

Regulation for Enforcement of the Juvenile Classification Home Act (Tentative translation)

(Order of the Ministry of Justice No. 31 of May 8, 2015)

Under the provisions of the Juvenile Classification Home Act (Act No. 59 of 2014), and in order to enforce the Act, the Regulation for Enforcement of the Juvenile Classification Home Act is established as follows.

Chapter I General Provisions (Articles 1 through 8)

Chapter II Assessment of Persons Subject to Assessment (Article 9)

Chapter III Intake (Articles 10 through 13)

Chapter IV Form of Treatment for Observation and Protection ; Related Matters (Articles 14 and 15)

Chapter V Support for Sound Development (Article 16)

Chapter VI Hygiene and Medical Care (Articles 17 through 23)

Chapter VII Lending, Supplying and Purchasing of Items (Articles 24 through 27)

Chapter VIII Handling of Money and Items (Articles 28 through 34)

Chapter IX Reading Books and Equivalent Works; Related Matters (Articles 35 and 36)

Chapter X Maintenance of Discipline and Order (Articles 37 through 41)

Chapter XI Contact with the Outside World (Articles 42 through 59)

Chapter XII Request for Relief; Related Matters (Articles 60 through 67)

Chapter XIII Death (Articles 68 through 70)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 This Regulation provides for the particulars mandated by the provisions of the Juvenile Classification Home Act (Act No. 59 of 2014; hereinafter referred to as the "Act") and other necessary particulars concerning enforcement of the Act.

(Name to Be Used in Taking Charges of the Affairs Set forth in Article 3, item (iii) of the Act)

Article 2 In taking charge of the affairs set forth in Article 3, item (iii) of the Act, the juvenile classification homes use the name including the term Juvenile Support Centers as separately specified by the Minister of Justice.

(Name of the Juvenile Classification Home Visiting Committee)

Article 3 The name of the Juvenile Classification Home Visiting Committee (hereinafter referred to as the "Committee") is to be the combination of the name of the juvenile classification home in which the Committee is established followed by the term "Visiting Committee".

(Chairperson)

Article 4 (1) The Committee is to have a chairperson who is elected from among the Committee members.

(2) The chairperson is to preside over the processes of the Committee.

(3) The member who is designated by the chairperson in advance is to act as a proxy in handling the chairperson's duties in the event that the chairperson becomes unable to attend to them.

(The Committee Proceedings)

Article 5 (1) The Committee meetings are to be convened by the chairperson.

(2) The Committee may not hold a meeting or make any resolution without the presence of more than half of all Committee members.

(3) Beyond what is provided for in the preceding two paragraphs, necessary particulars on the proceedings at the Committee meetings are determined by the Committee.

(General Processes of the Committee)

Article 6 The general processes of the Committee are handled by the general processes section of the juvenile classification home in which the Committee is established.

(Provision of Information to the Committee)

Article 7 (1) The director of the juvenile classification home is to submit documents at the first Committee meeting in each fiscal year, which provide information necessary for the Committee to understand the status of administration of the juvenile classification home with regard to the following particulars:

(i) outline of the premises and its buildings;

(ii) maximum capacity of the facility and trends in the number of inmates;

(iii) the staff quota and its level of sufficiency;

(iv) the status regarding whether or not the juvenile classification home tours are permitted;

(v) the status of cooperation concerning the affairs set forth in each item of Article 3 of the Act by those set forth in Article 14, paragraph (1) of the Act;

- (vi) the status of implementation of assessment of persons subject to assessment;
 - (vii) the status of provision of opportunities for the activities and provision of advice and support under the provisions of Article 29, paragraph (1) of the Act;
 - (viii) the status of the provisions of hygiene and medical care to inmates;
 - (ix) the status regarding the lending and supplying of items under the provisions of Article 41 of the Act, as well as whether or not the use or consumption of purchased items is permitted under the provisions of Article 42 of the Act;
 - (x) the status of the maintenance of books and equivalent works (meaning books, magazines, and other documents and drawings (except for correspondence and newspapers); the same applies hereinafter in this item and Article 35) of the juvenile classification home, and whether access to purchased books and equivalent works and newspapers is prohibited, permitted or restricted;
 - (xi) the status of religious ceremonies and counseling conducted by religious leaders;
 - (xii) the status of measures taken for the maintenance of discipline and order in the juvenile classification home;
 - (xiii) the status of the permission, prohibition, suppression, or restrictions of visits, correspondence, and the communications prescribed in Article 105, paragraph (1) of the Act by inmates;
 - (xiv) the status of filing of request under the provisions of Article 109 or Article 110, paragraph (1) of the Act or complaints, and results of the process; and
 - (xv) the status of provision of support under the provisions of Article 131 of the Act.
- (2) In the following cases, the director of the juvenile classification home is to submit documents providing information necessary to understand the status thereof at a Committee meeting:
- (i) when the status of administration of the juvenile classification home has considerably changed;
 - (ii) when the Committee requested explanation about the status of administration of the juvenile classification home; and
 - (iii) when the director of the juvenile classification home has taken certain measures in response to opinions presented by the Committee.

(Reflection of Opinions of the Committee)

Article 8 The director of the juvenile classification home is to, insofar as possible, endeavor to take necessary measures to reflect opinions of the Committee in the administration of that juvenile classification home.

Chapter II Assessment of Persons Subject to Assessment ;

(Collection of Information)

Article 9 In conducting an assessment under the provisions of Article 17, paragraph (1) of the Act, the director of the juvenile classification home is to endeavor to collect materials and information necessary to conduct an assessment of a person subject to assessment orally, or in writing, from the person who makes a request of assessment.

Chapter III Intake

(Method of Notification upon Intake)

Article 10 (1) On giving notification under the provisions of Article 23 of the Act, the outline of the particulars set forth in paragraph (1), items (vi) through item (ix) of the same Article is to be explained verbally with plain language by officials of the juvenile classification home.

(2) The documents set forth in Article 23, paragraph (2) of the Act are to be kept available in the rooms (meaning the rooms designated by the director of the juvenile classification home as the place to be used by inmates mainly for the purpose of rest and sleep; the same applies hereinafter).

(3) If there is any change in the notified content after the notification was made under the provisions of Article 23 of the Act, the director of the juvenile classification home must notify the inmates of the relevant changed content in writing with plain language whenever such change occurs. In such a case, the provisions of the preceding two paragraphs apply mutatis mutandis.

(Officials of the Juvenile Classification Home Specified in Ministry of Justice Order Prescribed in Article 24, paragraph (1) of the Act)

Article 11 An official of a juvenile classification home specified in Ministry of Justice Order prescribed in Article 24, paragraph (1) of the Act (hereinafter in this Article referred to as "designated official") is the official of the juvenile classification home to whom the Public Security Service Salary Schedule in Appended Table No.4 of the Regular Service Remuneration Act (Act No. 95 of 1950) applies, and who has completed training and drills necessary for the duties of the designated official specified in the Act.

(Examination for Physical Identification)

Article 12 The examination under the provision of Article 24, paragraph (1) of the Act is to be implemented by carrying out the following:

(i) photographing the inmate's face; and

(ii) identifying any distinguishing physical features.

(Inmates Specified by Ministry of Justice Order Prescribed in Article 25 of the Act)

Article 13 The inmates specified by Ministry of Justice Order prescribed in Article 25 of the Act are those who are accommodated in the juvenile classification home pursuant to the provisions of Article 73, paragraphs(1); Article 76, paragraph (1) or Article 80, paragraph (1) of the Offenders Rehabilitation Act (Act No. 88 of 2007).

Chapter IV Form of Treatment for Observation and Protection; Related Matters

(Cases Specified by Ministry of Justice Order Prescribed in Article 26, paragraph (1) of the Act)

Article 14 Cases specified by by Ministry of Justice Order prescribed in Article 26, paragraph (1) of the Act are as follows:

- (i) cases of exercise, bathing, or visits;
- (ii) cases of medical examination or medical treatment (including nutritional support; the same applies in Article 21); and
- (iii) beyond the cases provided for in the preceding two items, cases where treatment for observation and protection that is difficult to perform in the room is carried out.

(Schedules of Daily Activities)

Article 15 The schedule set forth in Article 27 of the Act is to be determined in accordance with the following standards in regard to the schedules prescribed in the following items, as well as determining the schedule of roll calling for the purpose of confirming the physical presence of an inmate in their room:

- (i) with regard to the schedule for meals, breakfast is set at a time between 6:30 a.m. and 8:30 a.m., lunch is set at a time between 11:00 a.m. and 1:00 p.m., and dinner is set at a time between 4:00 p.m. and 7:00 p.m.;
- (ii) with regard to the schedule for sleeping, at least eight consecutive hours are provided, which are set for a period of time between 9:00 p.m. and 8:00 a.m. the following day;
- (iii) the schedule for exercise is set for a period of time between 7:00 a.m. and 5:00 p.m.; provided, however, that when an opportunity for exercise in a room is provided, the schedule of exercise may be set for a period of time between 7:00 a.m. and 7:00 p.m.; and
- (iv) the schedule for bathing is set for a period of time between 7:00 a.m. and 9:00 p.m.

Chapter V Support for Sound Development

(Support for Study)

Article 16 As the support under the provisions of Article 29, paragraph (1) of the Act, the director of the juvenile classification home is to lend educational materials, exercise equipment, recreation goods, and other goods kept at the juvenile classification home, and otherwise take necessary and appropriate measures to carry out activities prescribed in the same paragraph.

Chapter VI Hygiene and Medical Care

(Days Specified by Ministry of Justice Order Prescribed in Article 31 of the Act)

Article 17 (1) The days specified by Ministry of Justice Order prescribed in Article 31 of the Act are the days which are set out under the following items:

(i) Saturdays;

(ii) national holidays prescribed in the Act on National Holidays (Act No. 178 of 1948); and

(iii) January 2nd, January 3rd, and from December 29th to December 31st inclusive.

(2) An inmate is to be provided an opportunity to exercise for roughly one hour or longer a day;

(Frequency of Bathing)

Article 18 (1) An inmate is provided with an opportunity to take a bath promptly after admission to the juvenile classification home, and after that, at a frequency of twice a week or more.

(2) Officials who are to be present when a female inmate bathes must also be female.

(Frequency of Haircuts and Shaving)

Article 19 (1) An inmate is permitted to have a haircut at least once a month in general.

(2) A male inmate is permitted to shave at a frequency of twice a week or more.

(3) A female inmate is permitted to shave her face at frequency of once a month or more.

(4) The standards of hairstyles when inmates have a haircut (except for haircuts at the inmate's expense) and the methods of haircuts, shaving, and face shaving are determined by the Minister of Justice.

(Particulars Regarding Medical Examinations)

Article 20 (1) The medical examination under the provisions of the first sentence of Article 35, paragraph (1) of the Act is to be provided for the following particulars; provided, however, that with regard to the particulars set forth in items (iv) and (vi) through (ix), the medical examination may be omitted if the doctor deems them unnecessary according to the standards determined by the Minister of Justice:

- (i) examination of personal medical history, life history, and the medical history of family members;
 - (ii) examination of subjective and objective symptoms;
 - (iii) measurement of height, body weight, eyesight and hearing ability;
 - (iv) measurement of blood pressure;
 - (v) measurement of urinary glucose and protein levels;
 - (vi) thoracic radiography check;
 - (vii) examination of hemoglobin content and the numbers of red blood cells;
 - (viii) blood glucose test; and
 - (ix) examination of sexually transmitted disease.
- (2) The medical examination under the provisions of the second sentence of Article 35, paragraph (1) of the Act is to be performed, beyond the examination set forth in item (ii) of the preceding paragraph, as deemed necessary by the doctor.

(Rules to be observed for the Appointed Doctor)

Article 21 In permitting the medical treatment under the provisions of Article 37, paragraph (1) of the Act, the director of the juvenile classification home is to provide concrete instructions on the following particulars to the doctor or dentist who perform the medical treatment set forth in the same paragraph:

- (i) the doctor or dentist must not enter any areas except for the place of medical treatment without just cause;
- (ii) the doctor or dentist must not use any instrument, material, medicine, or any other articles for medical treatment except for the ones designated by the director of the juvenile classification home;
- (iii) the doctor or dentist must not deliver to, or accept from, an inmate any money or items;
- (iv) the doctor or dentist must not have any conversation with an inmate which obviously deviates from that which is required for medical treatment; and
- (v) beyond what is set forth in the preceding items, matters necessary for the maintenance of discipline and order in the juvenile classification home.

(Method of Nursing)

Article 22 (1) In permitting an inmate to receive nursing under the provisions of

Article 38, paragraph (2) of the Act (hereinafter in this Article simply referred to as "nursing"), the director of the juvenile classification home is to determine matters to be observed by the inmate and any person who is going to nurse that inmate and notify them to the inmate, and give notice thereof to the person who is going to nurse that inmate.

- (2) When the inmate who receives the nursing or the person who performs the nursing refuses to comply with instructions given by an official of the juvenile classification home or disobeys the matters to be observed as set forth in the provisions of the preceding paragraph, or it is otherwise inappropriate to continue the nursing, the director of the juvenile classification home may suspend the nursing.

(Measures Specified by Ministry of Justice Order Prescribed in Article 39 of the Act)

Article 23 The measures specified by Ministry of Justice Order prescribed in Article 39 of the Act are such measures which are set out under the following items:

- (i) disinfection or disposal of, or other measures to prevent growth or spread of pathogens in any food, drink, clothing, or other articles which were contaminated by or may have been contaminated by pathogens of an infectious disease; and
- (ii) prohibition of bathing or haircuts.

Chapter VII Lending, Supplying, and Purchasing of Items

(Lending of Room Decorations)

Article 24 (1) Room decorations may be lent to an inmate only if this is deemed especially appropriate for the treatment for observation and protection of that inmate.

- (2) Sweets and favorite items may be provided to inmates only for special events as part of the treatment for observation and protection of an inmate, when it is deemed especially appropriate for treatment for observation and protection of an inmate, and on national holidays prescribed in Article 2 of the Act on National Holidays, January 2nd, and January 3rd.

- (3) Beyond what is provided for in the preceding two paragraphs, categories of items lent or provided to an inmate pursuant to the provisions of Article 41, paragraph (2) of the Act, and standards for lending or provision of the relevant items are determined by the Minister of Justice.

(Use and Consumption of Purchased Items by an Inmate Other Than an Inmate from a Juvenile Training School)

- Article 25 (1) With regard to the items set forth in each item of Article 42, paragraph (1) of the Act (excluding the items set forth in each item of Article 43, paragraph (1) of the Act; hereinafter in this Article and the following Article the same applies), an inmate other than an inmate from a juvenile training school is to be permitted to use or consume purchased items pursuant to the provision of this Article within the limit of necessary amount.
- (2) With regard to the items set forth in Article 42, paragraph (1), item (iii) of the Act, an inmate other than an inmate from a juvenile training school is to be permitted to use purchased items that fall under the categories determined by the Minister of Justice.
- (3) With regard to the items set forth in Article 42, paragraph (1), item (v) of the Act, an inmate other than an inmate from a juvenile training school is to be permitted to use the following purchased items (limited to those fall under the categories determined by the Minister of Justice):
- (i) towels, soap, shampoo, face care products, hair care products and other daily necessities;
 - (ii) items that are used for learning and cultural activities such as stationery and equipment for play; and
 - (iii) gloves, masks, and other items worn on the body (except clothing) that are required to be used in light of the state of health of the inmate other than an inmate from the juvenile training school, or other circumstances.

(Use and Consumption of Purchased Items by an Inmate from a Juvenile Training School)

- Article 26 (1) With regard to the items set forth in each item of Article 42, paragraph (1) of the Act, an inmate from a juvenile training school may be permitted to use or consume purchased items pursuant to the provisions of this Article within the limit of necessary amount.
- (2) With regard to the items set forth in Article 42, paragraph (1), item (i) of the Act, the director of the juvenile classification home permits an inmate from a juvenile training school to use purchased underwear (limited to those falling under the categories determined by the Minister of Justice) and socks, and may permit the inmate to use other purchased items if such use is found to be appropriate when the inmate is escorted.
- (3) With regard to the items set forth in Article 42, paragraph (1), items (ii) and (iv) of the Act, the director of the juvenile classification home may permit an inmate from a juvenile training school to consume purchased items falling under the categories determined by the Minister of Justice only when the director permits the inmate to receive the visit pursuant to the provisions of Article 88, paragraph (1) or paragraph (2) of the Act, or on other occasions specified by the Minister of Justice, and only if it is deemed appropriate.

- (4) With regard to the items set forth in Article 42, paragraph (1), item (iii) of the Act, the director of the juvenile classification home may permit an inmate from a juvenile training school to use purchased items falling under the categories determined by the Minister of Justice only if such use is found to be appropriate for treatment for observation and protection of that inmate.
- (5) With regard to the items set forth in Article 42, paragraph (1), item (v) of the Act, the director of the juvenile classification home may permit an inmate from a juvenile training school to use the following purchased items (limited to those falling under categories determined by the Minister of Justice):
- (i) towels, tooth brushes, and other daily necessities;
 - (ii) school supplies and other items that are used for intellectual and educational activities; and
 - (iii) gloves, masks, and other items worn on the body (except clothing) that are required to be used in light of the state of health of the inmate from a juvenile training school and other circumstances.
- (6) An inmate from a juvenile training school is not to be permitted to use or consume purchased items that are set forth in each item of Article 42, paragraph (1) of the Act if such use or consumption may cause hindrance to the maintenance of discipline and order or the management and administration of the juvenile classification home. The same applies to cases where it is not appropriate to permit an inmate from a juvenile training school to use or consume the relevant items in light of that individual's status as an inmate from a juvenile training school.
- (7) Beyond what is provided for in each of the preceding paragraphs, the standards for permitting an inmate from a juvenile training school to use or consume a purchased items pursuant to the provisions of Article 42, paragraph (2) of the Act are determined by the Minister of Justice.

(Items Specified by Ministry of Justice Order Prescribed in Article 43, paragraph (1), item (iii) of the Act)

Article 27 The items specified by Ministry of Justice Order prescribed in Article 43, paragraph (1), item (iii) of the Act are such items as set forth in the following items:

- (i) revenue stamps and seals; and
- (ii) wigs (may be used only when an intimate appears on trial, or other cases when the director of the juvenile classification home deems that permission of the use of wig is appropriate).

Chapter VIII Handling of Money and Items

(Submission of Application Form for Delivery of Money and Items)

- Article 28 (1) The director of the juvenile classification home may request a person who intends to deliver money and items to an inmate to submit an application form stating the following particulars, or may ask about the following particulars:
- (i) name, date of birth, address, telephone number, and occupation;
 - (ii) name of the inmate who is the recipient of the money and items and the relationship to that inmate; and
 - (iii) amount of money or the name and quantity of the items to be delivered.
- (2) The director of the juvenile classification home may request the person prescribed in the preceding paragraph to submit or present a document or other article which proves the particulars set forth in items (i) and (ii) of the same paragraph.

(Articles Specified by Ministry of Justice Order Prescribed in Article 53, Paragraph (2) of the Act)

- Article 29 The items specified by Ministry of Justice Order as those which are excluded from the items retained for inmates prescribed in Article 53, paragraph (2) of the Act are such items as set out under the following items:
- (i) records or other documents regarding cases pending before a court in which the inmate is a party, or copies thereof; and
 - (ii) eyeglasses and other corrective instruments.

(Delivery of Retained Items)

- Article 30 An inmate is provided with an opportunity to make the request prescribed in the main clause of Article 54, paragraph (1) and Article 54, paragraph (3) of the Act promptly after the admission to the juvenile classification home, and after that, at a frequency of once a week or more; provided, however, that if the items requested is either of the items set forth in each item of the preceding Article, the director of the juvenile classification home is to give the inmate that opportunity at a frequency of once a day or more.

(Method of Retention of Retained Items Delivered)

- Article 31 (1) The items possessed by an inmate after taking a delivery pursuant to the provision of the main clause of Article 54, paragraph (1) of the Act are to be kept on a shelf, or in a container or other retention space in or outside of the inmate's room designated by the director of the juvenile classification home.
- (2) If an inmate is ordered to retain the items in a retention space outside of the inmate's room, the inmate must be provided an opportunity to put in or take out those items from that space at a frequency of once a day or more; provided, however, that this does not apply if it is difficult to provide such opportunity

for the inmate to access the retention space outside of the building in which the inmate's room is located on Sundays or days set forth in each item of Article 17, paragraph (1) in light of the management and administration of the juvenile classification home.

- (3) The correspondence received and retained by the inmate are to be kept on a shelf, or in a container or other retention space in the room designated by the director.
- (4) The restrictions on the volume of items that can be possessed by an inmate, and the number of letters that can be retained by an inmate pursuant to the provisions of Article 54, paragraph (2) of the Act may be imposed on the items other than those set forth in each item of Article 29 or the letters.

(Restrictions on Delivery of Money and Items)

Article 32 Restrictions on the delivery of money and items to an inmate, and on the purchase of purchased items and others (meaning the purchased items and others prescribed in Article 48, paragraph (1), item (i) of the Act; hereinafter in this Article the same applies) by an inmate pursuant to the provisions of Article 60 of the Act may be implemented through the following restrictions:

- (i) restrictions on particulars set forth in sub-item (a) or (b) below:
 - (a) dates and schedules in which a request for the delivery of money and items to an inmate by outside suppliers, and an application for the purchase of purchased items and others by an inmate is submitted; and
 - (b) quantity of items to be delivered to a single inmate by a single outside supplier within a certain period of time, and quantity of purchased items and others to be purchased by an inmate within a certain period of time.
- (ii) For goods which an outside supplier intends to deliver to an inmate, or purchased items and others an inmate intends to purchase, that fall under the categories the director of the juvenile classification home specifies, to restrict them to those purchased from the business entity designated by the director of the juvenile classification home.

(Bereaved Family and Other Persons Specified by Ministry of Justice Order Prescribed in Article 64, paragraph (1) of the Act)

Article 33 The bereaved family and other persons specified by Ministry of Justice Order prescribed in Article 64, paragraph (1) of the Act are those set out under the following items:

- (i) spouse (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 68, paragraph (1), item (i)), child, parent, grandparent, and sibling of the inmate;
- (ii) person other than those set forth in the preceding item who was the

- custodian of the inmate when the inmate died;
- (iii) for the inmate who has no person set forth in the preceding two items, a person designated by that inmate (only one person); and
 - (iv) ambassador, minister, consul, or official in charge of a consular mission of a foreign country of which an inmate is a national.

(Delivery of Items Left Behind by a Deceased Inmate)

Article 34 Items left behind by a deceased inmate (meaning money and items left at the juvenile classification home; the same applies hereinafter in this Article and in Article 68, paragraph (1)) is to be delivered to the person who first claims delivery of those items from among the persons set forth in the each item of the preceding Article; provided, however, that if a notification is given pursuant to the provisions of Article 129 of the Act to a person holding a higher rank in the order of priority as a bereaved family member pursuant to each item of Article 68, paragraph (1), item (i) (excluding cases where that person expresses the intention not to claim delivery of the items left behind by a deceased inmate), and that person applies for the payment within a reasonable period of time, the items left behind by a deceased inmate is delivered to that person.

Chapter IX Reading Books and Equivalent Works; Related Matters

(Charging of Expenses for Translation)

Article 35 With regard to books and equivalent works or newspapers (excluding those designated by the director of the juvenile classification home pursuant to the provisions of paragraph (1) of the following Article), expenses for translations prescribed in Article 66, paragraph (3) and Article 67, paragraph (3) of the Act may be charged to an inmate if it is considered to be reasonable to do so in light of the purpose of access thereto, and that inmate's ability to pay; provided, however, that this does not apply where the inmate falls under any of the following items, except in extraordinary circumstances:

- (i) an inmate does not have the ability to understand Japanese through reading; and
- (ii) an inmate can only access books and equivalent works or newspapers written in Braille.

(Restrictions on Newspapers)

Article 36 (1) With regard to daily newspapers generally reporting current events, restrictions on newspapers that may be acquired by an inmate pursuant to the provisions of Article 68 of the Act may be imposed by limiting the number of newspapers to one or more newspapers chosen by an inmate

from among two or more newspapers designated by the director of the juvenile classification home.

- (2) Restrictions on acquisition procedures for newspapers that may be acquired by an inmate pursuant to the provisions of Article 68 of the Act may be performed by limiting them to subscription of a daily newspaper from the business entity designated by the director of the juvenile classification home.

Chapter X Maintenance of Discipline and Order

(Guarding Equipment)

Article 37 The guarding equipment required for the measures prescribed in Article 75, paragraph (1) or paragraph (2) of the Act is to be such equipment as set out under the following items:

- (i) sasumata (two-pronged tool for restraining bodies);
- (ii) shields; and
- (iii) tear-gas spray.

(Method of Use of Handcuffs)

Article 38 (1) The handcuffs which may be used for escorting an inmate are the Class 1 handcuffs prescribed in Appended Table, except where there is a risk that the inmate may carry out any act provided for in each item of Article 76, paragraph (1) of the Act.

- (2) The shape of handcuffs are those provided for in Appended Table.

(Standards for the Structure and Facilities of Protection Room)

Article 39 The standards for the structure and facilities of the protection room are those set out under the following items:

- (i) the room must have a structure and facilities which were designed so that the person who is confined in the protection room cannot easily suffer physical damage;
- (ii) the room must have a structure and facilities which are not easily damaged or defaced;
- (iii) the room must have a structure and facilities which have effective soundproofing;
- (iv) the room must have a structure and facilities which do not prevent observation of inside of the room; and
- (v) the room must have a structure and facilities allowing for appropriate ventilation, natural lighting, lighting, heat insulation, damp proofing, and drainage.

(Methods of Requesting the Assistance for Return)

Article 40 (1) The request for the assistance for return under the provisions of the first sentence of Article 78, paragraph (2) or the first sentence of Article 79, paragraph (5) of the Act must be made in writing document stating the name, age, sex, and registered domicile (or nationality in the case of a foreign national) of the person to be returned, grounds for returning, and other matters necessary for the return.

(2) Notwithstanding the provisions of the preceding paragraph, the director of the juvenile classification home may request the assistance set forth in the same paragraph by telephone or other appropriate means if there is an urgent necessity. In this case, the director of the juvenile classification home must send the written document set forth in the same paragraph to the police as soon as possible.

(Sending of the Return Warrant to the Police)

Article 41 On having requested the assistance set forth in paragraph (1) of the preceding Article and having been issued a return warrant, the director of the juvenile classification home must send it to the police; provided, however, that if it is impossible to send the return warrant, it suffices for the director informing the police that the return warrant has been issued.

Chapter XI Contact with the Outside World

(Reports on Visitors)

Article 42 (1) The director of the juvenile classification home may request an inmate to submit the particulars set forth in the following items regarding persons who are expected to request to visit that inmate:

- (i) name, date of birth, address, and occupation;
- (ii) relationship with the inmate;
- (iii) expected purpose of the visit; and
- (iv) other particulars the director of the juvenile classification home finds necessary.

(2) In the case prescribed in the preceding paragraph, the director of the juvenile classification home may request the inmate to submit or present documents or other materials which prove the particulars set forth in each item of the same paragraph if this is deemed necessary.

(Submission an Application Form for a Visit)

Article 43 (1) The director of the juvenile classification home may request a person who requests to visit to an inmate to submit an application form stating the following particulars:

- (i) name, date of birth, address, and occupation;

- (ii) name of the inmate the visitor wishes to visit and the visitor's relationship with the inmate; and
 - (iii) purpose of the visit.
- (2) In the case prescribed in the preceding paragraph, the director of the juvenile classification home may request the person who requests to visit the inmate to submit or present documents or other materials which prove the particulars set forth in each item of the same paragraph if this is deemed necessary.

(Visitor Confirmation)

Article 44 The director of the juvenile classification home may, upon receiving a request to visit an inmate, ask the inmate about the name of the person who made that request and the relationship with the inmate.

(Restriction on the Number of Visitors)

Article 45 If the number of persons visiting an inmate is restricted pursuant to the provisions of Article 83, paragraph (1) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 87, Article 90, and Article 91 of the Act; the same applies in Articles 48 through 50), the number of persons who are permitted to visit the inmate must not be less than three.

(Restrictions on the Visiting Site)

Article 46 (1) The place for visiting an inmate is to be designated by the director of the juvenile classification home.

(2) The visiting site may be the room which has partitions to act as a divider between the inmate and visitors.

(Restrictions on Dates of Visits)

Article 47 (1) The director of the juvenile classification home is to determine, according to each inmate's respective status, the date on which a visit (except for a visit by attendants, etc. (meaning the attendants or the attorneys who intend to act as the attendants at the request of the inmate or custodian of that inmate; hereinafter the same applies) or defense counsels, etc. (meaning the defense counsels or the persons who intend to act as the defense counsels prescribed in Article 39, paragraph (1) of the Code of Criminal Procedure (Act No. 131 of 1948); hereinafter the same applies)) is permitted at the juvenile classification home (hereinafter in this Article and the following Article referred to as the "visiting day").

(2) The number of days permitted as visiting days per month must not be less than the number of days calculated by subtracting the number of Sundays and days set forth in each item of Article 17, paragraph (1) from the number of days in the month.

(3) Inmates are to be notified of visiting days of each month by one month before the first day of the month to which the relevant visiting days belong, which is to be announced in a public notice by posting it at places in the juvenile classification home which can be easily seen by people, or by any other means from one month before the first day of the month to which the visiting days belong.

(Restrictions on the Schedules of Visits)

Article 48 If the schedule of a visit to an inmate is restricted pursuant to the provisions of Article 83, paragraph (1) of the Act, that schedule must not be shorter than 6 hours a day (or, if the Sundays and days set forth in each item of Article 17, paragraph (1) are determined as the visiting days, 4 hours a day).

(Restrictions on the Duration of Visits)

Article 49 If the duration of a visit to an inmate is restricted pursuant to the provisions of Article 83, paragraph (1) of the Act, that duration must not be shorter than 30 minutes; provided, however, that if there are compelling reasons in light of the circumstances in which the request for a visit is submitted, the number of rooms specified as visiting sites, or other reasons, the duration may be restricted to shorter than 30 minutes but not shorter than 10 minutes.

(Restrictions on the Number of Visits)

Article 50 The director of the juvenile classification home may restrict the frequency of visits under the provisions of Article 83, paragraph (1) of the Act with regard to the visits other than the visits that are deemed especially 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.

(Posting of the Rules to be Observed with by Visitors)

Article 51 The director of the juvenile classification home is to post the particulars that must be observed by an inmate's visitor (except for an inmate's attendant, etc. or defense counsel, etc.), clearly describing the particulars set forth in the following items, at the places in the juvenile classification home which can be easily seen by the people:

- (i) visitors must not commit any of the acts set out under Article 82, paragraph (1), item (i), (a) or (b) of the Act (including cases where these are applied mutatis mutandis pursuant to Articles 87, 90 and 91 of the Act); and
- (ii) visitors must not say anything set out under Article 82, paragraph (1), item (ii), (a) through (c) of the Act (including cases where these are applied mutatis mutandis pursuant to Articles 87, 90, and 91 of the Act), (d) of that

item (including cases where this is applied mutatis mutandis pursuant to Article 87 of the Act), (e) of that item (including cases where these are applied mutatis mutandis pursuant to Articles 87 , 90 and 91 of the Act), and (f) and (g) of that item (including cases where these are applied mutatis mutandis pursuant to Articles 90 and 91 of the Act).

(Report on Other Parties of Personal Correspondence)

Article 52 (1) The director of the juvenile classification home may request an inmate from a juvenile training school to submit the particulars set forth in the following items regarding persons to or from whom the inmate is expected to send or receive personal correspondence:

- (i) name, date of birth, address, and occupation;
- (ii) relationship with the inmate;
- (iii) expected purpose of the letters to be sent or received; and
- (iv) other particulars the director of the juvenile classification home finds necessary.

(2) The provisions of Article 42, paragraph (2) applies mutatis mutandis to cases where reporting is requested pursuant to the preceding paragraph.

(Restrictions on the Manner of Preparing Letters)

Article 53 (1) Restrictions on the manner of preparing letters (excluding the documents to be submitted to the Committee, and the documents for the requests under the provisions of Article 109 of the Act and complaints) to be sent by inmates pursuant to the provisions of Article 95, paragraph (1) of the Act (including cases where these are applied mutatis mutandis pursuant to Articles 99, 103 and 104 of the Act; the same applies in the following Article through Article 56) may be imposed with regard to the following matters (excluding the matters set forth in item (ii) for the letters to be sent to the attendant, etc. or defense counsel, etc.):

- (i) the standards for paper and envelopes used for letters and the type of stationery used in preparing letters;
- (ii) the number of sheets of paper used for one letter; and
- (iii) the number of characters written on one piece of paper and other writing restrictions required to aid the smooth inspection of letters.

(2) If any restriction is imposed on the number of sheets of paper used in letters sent by an inmate, the number of sheets of paper must not be less than 5.

(3) If any restriction is imposed on the number of characters per sheet of paper used in letters sent by an inmate, that number of characters must not be less than 400.

(Restrictions on Dates and Schedules for Requesting to Send Letters)

Article 54 The director of the juvenile classification home, even when imposing restrictions on the dates and the schedules in which an inmate may request to send letters pursuant to the provisions of Article 95, paragraph (1) of the Act, must accept a request to send a letter if there is an urgent necessity to send that letter.

(Restrictions on the Number of Letters Requested to Be Sent)

Article 55 The restrictions on the number of letters an inmate may request to send pursuant to the provisions of Article 95, paragraph (1) of the Act may be imposed on letters other than those set forth in the following items:

- (i) documents to be submitted to the Committee; and
- (ii) the documents for the requests under the provisions of Article 109 of the Act and complaints.

(Restrictions on the Procedures for the Sending or Receiving of Letters)

Article 56 (1) The restrictions on procedures for inmates sending letters pursuant to the provisions of Article 95, paragraph (1) of the Act may be imposed by restricting them to the procedures set forth in the following items:

- (i) by postal mail (except for special mail prescribed by Article 44 of the Postal Act (Act No. 165 of 1947) (except for express mail and New Year's greetings mail)); and
- (ii) by telegram (only limited to cases where there is an urgent need, or when sending a letter to an inmate's attendant, etc. or defense council, etc.).

(2) The restrictions on the procedures for inmates receiving letters pursuant to the provisions of Article 95, paragraph (i) of the Act may be imposed by restricting them to the procedures set out under the following items:

- (i) by the postal mail or correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) performed by a general correspondence delivery operator prescribed in paragraph (6) of the same Article, or a specified letter delivery operator prescribed in paragraph (9) of the same Article; and
- (ii) by telegram.

(Handling of Letters Addressed to Multiple Inmates)

Article 57 (1) Letters addressed to multiple inmates and permitted to be received by inmates are to be delivered to one of the addressees.

(2) If the letter which is permitted to be received by inmates, and whose content is written on any items other than paper, to which any device which produces sound is attached, or which constitutes anything other than a letter, is not delivered to the inmate pursuant to the provisions of the main clause of Article

54, paragraph (1), except for cases where the person is prohibited to receive that letter or delivery of the letter is suspended pursuant to the provisions of Article 94 of the Act (including cases where these are applied mutatis mutandis pursuant to Articles 99, 103 or 104 of the Act; hereinafter in this Article the same applies), or Article 102 or Article 107, paragraph (3) of the Act, the inmate is to be made known of the content (except for the parts that should be removed or erased pursuant to the provisions of Article 94 of the Act) of the letter through presentation of the items or by some other method.

(Delivery of Prohibited Letters of Deceased Persons)

Article 58 The provisions of Article 34 applies mutatis mutandis to all or part or copies of the letters retained pursuant to the provisions of Article 97, paragraph (1) or paragraph (2) of the Act (including cases where these are applied mutatis mutandis pursuant to Articles 99, 103 and 104 of the Act) (hereinafter in Article 68, paragraph (1) referred to as "prohibited letters") which are to be delivered pursuant to the provisions of Article 97, paragraph (4) of the Act (including cases where these are applied mutatis mutandis pursuant to Articles 99, 103 and 104 of the Act).

(Charging of Translation Expenses)

Article 59 The expenses of interpretation or translation prescribed by the second sentence of paragraph (1) or the second sentence of paragraph (2) of Article 107 of the Act may be charged to the inmate only when there are special circumstances that charging to the inmate is deemed appropriate in light of the purpose of visits or communication. (meaning visits or communication pursuant to the provisions of Article 105, paragraph (1) of the Act; the same applies in item (ii), (a)) or the purpose of sending or receiving letters and the inmate's ability to pay, except for the cases set forth in the following items:

(i) when the inmate is visited by the ambassador, minister, consul, or other person who performs consulate activities of the foreign country of which the inmate is a national, or sends letters to or receives letters from that person;

or

(ii) when the inmate is unable to pay the expenses in such situations as set forth in the following sub-items:

(a) the inmate have visits or communication with persons set out under the following sub-items; and

1. the custodian, etc. of the inmate;

2. persons whose visits are necessary in order to carry out 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;

3. persons whose visits are likely to contribute to the reformation and rehabilitation of the inmate from a juvenile training school, such as a person related to the rehabilitation of the inmate.
- (b) when the inmate sends or receives letters set forth in the following sub-items:
1. letters sent to or received from custodians, etc. of the inmate;
 2. 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;
 3. letters which are deemed to contribute to the reformation and rehabilitation of the inmate from a juvenile training school, such as those sent to or received from a person related to the rehabilitation of the inmate.

Chapter XII Request for Relief: Related Matters

(Descriptions in a Written Request)

Article 60 (1) The following particulars must be stated in the writing prescribed in Article 109 of the Act:

- (i) name and date of birth of a person who files a request;
 - (ii) name of the juvenile classification home in which the person who files a request is committed;
 - (iii) name of the juvenile classification home in which the treatment to which the request pertains was provided;
 - (iv) details of the treatment to which the request pertains;
 - (v) reasons for request; and
 - (vi) date of request.
- (2) In order to receive notice under the provisions of Article 116 of the Act (hereinafter referred to as "notice of results of the process") after release, an inmate who files a request pursuant to the provisions of Article 109 of the Act must notify the Minister of Justice of the place in which that inmate wishes to receive notice of results of the process after release by including the description to that effect in the writing prescribed in Article 109 of the Act or by the methods otherwise specified by the Minister of Justice.

Article 61 (1) The following particulars must be stated in the writing prescribed in Article 110, paragraph (1) of the Act:

- (i) the particulars listed in items (i) and (iii) through (vi) of paragraph (1) of the preceding Article;
- (ii) address or residence of a person who files a request; and

- (iii) date on which a person who files a request has been released from the juvenile classification home.
- (2) When a person who files a request pursuant to the provisions of Article 110, paragraph (1) of the Act wishes to receive notice of results of the process at any place other than the address or residence set forth in item (ii) of the preceding paragraph, the person is to notify the Minister of Justice of that place in writing.
- (3) For the purpose of calculating the period of the request pursuant to the provisions of Article 110, paragraph (1) of the Act when the writing prescribed in Article 110, paragraph (1) of the Act is submitted by the postal mail or correspondence delivery prescribed in the Article 2, paragraph(2) of the Act on Correspondence Delivery by Private Business Operators, performed by a general correspondence delivery operator prescribed in paragraph (6) of the same Article or a specified letter delivery operator prescribed in paragraph (9) of the same Article, the number of days required for sending is not included.

Article 62 deletion

(Correction of Defects)

Article 63 When the Minister of Justice finds that there are defects in the writing prescribe in Article 109 or Article 110, paragraph (1) of the Act, the Minister may request that those defects be corrected within a reasonable period of time.

(Suspension of Measures Taken by the Director of a Juvenile Classification Home by the Minister of Justice)

Article 64 If the content of the request for relief pertains to the measures taken by the director of the juvenile classification home against a person who files the request as set forth in each item of Article 115, paragraph (1) of the Act and the Minister of Justice finds it necessary, the Minister may suspend those measures.

(Notice of Results of the Process)

Article 65 (1) The Minister of Justice is to give notice of results of the process to an inmate by sending a document stating results of the process under the provisions of Article 114 of the Act (including the measures of the Minister of Justice under the provisions of Article 115, paragraph (1) of the Act; hereinafter in the following paragraph and paragraph (2) of the following Article referred to as "results of the process"), and having the director of the juvenile classification home deliver the document to the person who has filed the request for relief; provided, however, that if the content of the request for

relief pertains to any issue other than the measure of the director of the juvenile classification home against the person who has filed the request as set forth in each item of Article 115, paragraph (1) of the Act or the act of the officials of the juvenile classification home as set forth in Article 110, paragraph (1), items (iv) through (vi) of the Act, the Minister of Justice may have the director of the juvenile classification home or an official of the juvenile classification home designated by the director notify results of the process verbally.

- (2) Notice of results of the process to a person who has been released is to be given by sending a document stating results of the process to the place notified by that person pursuant to the provisions of Article 60, paragraph (2) or Article 61, paragraph (2), or the address or residence set forth in paragraph (1), item (ii) of the same Article.

(Notice to Custodian, etc.)

Article 66 (1) When an inmate files a request for relief, the director of the juvenile classification home is to promptly notify inmate's custodians or other persons deemed appropriate to that effect.

- (2) When notice of results of the process is given to the inmate, and the person who has been given the notice pursuant to the provision of the preceding paragraph asks the director of the juvenile classification home to give notice of results of the process, the director of the juvenile classification home is to notify that person of the results of the process; provided, however, that this does not apply if the inmate does not give consent or has been released.

(Application Mutatis Mutandis)

Article 67 The provisions of the preceding Article applies mutatis mutandis if an inmate files a request for complaint about inspectors.

Chapter XIII Death

(Notification of Death)

Article 68 (1) Notification pursuant to the provisions of Article 129 of the Act is to be given to a person who holds the highest rank according to the order as prescribed below; provided, however, that if there are any items left behind by the deceased inmate, or prohibited letters, etc. to be delivered, and the person who received that notification expressed their intention not to apply for delivery, the notification is to be also given, according to the order below, to a person who holds the highest rank among the persons who hold the same or lower rank than that person:

- (i) spouse;

- (ii) child;
 - (iii) parent;
 - (iv) grandparent;
 - (v) sibling;
 - (vi) person set forth in Article 33, item (ii);
 - (vii) person set forth in Article 33, item (iii); and
 - (viii) person set forth in Article 33, item (iv).
- (2) If an inmate set forth in each of the following items dies, the director of the juvenile classification home must give the person listed in those items notice thereof, even if notification pursuant to the provisions of Article 129 of the Act is not necessary according to the preceding paragraph.
- (i) inmate with custodian: person who was that inmate's custodian when the inmate dies; and
 - (ii) inmate having foreign nationality: person set forth in Article 33, item (iv).

(Postmortem Examination)

Article 69 (1) When an inmate dies, the director of the juvenile classification home to carry out a postmortem examination of the corpse.

- (2) If it is deemed as a result of the postmortem examination provided for in the preceding paragraph that the inmate has died an unnatural death, or it is suspected that the inmate has died an unnatural death, the director of the juvenile classification home must report this to the public prosecutor and the judicial police officer who is a police officer.

(Burial of Corpses)

Article 70 (1) When the director of the juvenile classification home buries a corpse of an inmate, the corpse is to be buried in a grave in the graveyard managed or used by the director.

- (2) When the director of the juvenile classification home cremates a corpse of an inmate, residual bones are to be buried or stored in a grave in the graveyard or charnel house managed or used by the director.

Supplementary Provisions

Omitted

Appended Table (Re: Article 38)

Type		Structure	Quality of Materials
Han dcuf fs	Cla ss I	Two bracelets capable of being opened and closed is to be connected with a chain.	Iron or other materials having strength equal to or stronger than that of iron.

	Each bracelet is to be capable of being stopped with a skid and being locked.	A rope attached to the handcuffs is to be made of chemical fiber, and a flexible yet solid steel wire rope is to be used for the core part of the rope.
	The diameter of the rope attached to the handcuffs is to be approximately 6 mm and the length is approximately 6 meters.	
	One end of the rope is looped back at approximately 12 cm from the end and fixed at that point, so that a loop is created.	
	The shape of the handcuffs is to be as shown in Fig. 1.	
Class II	Two bracelets capable of being opened and closed is to be connected with a connecting plate.	On the surface of the bracelets and connecting plate, fabric made of chemical fiber is to be used, and on in the inside of the bracelets, felt is to be used.
	The connecting plate is to have the shape of a trapezoid which height is about 80 mm, which the top side is 15 through 160 mm, and which the bottom side is 80 through 210 mm.	For the interlining of the connecting plate, iron or other materials having strength equal to or stronger than that of iron is to be used.
	Each bracelet is to be provided with one locking device.	Locking device of the bracelets is to be made of iron or other materials having strength equal to or stronger than that of iron.
	The shape of the handcuffs is to be as shown in Fig. 2.	