

Regulations for Enforcement of the Juvenile Assessment Center Act

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

Pursuant to the provisions of the Juvenile Assessment Center Act (Act No. 59 of 2014) and in order to enforce the Act, the Regulation for Enforcement of the Juvenile Assessment Center 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 Books and Equivalent Documents; Related Matters (Articles 35 and 36)

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

Chapter XI Contact with the Outside (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 These Regulations provide for the matters mandated by the provisions of the Juvenile Assessment Center Act (Act No. 59 of 2014; referred to below as "the Act") and other necessary matters in implementing the Act.

(Name to Be Used in Taking Charges of the Affairs Stated in Article 3, Item (iii) of the Act)

Article 2 In taking charge of the affairs stated in Article 3, item (iii) of the Act, the juvenile assessment centers are to use a name that includes the term Juvenile Support Centers as separately specified by the Minister of Justice.

(Name of the Juvenile Assessment Center Visiting Committee)

Article 3 The name of the Juvenile Assessment Center Visiting Committee (hereinafter referred to as the "Committee") is to be the combination of the name of the juvenile assessment center 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 affairs of the Committee.

(3) A committee member duly designated by the chairperson in advance is to perform the duties of the chairperson if the chairperson is unavailable.

(Proceedings at the Committee Meetings)

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

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

(3) Beyond what is provided for in the preceding two paragraphs, necessary matters for 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 assessment center in which the Committee is established.

(The Provision of Information to the Committee)

Article 7 (1) The director of a juvenile assessment center is to submit documents at the first Committee meeting each fiscal year, which provide information necessary for the Committee to understand the state of administration of the juvenile assessment center with regard to the following matters:

(i) outline of the premises and its buildings;

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

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

(iv) the state regarding whether or not the juvenile assessment center tours are permitted;

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

(vi) the state of implementation of assessment of persons subject to assessment;

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

(Reflection of the Opinions of the Committee)

Article 8 The director of a juvenile assessment center is to endeavor as much as possible to take necessary measures to reflect the opinions of the Committee into the administration of the juvenile assessment center.

Chapter II Assessment of Persons Subject to Assessment

(Gathering of Information)

Article 9 In conducting an assessment under the provisions of Article 17, paragraph (1) of the Act, the director of a juvenile assessment center is to endeavor to obtain materials and information necessary to conduct an assessment of the subject person orally or in writing from the requester of the 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 matters stated in paragraph (1), items (vi) through (ix) of that Article is to be explained verbally in plain language by officials of a juvenile assessment center.

(2) The documents referred to in Article 23, paragraph (2) of the Act are to be kept in the rooms (meaning the rooms designated by the director of a juvenile assessment center to be used mainly for rest and sleep by inmates; the same applies hereinafter).

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

(Officials of Juvenile Assessment Center Specified by Ministry of Justice Order Prescribed in Article 24, Paragraph (1) of the Act)

Article 11 An official of a juvenile assessment center specified by Ministry of Justice Order prescribed in Article 24, paragraph (1) of the Act (referred to below as "designated official" in this Article) is the official of a juvenile assessment center to whom the Public Security Service Salary Schedule in Appended Table No.4 of the Act on Remuneration of Officials in the Regular Service (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.

(Means of Physical Examination for Identification)

Article 12 The examination under the provisions of Article 24, paragraph (1) of the Act is to be carried out by the following means:

- (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 a juvenile assessment center pursuant to the provisions of Article 73, paragraphs(1), Article 76, paragraph (1), or Article 80, paragraph (1) of the Offender Rehabilitation Act (Act No. 88 of 2007).

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

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

Article 14 Cases specified 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 providing nutritional care; the same applies in Article 21); and
- (iii) beyond what is stated in the preceding two items, cases in which it is difficult to conduct treatment for observation and protection in the room of an inmate.

(Schedule of Daily Activities)

Article 15 The schedule referred to in Article 27 of the Act is to determine the schedule prescribed in the following items in accordance with the following standards, as well as determine the schedule of roll call for the purpose of confirming the physical presence of an inmate in their rooms:

- (i) the schedule for meals is to be set at a time between 6:30 a.m. and 8:30 a.m. for breakfast, between 11:00 a.m. and 1:00 p.m. for lunch, and between 4:00 p.m. and 7:00 p.m. for dinner;
- (ii) the sleep schedule is to be set for a period of at least eight consecutive hours between 9:00 p.m. and 8:00 a.m. of the following day;
- (iii) the schedule for exercise is to be set at a time between 7:00 a.m. and 5:00 p.m.; provided, however, that when providing an opportunity for an inmate to exercise in their room, the schedule for exercise may be set at a time between 7:00 a.m. and 7:00 p.m.; and
- (iv) the schedule for bathing is to be set at a 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 a juvenile assessment center is to lend educational materials, exercise equipment, recreation goods, and other goods kept at a juvenile assessment center and take other necessary and appropriate measures to carry out activities prescribed in that 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 forth in the following items:

(i) Saturdays;

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

(iii) January 2, January 3, and December 29 through December 31.

(2) An inmate is to be provided with an opportunity to exercise for approximately one hour or longer per day;

(Frequency of Bathing)

Article 18 (1) An inmate is to bathe promptly after the admission to the juvenile assessment center, and at a frequency of twice a week or more, thereafter.

(2) Female officials must monitor while female inmate in bathing.

(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 twice a week or more.

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

(4) The standards for method of hairstyling (except for those at their own expense), and haircuts, shaving, and face shaving are determined by the Minister of Justice.

(Matters 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 conducted for the following matters; provided, however, that for the matters stated in item (iv) and items (vi) through (ix), the medical examination may be omitted if a doctor finds this unnecessary in accordance with the standards set by the Minister of Justice:

(i) examination of personal medical history, lifestyle history, and the medical

- history of family members;
 - (ii) examination of subjective and objective symptoms;
 - (iii) measurement of height, weight, eyesight, and testing of hearing;
 - (iv) measurement of blood pressure;
 - (v) urine glucose and protein level test;
 - (vi) chest radiography check;
 - (vii) hemoglobin content and red blood cell count test;
 - (viii) blood glucose test; and
 - (ix) sexually transmitted disease examination.
- (2) The medical examination under the provisions of the second sentence of Article 35, paragraph (1) of the Act is to be conducted for matters a doctor finds to be necessary, in addition to the matters set forth in item (ii) of the preceding paragraph.

(Rules to be Observed by the Appointed Doctor)

Article 21 In permitting an inmate to receive medical treatment under the provisions of Article 37, paragraph (1) of the Act, the director of a juvenile assessment center is to provide concrete instructions on the following matters to the doctor or dentist who is to perform the medical treatment referred to in that paragraph:

- (i) the doctor or dentist must not enter any areas other than the place medical treatment is performed, without just cause;
- (ii) the doctor or dentist must not use any instrument, material, medicine, or any other articles for medical treatment except for those designated by the director of a juvenile assessment center;
- (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 conversation with an inmate which obviously deviates from what is necessary for medical treatment; and
- (v) beyond what is stated in the preceding items, necessary matters for the maintenance of discipline and order in the juvenile assessment center.

(Implementation Method of Nursing Care)

- Article 22 (1) In permitting an inmate to receive nursing care under the provisions of Article 38, paragraph (2) of the Act (simply referred to as "nursing" below in this Article), the director of a juvenile assessment center is to determine in advance matters to be observed by the inmate and any person who will nurse that inmate in connection with nursing care, and notify them to the inmate, and give the notice to the person who will nurse that inmate.
- (2) If the inmate receiving nursing or the person who performs the nursing care refuses to comply with instructions given by an officials of the juvenile

assessment center, or disobeys the matters to be observed specified pursuant to the provisions of the preceding paragraph, or it is otherwise inappropriate to continue the nursing, the director of the juvenile assessment center may suspend the nursing care.

(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 as follows:

- (i) measures of disinfecting or disposing of, or other measures to prevent growth or spread of pathogens in any food, drink, clothing, or other articles that were contaminated by, or suspected of have been contaminated by pathogens of an infectious disease; and
- (ii) measures of denying bathing or haircuts.

Chapter VII Lending, Supplying, and Purchasing of Items

(Lending and Supplying Room Decorations)

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

(2) Luxury items may be supplied to the inmate only when conducting special events as part of their treatment for observation and protection, when it is found to be particularly appropriate, on national holidays prescribed in Article 2 of the Act on National Holidays, and January 2, and January 3.

(3) Beyond what is provided for in the preceding two paragraphs, the categories of items lent or supplied to an inmate pursuant to the provisions of Article 41, paragraph (2) of the Act and standards for lending or supplying the 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 stated in each item of Article 43, paragraph (1) of the Act; the same applies below in this Article and the following Article), an inmate other than an inmate from a juvenile training school is to be permitted to use or consume purchased items to the extent necessary, pursuant to the provisions of this Article.

(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 falling under the categories determined by

the Minister of Justice.

- (3) With regard to the items stated 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 items that 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 studying or cultural activities such as stationery and recreation goods; and
 - (iii) gloves, masks, and other items worn on the body (excluding clothing) that are required to be used in light of the state of health of the inmate other than an inmate from a juvenile training school and other circumstances.

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

- Article 26 (1) With regard to the items stated 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 to the extent necessary pursuant to the provisions of this Article.
- (2) With regard to the items stated in Article 42, paragraph (1), item (i) of the Act, the director of a juvenile assessment center is to permit an inmate from a juvenile training school to use purchased underwear (limited to those that fall under the categories determined by the Minister of Justice) and socks, and with regard to other items, they are permitted to use purchased items only if the director finds it to be appropriate when they are being escorted.
- (3) With regard to the items set forth in Article 42, paragraph (1), item (ii) and item (iv) of the Act, an inmate from a juvenile training school is permitted to consume purchased items falling under the categories determined by the Minister of Justice only when visitation is permitted by the director of a juvenile assessment center pursuant to the provisions of Article 88, paragraph (1) or (2) of the Act or on other occasions specified by the Minister of Justice which is found to be appropriate by the director.
- (4) With regard to the items set forth in Article 42, paragraph (1), item (iii) of the Act, the director of a juvenile assessment center 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 the 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 a juvenile assessment center may permit an inmate from a juvenile training school to use the following purchased items (limited to items that fall 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 (excluding 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 stated in each item of Article 42, paragraph (1) of the Act if the use or consumption is likely to disrupt the maintenance of discipline and order and the management and administration of the juvenile assessment center. The same applies to items which are not appropriate for use or consumption by an inmate from a juvenile training school, in light of their status.
- (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 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 the following items:

- (i) revenue stamps and seals; and
- (ii) wigs (limited to when an inmate appears before the court or other cases when the director of a juvenile assessment center finds it to be appropriate to permit the use of a wig).

Chapter VIII Handling of Money and Items

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

Article 28 (1) The director of a juvenile assessment center may require a person who intends to deliver money and items to an inmate to submit a written application stating the following items, or may ask them questions:

- (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 to be delivered or the category and quantity of the items to be delivered.
- (2) The director of a juvenile assessment center may request the person prescribed in the preceding paragraph to submit or present a document or other articles that prove the matters stated in item (i) and item (ii) of that

paragraph.

(Items 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 to be excluded from the items retained for inmates prescribed in Article 53, paragraph (2) of the Act are the following items:

- (i) records or other documents regarding cases pending before a court in which the inmate is a party, or their copies; and
- (ii) eyeglasses and other corrective instruments.

(Handing Over of Retained Items)

Article 30 An inmate is to be provided with an opportunity to make a request prescribed in the main clause of Article 54, paragraph (1), and paragraph (3) of the Act promptly after the admission to the juvenile assessment center, and at least once a week afterwards; provided, however, that if the item requested is an item stated in any of the items of the preceding Article, the director of a juvenile assessment center must give the inmate the opportunity at least once a day.

(Method of Storage of Retained Items Handed Over)

Article 31 (1) The items possessed by an inmate after receiving them pursuant to the provisions 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 storage space in or outside the inmate's room designated by the director of a juvenile assessment center.

(2) When having an inmate store the items referred to in the preceding item in a storage space outside the inmate's room, the inmate must be provided with an opportunity to put in or take out the items from that space at least once a day ; provided, however, that this does not apply if it is difficult to provide such an opportunity to the inmate for a storage space outside the building in which their room is located on Sundays or the days stated in each item of Article 17, paragraph (1), in light of the management and administration of the juvenile assessment center.

(3) The correspondence received and retained by the inmate is to be kept on a shelf or in a container in the room, or other storage space designated by the director.

(4) The restrictions on the quantity 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 stated 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 self-supply items, etc. (meaning the self-supply articles, etc. prescribed in Article 48, paragraph (1), item (i) of the Act; the same applies below in this Article) by an inmate pursuant to the provisions of Article 60 of the Act may be implemented through the following restrictions:

- (i) restrictions on matters stated in the following sub-item (a) or (b):
 - (a) dates and schedules in which a request for delivery of money and items to an inmate by outside suppliers and an application for the purchase of self-supply items, etc. by an inmate are submitted;
 - (b) quantity by type of items to be delivered to one inmate by an outside supplier within a certain period, and quantity by type of self-supply items, etc. to be purchased by an inmate within a certain period ; and
- (ii) to restrict items that an outside supplier intends to deliver to an inmate, or self-supply items, etc. an inmate intends to purchase, which fall under the categories specified by the director of a juvenile assessment center, to those to be purchased from the business entity designated by the director of a juvenile assessment center.

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

Article 33 The bereaved family or other persons specified by Ministry of Justice Order prescribed in Article 64, paragraph (1) of the Act are the following persons:

- (i) spouse (including a person with whom a marriage is not registered but is in a situation similar to a de facto marital relationship; the same applies in Article 68, paragraph (1), item (i)), child, parent, grandparent, and sibling of the inmate;
- (ii) a person other than those stated in the preceding item who was the custodian of the inmate when the inmate died;
- (iii) for an inmate who does not have a person stated in the preceding two items, a person designated by that inmate (limited to one person); and
- (iv) an ambassador, a minister, a consul, or an official in charge of a consular mission of a foreign country of which an inmate is a national.

(Handing Over 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 assessment center; the same applies below in this Article and Article 68, paragraph (1)) is to be handed over to the person who has first claimed the delivery of those items among the persons stated in the items 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 in accordance with the order stated in the items of Article 68, paragraph (1) (excluding if that person expresses an intention not to seek delivery of the items left behind by the deceased), and that person applies for the delivery within a reasonable period of time, the items left behind by the deceased are handed over to that person.

Chapter IX Books and Equivalent Documents; Related Matters

(Charging of Expenses for Translation)

Article 35 With regard to books and equivalent documents or newspapers (excluding those designated by the director of a juvenile assessment center pursuant to the provisions of paragraph (1) of the following Article), expenses for translation prescribed in Article 66, paragraph (3) and Article 67, paragraph (3) of the Act may be charged to an inmate if it is found to be reasonable to do so in light of the purpose of access and the inmate's ability to pay; provided, however, that this does not apply if the inmate falls under any of the following items, unless there are special circumstances:

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

(Restrictions on Newspapers)

Article 36 (1) With regard to daily newspapers that comprehensively report current events, restrictions on newspapers that may be obtained 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 two or more newspapers designated by the director of a juvenile assessment center.

(2) Restrictions on the means of obtaining newspapers that may be obtained by an inmate pursuant to the provisions of Article 68 of the Act may be imposed by limiting them to subscription of a daily newspaper from the business entity designated by the director of the juvenile assessment center.

Chapter X Maintenance of Discipline and Order

(Guard Equipment)

Article 37 The guard equipment required for the measures prescribed in Article 75, paragraph (1) or (2) of the Act is to be as follows:

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

(Instructions on the Use of Handcuffs)

Article 38 (1) The handcuffs that may be used for escorting an inmate are the Class 1 handcuffs prescribed in the Appended Table, except when there is a risk that the inmate will commit any of the acts provided for in the items of Article 76, paragraph (1) of the Act.

(2) The shape of handcuffs is as prescribed in the Appended Table.

(Standards for Structure and Facilities of Protection Rooms)

Article 39 The standards for the structure and facilities of the protection room are as follows:

- (i) the structure and facilities of the room are designed so that the person confined in the protection room does not easily suffer physical injuries;
- (ii) the structure and facilities of the room are not easily damaged or defaced;
- (iii) the structure and facilities of the room are soundproof;
- (iv) the structure and facilities of the room do not prevent the observation of the room; and
- (v) the structure and facilities of the room must have appropriate ventilation, natural lighting, artificial lighting, heat insulation, damp proofing, and drainage.

(Methods of Requesting Assistance for Returning Inmates)

Article 40 (1) The request for the assistance for returning the inmate 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 by a document stating the name, age, sex, and registered domicile (nationality in the case of a foreign national) of the person to be returned, grounds for returning them, and other matters necessary for returning them.

(2) Notwithstanding the provisions of the preceding paragraph, the director of a juvenile assessment center may request the assistance referred to in that paragraph by telephone or other appropriate means, if there is an urgent necessity. In this case, the director of a juvenile assessment center must promptly send a document referred to in that paragraph to a police officer.

(Sending the Return Warrant to Police Officers)

Article 41 On having requested the assistance referred to in paragraph (1) of the preceding Article, and issued a return warrant, the director of a juvenile assessment center must send the warrant to a police officer; provided, however,

that if it is not possible to send the return warrant, it is sufficient for the director to notify a police officer the fact that the order has been issued.

Chapter XI Contact with the Outside

(Notification of Visitors)

Article 42 (1) The director of a juvenile assessment center may request an inmate to submit the information of the following matters concerning persons who are expected to make a request for a visit:

- (i) name, date of birth, address, and occupation;
- (ii) relationship with the inmate;
- (iii) expected purpose of the visit; and
- (iv) other matters the director of a juvenile assessment center finds to be necessary.

(2) In the case prescribed in the preceding paragraph, the director of a juvenile assessment center may request the inmate to submit or present documents or other materials proving the matters stated in the items of that paragraph if the director finds it necessary.

(Submission of Application Forms for Visits)

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

- (i) name, date of birth, address, and occupation;
- (ii) name of the inmate the visitor wishes to visit and the relationship with the inmate; and
- (iii) purpose of the visit.

(2) In the case prescribed in the preceding paragraph, the director of a juvenile assessment center may request the person who requests to visit an inmate to submit or present documents or other materials proving the matters stated in each item of that paragraph if this is found to be necessary.

(Confirmation of Visitors)

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

(Restriction on Number of Visitors)

Article 45 In restricting the number of persons visiting an inmate pursuant to the provisions of Article 83, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 87, Article 90, and Article 91 of the Act;

the same applies in Article 48 through Article 50), the number of persons who are permitted to visit the inmate must not be less than three.

(Restrictions on Visiting Sites)

- Article 46 (1) The place for visiting an inmate is to be designated by the director of a juvenile assessment center.
- (2) The visiting site may be a room which has partitions that serve as a divider between the inmate and visitors.

(Restrictions on Date of Visits)

- Article 47 (1) The director of a juvenile assessment center is to determine the day on which a visit at the juvenile assessment center (excluding a visit by attendants, etc. (meaning the attendants or the attorneys-at-law who seek to act as the attendants at the request of the inmate or their custodian; the same applies below) or defense counsel, etc. (meaning the defense counsel or the persons who seek to act as the defense counsel prescribed in Article 39, paragraph (1) of the Code of Criminal Procedure (Act No. 131 of 1948); the same applies below)) is permitted (referred to as the "visitation day" below in this Article and the following Article), in accordance with an inmate's status.
- (2) The number of days permitted as visitation days per month must not be less than the number of days obtained by subtracting the number of Sundays and the days stated in each item of Article 17, paragraph (1) from the number of days in the month.
- (3) The visitation days for each month are to be notified to inmates by no later than one month before the first day of the month that includes the visitation day, and issue a public notice by posting a notice of the visitation day at a place easily seen by the general public in the juvenile assessment center or by other means from one month before the first day of the month that includes the visitation day.

(Restrictions on Visitation Schedule)

- Article 48 In restricting the schedule of a visit to an inmate pursuant to the provisions of Article 83, paragraph (1) of the Act, the time slot must not be less than 6 hours a day (if Sundays and the days stated in each item of Article 17, paragraph (1) are set as the visitation days, 4 hours a day).

(Restrictions on Duration of Visits)

- Article 49 In restricting the duration of a visit to an inmate pursuant to the provisions of Article 83, paragraph (1) of the Act, the duration must not be less than 30 minutes; provided, however, that if there are compelling reasons in light of the situation of making the visitation requests, the number of rooms

designated as visitation sites, or other reasons, the duration may be restricted to not more than 30 minutes but not less than 10 minutes.

(Restrictions on Number of Visits)

Article 50 The director of a juvenile assessment center may restrict the number of visits under the provisions of Article 83, paragraph (1) of the Act with regard to the visits other than the visits that are found particularly necessary for the protection of the rights as defendants or suspects, or for the preparation for litigation or the protection of other rights.

(Posting Matters to be Observed by Visitors)

Article 51 The director of a juvenile assessment center is to specifically clarify the matters stated in the following items that should be observed by an inmate's visitor (excluding the inmate's attendant, etc. or defense counsel, etc.), and post them at easily visible places in the juvenile assessment center:

- (i) that fact that visitors must not commit the acts falling under Article 82, paragraph (1), item (i), sub-item (a) or (b) of the Act (including as applied mutatis mutandis pursuant to Article 87, Article 90, and Article 91 of the Act); and
- (ii) the fact that visitors must not make oral statements that fall under Article 82, paragraph (1), item (ii), sub-items (a) through (c) of the Act (including as applied mutatis mutandis pursuant to Article 87, Article 90, and Article 91 of the Act), sub-item (d) (including as applied mutatis mutandis pursuant to Article 87 of the Act), sub-item (e) (including as applied mutatis mutandis pursuant to Article 87, Article 90, and Article 91 of the Act), and sub-items (f) and (g) (including as applied mutatis mutandis pursuant to Article 90 and Article 91 of the Act).

(Notification of Other Parties of Personal Correspondence)

Article 52 (1) The director of a juvenile assessment center may request an inmate who is from a juvenile training school to notify the following matters concerning the persons to or from whom they are 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 matters the director of a juvenile assessment center finds to be necessary.

(2) The provisions of Article 42, paragraph (2) apply mutatis mutandis to cases in which notification is requested pursuant to the provisions of the preceding paragraph.

(Restrictions on Manner of Preparing Letters)

Article 53 (1) Restrictions on the manner of preparing letters (excluding documents to be submitted to the Committee, and the documents for requests under the provisions of Article 109 of the Act, and filing of complaints) to be sent by inmates pursuant to the provisions of Article 95, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 99, Article 103, and Article 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 stated 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 methods required to smoothly inspect 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, the number of characters must not be less than 400.

(Restrictions on Dates and Time Schedules for Applying to Send Letters)

Article 54 Even when imposing restrictions on the dates on and the time schedules in which an inmate may apply to send letters pursuant to the provisions of Article 95, paragraph (1) of the Act, the director of a juvenile assessment center must accept the application to send a letter if there is an urgent necessity to do so.

(Restrictions on Number of Letters Applied to Be Sent)

Article 55 The restrictions on the number of letters an inmate may apply to send pursuant to the provisions of Article 95, paragraph (1) of the Act may be imposed on letters other than those stated 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 filing of complaints.

(Restrictions on Means of Sending or Receiving Letters)

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

- (i) means of postal mail (excluding specially handled mail prescribed in Article 44 of the Postal Act (Act No. 165 of 1947) (excluding express mail and New Year's greetings mail)); and
 - (ii) means of telegram (limited when there is an urgent need, or sending a letter to an inmate's attendant, etc. or defense counsel, etc.).
- (2) The restrictions on the means for inmates to receive letters pursuant to the provisions of Article 95, paragraph (i) of the Act may be imposed by restricting them to the means set forth in the following items:
- (i) means of postal mail or correspondence delivery defined 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 defined in paragraph (6) of that Article, or a specified letter delivery operator defined in paragraph (9) of that Article; and
 - (ii) means of 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 them.

- (2) If among the letters addressed to inmates that is permitted to be received by them, those whose content is written on items other than paper, to which a device that produces sound is attached, or which has property of an item other than a letter, are not to be delivered to the inmate pursuant to the provisions of the main clause of Article 54, paragraph (1), the inmate is to be made known of the content (excluding the parts that should be deleted or erased pursuant to the provisions of Article 94 of the Act) of the letter through presentation of those items or by other means, excluding cases in which the inmate is prohibited from receiving the item or its delivery is suspended pursuant to the provisions of Article 94 of the Act (including as applied *mutatis mutandis* pursuant to Article 99, Article 103, or Article 104 of the Act; the same applies below in this Article), or Article 102 or Article 107, paragraph (3) of the Act,.

(Handing Over of Prohibited Letters of Deceased Persons)

Article 58 The provisions of Article 34 apply *mutatis mutandis* to all or part of the letters or their copies retained pursuant to the provisions of Article 97, paragraph (1) or (2) of the Act (including as applied *mutatis mutandis* pursuant to Article 99, Article 103, and Article 104 of the Act) (referred to below as "prohibited letters, etc." in Article 68, paragraph (1)) which are to be handed over pursuant to the provisions of Article 97, paragraph (4) of the Act (including as applied *mutatis mutandis* pursuant to Article 99, Article 103, and Article 104 of the Act).

(Charging of Translation Expenses)

Article 59 The expenses for interpretation or translation prescribed in the second sentence of Article 107, paragraph (1) or the second sentence of paragraph (2) of the Act may be charged to the inmate only when there are special circumstances if this is found to be appropriate in light of the purpose of visits, etc. (meaning visits or communication under the provisions of Article 105, paragraph (1) of the Act; the same applies in item (ii), sub-item (a)), or the purpose of sending or receiving letters and the inmate's ability to pay, excluding the following cases:

- (i) when the inmate is visited by the ambassador, minister, consul, or other persons who perform consulate activities of the foreign country of which the inmate is a national, or sends letters to or receives letters from those persons; or
- (ii) when the inmate is unable to pay the expenses in the situations stated in the following sub-items:
 - (a) the inmate is visited, etc. by the following persons;
 - 1. the custodian or relative of the inmate;
 - 2. persons whose visits are necessary for to conduct business that is significantly important for the status, legal situation, education, or occupation of the inmate, such as the reconciliation of marital relations, involvement in a lawsuit, or preparation for school or employment;
 - 3. persons whose visit is likely to contribute to the improvement and rehabilitation of the inmate who is from a juvenile training school, such as a person related to the rehabilitation of the inmate.
 - (b) the inmate sends or receives the following letters:
 - 1. letters sent to or received from custodians or relative of the inmate;
 - 2. letters sent or received for conducting a business that is significantly important for the status, legal situation, education or occupation of the inmate, such as the reconciliation of marital relations, involvement in a lawsuit, or preparation for school or employment;
 - 3. letters which are deemed to contribute to the improvement and rehabilitation of the inmate who is 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 and Related Matters

(Information Required in a Written Request)

Article 60 (1) The following matters must be stated in the document 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 assessment center in which the person who files a request is committed;
 - (iii) name of the juvenile assessment center in which the treatment related to the request was provided;
 - (iv) content of the treatment related to the request ;
 - (v) reasons for making the request; and
 - (vi) date of request.
- (2) In order to receive a notice under the provisions of Article 116 of the Act (referred to below as "notice of results of the process") after being released, 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 where they wish to receive the notice of results of the process after being released by stating that fact in the document prescribed in Article 109 of the Act or by the other means specified by the Minister of Justice.

Article 61 (1) The following matters must be stated in the document referred to in Article 110, paragraph (1) of the Act:

- (i) the matters referred to in paragraph (1), item (i) and items (iii) through (vi) of the preceding Article;
 - (ii) the address or residence of a person who files a request; and
 - (iii) the date on which a person who has filed a request was released from the juvenile assessment center.
- (2) When a person who files a request pursuant to the provisions of Article 110, paragraph (1) of the Act wishes to receive the notice of results of the process at a place other than the address or residence referred to in item (ii) of the preceding paragraph, the person is to notify the Minister of Justice of the place in writing.
- (3) For the purpose of calculating the period of filing the request pursuant to the provisions of Article 110, paragraph (1) of the Act when the document referred to in Article 110, paragraph (1) of the Act is submitted by postal mail or correspondence delivery defined in Article 2, paragraph(2) of the Act on Correspondence Delivery by Private Business Operators performed by a general correspondence delivery operator defined in paragraph (6) of that Article or a specified letter delivery operator defined in paragraph (9) of that Article, the number of days required for sending the document is not to be included.

Article 62 Deleted

(Correction of Defects)

Article 63 When the Minister of Justice finds that there are defects in the

matters stated in the document referred to in Article 109 or Article 110, paragraph (1) of the Act, the Minister may request that those defects be corrected by specifying a reasonable period.

(Suspension of Measures Taken by Directors of Juvenile Assessment Centers by the Minister of Justice)

Article 64 If the content of the request for relief concerns the measures taken by the director of a juvenile assessment center against a person who files the request stated 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 notice of results of the process to an inmate is to be given by sending a document stating the results of the process under the provisions of Article 114 of the Act (including the measures taken by the Minister of Justice under the provisions of Article 115, paragraph (1) of the Act; referred to as the "results of the process" in the following paragraph and paragraph (2) of the following Article) to the director of a juvenile assessment center, and having the director deliver the document to the person who has filed the request for relief; provided, however, that if the content of request for relief concerns a matter other than the measures taken by the director against the person who has filed the request stated in each item of Article 115, paragraph (1) of the Act or the acts performed by the officials of a juvenile assessment center stated in Article 110, paragraph (1), items (iv) through (vi) of the Act, the Minister of Justice may have the director of the juvenile assessment center or an official of the juvenile assessment center designated by the director notify the 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 the 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 referred to in paragraph (1), item (ii) of that Article.

(Notice to the Custodian or Relative)

Article 66 (1) When an inmate files a request for relief, the director of a juvenile assessment center is to promptly notify their custodian or other persons found to be appropriate to that effect.

(2) When the notice of results of the process is given to the inmate, and the person who has been given the notice pursuant to the provisions of the preceding paragraph requests the director of a juvenile assessment center to

give notice of results of the process, the director 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 apply mutatis mutandis if an inmate files a request for complaint with inspectors.

Chapter XIII Death

(Notification of Death)

Article 68 (1) Notification under the provisions of Article 129 of the Act is to be given to a person who holds the highest rank according to the following order; provided, however, that if there are items left behind by the deceased or prohibited letters, etc. required to be delivered, and the person who has received the notification expressed their intention not to seek delivery, the notification is to be given, according to the following order, also 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) a person stated in Article 33, item (ii);
- (vii) a person stated in Article 33, item (iii); and
- (viii) a person stated in Article 33, item (iv).

(2) If an inmate stated in the following items dies, the director of a juvenile assessment center must give the person specified in each of those items a notice to that effect, even if notification under the provisions of Article 129 of the Act is not necessary in accordance with what is provided for in the preceding paragraph.

- (i) an inmate that has a custodian: person who was the inmate's custodian at the time the inmate died; and
- (ii) an inmate with foreign nationality: a person stated in Article 33, item (iv).

(Postmortem Examination)

Article 69 (1) If an inmate dies, the director of a juvenile assessment center is to carry out a postmortem examination of the corpse.

(2) If it is found that the inmate has died an unnatural death or it is suspected that they have died an unnatural death as a result of the postmortem

examination, the director of a juvenile assessment center must report that fact to the public prosecutor and a judicial police officer who is a police officer.

(Burial of Corpse and Related Matters)

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

(2) When the director of a juvenile assessment center cremates a corpse of an inmate, the ashes are to be buried or stored in a grave or charnel house in the graveyard managed or used by the director of a juvenile assessment center.

Supplementary Provisions

Omitted

Appended Table (Re: Article 38)

Type		Structure	Quality of Materials
Handcuffs	Class I	Two bracelets capable of being opened and closed are 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 one that can being stopped with a skid and being locked.	A string attached to the handcuffs is to be made of chemical fiber, and a flexible and solid steel wire rope is to be used for the core part of the string.
		The diameter of the string attached to the handcuffs is to be approximately 6 mm and the length is to be approximately 6 meters.	
		One end of the string 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 are to be connected with a connecting plate.	Fabric made of chemical fiber is to be used on the surface of the bracelets and connecting plate, and felt is to be used for the inside of the bracelets.

		The connecting plate is to have the shape of a trapezoid whose height is approximately 80 mm, the length of the top side is from 15 mm to 160 mm, and the length of the bottom side is from 80 mm to 210 mm.	Iron or other materials having strength equal to or stronger than that of iron is to be used. for the interlining of the connecting plate.
		Each bracelet is to have 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.	