) of the Offenders Rehabilitation Act.

(Continuation of Commitment of Inmate up to 23 Years of Age)

- Article 138 (1) With regard to the adjudicated inmates set forth in the following items, if the superintendent of the juvenile training school finds it appropriate to continue to commit them beyond the date specified in each of the items due to the fact that the inmate has an extreme mental or physical disability or that the criminal tendency of the inmate has not been corrected, the superintendent must apply for the ruling to continue the commitment with the family court which referred the inmate:
- (i) the inmate who is to be discharged pursuant to the provisions of the main clause of paragraph (1) of the preceding Article: the day on which the inmate reaches 20 years of age;
- (ii) the inmate whose period during which the inmate may be committed to the juvenile training school pursuant to the provisions of the proviso of paragraph (1) of the preceding Article or the period during which the inmate

is to be committed to the juvenile training school designated by the family court pursuant to the provisions of the following paragraph, Article 26-4, paragraph (2) of the Juvenile Act, or Article 68, paragraph (3) or Article 72, paragraph (2) of the Offenders Rehabilitation Act (except if the last day of the period is the day on which the inmate reaches 23 years of age) expires:
The last day of the period.

- (2) With regard to the adjudicated inmate pertaining to the application under the preceding paragraph, if the family court receiving the application finds the application reasonable, the family court must render a ruling to continue the commitment. In this case, at the same time as the ruling, within a period during which the person does not exceed 23 years of age, the family court must designate the period of time to commit the inmate to the juvenile training school.
- (3) Family courts, upon the trial of the case concerning the ruling prescribed in the preceding paragraph, must consult a person with medical, psychological, pedagogical, sociological or other expert knowledge and the official of the juvenile training school to which the adjudicated inmate pertaining to the application under paragraph (1) has been committed.
- (4) The superintendent of the juvenile training school may, until notification of the ruling of the family court pertaining to the application of paragraph (1), continue the commitment of the adjudicated inmate pertaining to the application.
- (5) Beyond what is provided for in the preceding three paragraphs, the procedure for the case pertaining to the ruling under paragraph (2) is governed by the same rules as the procedure for the case pertaining to the disposition for rehabilitation of an adjudicated delinquent as long as it is not inconsistent with the nature thereof.

(Continuation of Commitment of Inmate Exceeding 23 Years of Age)

Article 139 (1) With regard to the adjudicated inmates set forth in the following items, if the superintendent of the juvenile training school finds it appropriate to continue to commit them beyond the date specified in each of the items due to the fact that the inmate has an extreme mental disability and it is especially necessary to continue the correctional education in light of the professional knowledge and skills related to medical care, the superintendent must apply for the ruling to continue the commitment with the family court which referred the inmate:

- (i) the inmate whose period during which the inmate is to be committed to the juvenile training school designated by the family court pursuant to the provisions of paragraph (2) of the preceding Article, Article 26-4, paragraph (2) of the Juvenile Act, or Article 68, paragraph (3) or Article 72, paragraph

- (2) of the Offenders Rehabilitation Act expires on the day on which the inmate reaches 23 years of age: The date on which the inmate reaches 23 years of age;
- (ii) the inmate whose period during which the inmate is to be committed to the juvenile training school designated by the family court pursuant to the provisions of the following paragraph or Article 72, paragraph (3) of the Offenders Rehabilitation Act (excluding if the last day of the relevant period is the day on which the inmate reaches 26 years of age) expires: The last day of the period.
- (2) With regard to the adjudicated inmate pertaining to the application under the preceding paragraph, if the family court receiving the application finds the application reasonable, the family court must render a ruling to continue the commitment. In this case, at the same time as the ruling, within a period during which the person does not exceed 26 years of age, the family court must designate the period of time to commit the inmate to the juvenile training school.
- (3) The provisions of paragraphs (3) through (5) of the preceding Article apply mutatis mutandis to the procedure of the case pertaining to the ruling under the preceding paragraph. In this case, the term "paragraph (1)" in paragraphs (3) and (4) of the same Article is deemed to be replaced with "paragraph (1) of the following Article", the term "preceding three paragraphs" in paragraph (5) of the same Article is deemed to be replaced with "paragraph (2) of the following Article and preceding two paragraphs as applied mutatis mutandis pursuant to paragraph (3) of the same Article", and the term "paragraph (2)" is deemed to be replaced with "paragraph (2) of the following Article".

Chapter XIX Release

(Release of Adjudicated Inmate)

Article 140 The adjudicated inmate is released according to the cases set forth in the following items within the period specified in each item and as soon as practicable:

- (i) cases where the day of release is determined in advance: Up until noon of that day;
- (ii) cases where the period during which the inmate may be committed to the juvenile training school pursuant to the provisions of the proviso of Article 137, paragraph (1), or the period during which the inmate is to be committed to the juvenile training school designated by the family court pursuant to the provisions of Article 138, paragraph (2), paragraph (2) of the preceding Article, Article 26-4, paragraph (2) of the Juvenile Act, or Article 68, paragraph (3) or Article 72, paragraph (2) or (3) of the Offenders

Rehabilitation Act expires: Up until noon of the following day of the last day of that period;

- (iii) cases other than those set forth in the preceding two items: Within ten hours from the time when the document which will be the ground for the release has arrived at the juvenile training school.

(Release of Sentenced Inmates)

Article 141 (1) When a sentenced inmate reaches 16 years of age, within a period not exceeding 14 days from the day following the date on which the inmate has reached the age, the superintendent of the juvenile training school must release the inmate from the juvenile training school by handing the inmate over to the warden of the penal institution; provided, however, that this does not apply if the inmate has served out the sentence within that period.

- (2) The provisions of Article 171 of the Act on Penal Detention Facilities and Treatment of Inmates and Detainees (Act No. 50 of 2005) are applied mutatis mutandis to the release of sentenced inmates except to the release under the preceding paragraph.

(Request to Stay)

Article 142 (1) If an inmate to be released is in a critical condition due to injury or disease, or if there are compelling reasons for the benefit of the inmate, the superintendent of the juvenile training school may, at the request of the inmate, permit the inmate to temporarily stay in the juvenile training school. In this case, if that person has been subject to a decision permitting the released on parole under Article 41 of the Offenders Rehabilitation Act or a decision permitting the discharge under Article 46, paragraph (1) of the same Act, the superintendent of the juvenile training school is to promptly report that the superintendent permitted the inmate to temporarily stay in the juvenile training school to the Regional Parole Board that decided on the release on parole or discharge.

- (2) The provisions with regard to inmates apply mutatis mutandis to the treatment of persons staying in the juvenile training school pursuant to the provisions of the preceding paragraph to the extent that they are not inconsistent with the nature thereof.

(Payment of Travel Expenses and Provision of Clothing)

Article 143 The superintendent of a juvenile training school is to provide an inmate to be released with travel expenses and clothes necessary for helping the inmate return home.

Chapter XX Death

(Notification of Death)

Article 144 If an inmate dies, the superintendent of the juvenile training school must, pursuant to Ministry of Justice Order, promptly inform the bereaved family, etc. about the cause and the time and date of the inmate's death, and about the property left to be delivered, compensation for death which will be paid, or prohibited letter, etc., if any.

(Measures Taken for Corpse)

Article 145 (1) If an inmate dies, and there is no one to cremate or inter the corpse, the superintendent of juvenile training school is, notwithstanding the provisions of Article 9 of the Act on Cemetery and Interment, Etc. (Act No. 48 of 1948), to conduct the cremation or interment.

(2) Beyond what is provided for in the preceding paragraph, the measures taken for the corpses of inmates are provided for by Ministry of Justice Order.

Chapter XXI Auxiliary Provisions

(Consultation from Discharged Inmate)

Article 146 If the superintendent of a juvenile training school receives a request for consultation about personal relationship, career selection, and other various issues for a person who has been discharged or released on parole to live a sound social life from the person who has been discharged or released on parole, the custodian of the person or from other persons that the superintendent considers to be appropriate, and the superintendent finds it appropriate, the superintendent may have an official of the juvenile training school provide the consultation.

Chapter XXII Penal Provisions

Article 147 (1) A sentenced inmate who has received out-of-school commissioned guidance or made a day leave or a furlough under Article 45, paragraph (1) who fails to return to the juvenile training school after the day of the out-of-school commissioned guidance or the day of the day leave or the last day of the furlough period is punished by imprisonment for not more than one year.

(2) The provisions of the preceding paragraph also apply if a person (limited to those falling under the person prescribed in Article 97 of the Penal Code) has been released pursuant to the provisions of Article 90, paragraph (2) (including if applied mutatis mutandis pursuant to Article 133, paragraph (3)), and subsequently has failed to appear at the juvenile training school or the specified location violating the provisions of Article 90, paragraph (3)

(including if applied *mutatis mutandis* pursuant to Article 133, paragraph (3)).