

FACTSHEETS

On the Infringements of Human Rights by the Child Guidance Centres of Japan



Many families and children in this booklet are in fear of being brought into custody again by the Child Guidance Centre. It is a type of government body that citizens cannot safely anticipate what this body will inflict on them.

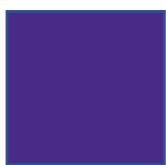
For this reason, it is cordially requested that the information on this booklet be kept confidential by the honourable delegates and not to be disclosed to the general public.

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The editors prepared this information based on interviews with the parents whose children were abducted by Child Guidance Centres (CGC). We have their reports and copies of documents issued by the CGC. We hereby declare that we wrote the facts equipped with objective evidence.

The **number of underage suicides due to school bullying has been on the increase in Japan** despite the declining birth rate. According to the Japanese Ministry of Health, Labour and Welfare's 2020 statistics, 499 minor suicides occurred per year among elementary and junior high school students. In 2021, more than 240,000 cases of school non-attendance and 610,000 cases of school bullying were recognised. For many years, **schools and city boards of education have often evaded responsibility for genuine school bullying by shifting the blame on 'child abuse within the family' and send children to CGC**, taking advantage of the school problems often overlapping with 'family problems' and 'child developmental problems' to shirk their responsibility of mismanagement at school. The deficiency of the 'Anti-Bullying Law' in Japan is that there are no penalties or punishments for failure to comply with the law. Schools and boards of education have taken advantage of this loophole and manipulated investigations to cover up the real cases of school bullying. The more parents mobilise to reveal acts of bullying in school, the more the school authorities brand them as 'abusive parents'. As a result, parents suffer more from the social, economic and psychological abuse caused by the collusion of the school, board of education, CGC-affiliated lawyers,

psychiatrists, police, and local administration. In the end, their children are removed by CGC, the parents induced to divorce sometimes by lawyers often affiliated with the CGC and the **family destroyed**.

Forms of punishments that are allowed within the scope of disciplinary action in schools are regarded as 'child abuse' if exerted in families. Consequently, **the child is removed by the CGC and communication and visitation from their parents are cut off for years. The CGC confines these children in its secluded detention quarters and then files the Child Welfare Act (CWA) Article 28 plea to the Family Court, which authorises the transfer of the detained child to an Alternative Care Facility (ACF) or a psychiatric institution.**

The CWA Article 28 plea to the Japanese Family Court Trial usually **requires no objective evidence but only a series of false slanderous statements, such as character defacements and personality attacks against the parents** and the targeted family members. The Family Court makes a judgement based on these wretched documents fabricated by the lawyers associated with the CGC as well as the report submitted by the Family Court investigators.

Family Court investigators in Japan receive hints on how to write a report that supports the ruling of the Family Court from the staff of the CGC. **The Ministry of Health, Labour and Welfare even demands that Family Court investigators and the CGC maintain a close and harmonious relationship.** As a result, CGC has won all the cases in Osaka and Hyogo Prefectures in the Kansai district for at least 5 years (our staff called and checked this with the Ministry of Justice).

Kenta Yamada, a member of the Osaka Prefecture Assembly, claimed that **all** new CWA Article 28 Pleas filed in FY2020 were upheld at the Family Courts in Osaka, **thereby indicating that the judiciary is not properly functioning.** The family court has clearly transgressed beyond the judgement based on the objective facts. This is clear evidence that **the CGC and the judiciary collude with each other and are not independent.** It is therefore easy to frame innocent citizens as ‘abusive parents’ without objective evidence.

Once the Article 28 Plea is upheld at the Family Court, **the child is placed in an Alternative Care Facility (ACF), and the child often never sees their parents again until they come of age. In the ACF, doctors administer anti-psychotic drugs** such as Abilify and Risperdal to children to transplant their PTSD memories as ‘abuse at home’ (something which never happened).

Well-known psychiatric doctor Masaaki Noda commented that in the case of Saaya Hirose, a girl from Asahikawa Hokusei Junior Secondary School who froze to death in February 2021, the same off-label prescription psychotropic drugs (Abilify and Risperdal) were administered without the parents’ consent. Children who have been bullied at school and taken into the ACF frequently attempt suicide as a side effect of Abilify and Risperdal prescribed by CGC child psychiatrists.

Similar cases have been widely reported in the ACFs and psychotherapy institutions. As per a psychiatry specialist Kazuko Shimada, “The current “support” for those with developmental disabilities is simply shifting children’s SOS into “medical treatment” (brain problems), and medication is being used under the guise of “treatment”. Although **‘the safety of long-term use of psychotropic drugs in children has not yet been established’,**

‘drug therapy is now a "first resort"’ (CRC Japan Booklet 15, 2022, pp.10-11).

In recent years, ‘child advocates’ has been introduced into the CGC. These child advocates, as per the government, represent the will of children detained in CGC quarters and ACF. The local administration claims, ‘Child advocates are there to make efforts to listen to the opinions of children.’

The original intention of the child advocacy system was for advocates to act as unwavering supporters of children and representing their faithful interest in them, and empowering the child’s rights. Advocates should, therefore, be totally independent of the CGC or ACF.

However, in the reality of Japan, these advocates rarely empower children to assert their rights and wishes. In some cases in Japan, **the advocates are CGC-associated lawyers whose names are not even disclosed to the parents. They represent the interests of the CGC, inducing and persuading the children into justifying the measures taken by the CGC, including their removal from their parents and their involuntary placement into Alternative Care Facilities.** They sometimes even attempt to persuade children into agreeing with the psychiatric treatment proposed by medical personnel attached to the CGC.

Therefore, the actual situation in Japan differs quite significantly from the original intention of the child advocacy system. The advocates do not adequately protect the human rights of children placed in the ACF, even though, in many cases, child abuse is committed by the staff in ACF and psychiatric institutions. It is extremely difficult to protect the human rights of children who are compulsorily removed from familial relationships, and child advocates are of little use in this context.

2

My Daughter Committed Suicide Due to the Negligence and Mismanagement of the Iwakuni Child Guidance Centre Under the Sole-Custody System After Divorce

I am the father of **Hiroyo Harada**. She is no longer in this world as she committed suicide on 12 November 2014, when she was 16 years old.

I was divorced and my daughter lived together with her mother who had legal custody of her. **Under the system of single custody of Japan, I had to live away from my daughter**, but I met her occasionally and we had a pleasant time together.

My daughter disliked her mother and grandparents much and she had been abused by her mother since she was 8 years old; she had run away from home several times, and I always took good care of her.

She was caught by the Iwakuni Child Guidance Centre (Director: Makoto Tanaka, CGC hereafter) at last on 16 April 2012.

The CGC diagnosed my daughter with ADHD and depression. The child psychologist in charge was Mayuko Murakata. The psychologist should have known that she had a suicidal tendency, but the CGC did not cure these mental disorders or responded to my warnings at all.

While the CGC failed to improve relations between my daughter and her mother, it sent her back to her mother's home. At last, she committed suicide there.

Despite this tragic event, both the Prefecture of

Yamaguchi and the CGC did nothing. My daughter would not have committed suicide if the CGC had sent her to me, instead of her mother.

I, thus, filed a lawsuit on 24 October 2020 against the Yamaguchi Prefecture, which has the Iwakuni CGC under its jurisdiction, with the following demands:

1. To establish a third-party committee to investigate the suicide of my daughter;
2. To disclose the background of the case and make everything public;
3. To take measures to prevent the recurrence of similar events;
4. To apologise to my daughter.

In the court proceedings, the members of staff of the CGC responded dishonestly with 'I forgot' or 'I cannot remember'.

The judge accused me by saying, 'Why didn't you report her mother's abuse to the Iwakuni CGC?'

I was astonished and speechless: **the CGC had not respected my opinion because I did not have legal custody of my daughter**. The CGC had not informed me of my daughter's psychological difficulty either.

It is I who suffered due to my daughter's suicide. I was hurt by the indiscreet words of the judge and the staff members of the CGC.

I do not want my daughter's existence to fade away.

Dear Hiroyo, I am here to restore your honour.

I am sorry that I could not save you.

Ever since the passing away of my daughter, I have been claiming national compensation for the negligence and mismanagement of the Iwakuni CGC and have become active to save the victims of the Child Guidance Centres of Japan.

I founded an NGO—the Association to Prevent Human Rights Violations Against Children Conducted by Child Guidance Centres of Japan (APCJ) and started to give support to those who are suffering from the undue abuse of state power by the Child Guidance Centres.



Hiroyo, I am sorry that I could not save you...



My daughter, formerly a student of Hamamatsu Gakugei Secondary School (Secondary 1, 13 years old at the time), suddenly attempted to end her life through suicide by hanging in February 2017. I suspected that my daughter was being bullied by classmates at her school.

I sought a thorough explanation from her school. In retaliation, however, the school notified my daughter that she was suspended from attending classes until she saw a child psychiatrist. This was equivalent of declaring an expulsion from school since it takes months to get an appointment for a first visit with a psychiatrist.

My husband and I (we, hereafter) were dissatisfied with the school's decision, and we realised that it would no longer be possible to expect faithfulness from school administrations based on our experience with our younger son, who was also bullied by three boys in the school's swimming pool at his public elementary school, with his head deeply submerged many times and held down in the water by the boys. Even seven years later, our younger son's mental state does not allow him to ever enter the school pool.

However, the schoolteachers and the Hamamatsu City Board of Education have continued to ignore the school bullying and falsely claimed that there had been no bullying at any school in the City. Considering the case of the bullying of our younger son at their school pool, it would be a mistake to expect the school to clarify the facts. Judging from the school's dishonest response and inappropriate hiding of the bullying in the school, we repeatedly urged our daughter to transfer schools. This is because our daughter herself said, 'I was treated as a troublemaker by

the school, but I will not change schools until I am promoted to secondary school.' I was so worried, but since my daughter wanted to return to the school, I had no choice but for my husband and I to take turns sending my daughter to school and picking her up, watching over her and staying close to her.

A year and two months after my daughter attempted suicide, she was suddenly removed from our family and placed into custody at the Hamamatsu Child Guidance Centre (Director: Masaru Suzuki, CGC hereafter). The CGC made an accusation of 'suspected sexual abuse by her father'; however, that was of course a false accusation. When I interviewed my daughter during the time of her removal from the school, she was so agitated under her deteriorating mental condition that the school and the CGC only allowed me to see her for 3 minutes. The CGC told me to 'investigate' the matter, so I thought that a thorough investigation would reveal that there had been no such evidence of sexual abuse by my husband, so I agreed to giving the CGC custody of my daughter. Immediately after being brought into CGC's custody, I found out that my daughter had committed self-injurious behaviour (cutting her wrist). I judged that my daughter's mental condition was extremely unstable; thus, I requested that my daughter be hospitalised as soon as possible. However, my daughter was only hospitalised a month and a half later in the form of medical custody in a psychotherapy institution for six months, and she was interviewed five times by the public prosecutor.

After hospitalisation, my daughter's medical information was never disclosed to me, and no explanation was given about the extension of the custody period of my daughter. I thus told the CGC that the parents did not agree with the extension of the temporary custody of my daughter. The CGC filed an Article 28 plea in order to keep my daughter in a psychotherapy institution, which is in fact a kind of alternative care facility. The CGC did not listen to us, the parents, but instead, **the CGG conspired with the Hamamatsu Gakugei School to cover up the brutality in the educational scene, writing fabricated documents to the family court** alleging that my daughter's manifestation of mental symptoms was due to sexual abuse by my husband. Based on this deception, the Hamamatsu Family Court upheld the plea.

After my daughter was detained at CGC's quarters, the accusation of sexual abuse by my husband was presented to my daughter. She was then questioned as a sexual victim at the court.

A Hamamatsu Gakugei teacher who appeared in court at the trial, Taeko Fukuda, generally accepted the incident involving my daughter and the fact that she was ignored, slandered and ostracised by her friends at school, but the teacher testified that she 'did not recognise this as school bullying'. During the proceedings, a school record showing 20 psychological sessions and interviews in the Hamamatsu Gakugei School psychology room was disclosed, including sessions from the day when my daughter attempted suicide until she was brought into CGC's custody. I assume that during these

psychological sessions of Eye Movement Desensitisation and Reprocessing and the Pulsar Method, false memories were implanted, and memory confusion occurred for my daughter. My daughter was diagnosed as having PTSD, as evidenced by attending physician Toshiro Sugiyama, her medical examiner; but Sugiyama ruled out the effects of my daughter's experiences of bullying and refused to offer her medical records to me. In the medical records from another doctor before hospitalization, there was a diagnosis of PTSD based on my daughter's experiences with bullies.

My daughter was then dosed with such psychotropic drugs as Abilify, Risperidone, Remus by Sugiyama without parental consent. My daughter was also diagnosed as having schizophrenia, and the medical record prepared by Hisae Wada, my daughter's obstetrician-gynaecologist, was not disclosed.

While my husband was in pretrial detention, he suddenly died due to heart disease caused by depression and high blood pressure due to his long-term detention; thus, it became impossible for the case to be resolved. The requirements for retrial were also not met.

My daughter has been confined in an alternative care facility, and her relationship with my family has been severed ever since. **Every member of my family has been heartbroken and traumatized since the CGC's removal of my daughter. The international community should never allow for the destruction of families, damage to children's future, and child abuse by the Japanese authorities.**

Detained Child R Witnessing Violence by the Kashiwa Child Guidance Centre staff

From 20 to 31 August 2021, a snack-cooking party was held from 2:00 to 3:30 pm in the dining room of the detention quarters.

Approximately 20 elementary and junior high school children gathered with a staff member (Kanno, a female staff member with long hair bound at the back) standing before them. A staff member began to explain the cooking procedure, calling out, 'Everybody, look at me!'

There were about three other members of staff who began preparing fruit sandwiches in the kitchen.

Kanno approached an elementary school boy (Primary 6) and suddenly expressed her anger. 'Why are you looking at me?' she snarled. The children around him began buzzing. 'She told you to look at', the boy yelled. Kanno replied, 'It's none of your business.'

To the crying boy, Kanno said, 'Don't cry because this will put the blame on me'. She then pulled the boy into his arms and attempted to take him out of the room. The boy said he would not go because he wanted to practise cooking, so he held on to his desk and defied her.

Then, Kanno yelled out of the room, 'Someone please come here!' One male staff member came over, and two staff members pulled the crying boy out of his arms and took him away.

At that time, a female section chief passed by, without saying anything.

I wanted to help the boy but could not do so

The boy returned approximately half an hour later, still crying, **with bright red marks on his arms and wrists**. He grudgingly ate the snack he made.

Subsequently, Kanno left. By then, the boy told another staff member for a different reason, '**I was hit, so please treat my bruise,**' and had his arm tended to. I did not know what happened after that, but the boy was discharged a week later. During that week, the boy was called to the main building of the Kashiwa Child Guidance Centre (CGC) almost every day. Even though it was summer, the boy wore a long-sleeved hoodie. His brother, who came with him, wore short sleeves.

Kanno bullies the children anyway (outbursts of anger, yelling, and glaring), so every child avoided her.

Report of a Maltreated 13-year Old Boy Detained at Kashiwa CGC

My sister and I were taken into temporary custody at Kashiwa CGC for two full months from August to October of 2020.

I called the police as my mother became upset about my father and sister, so I thought she needed help from some adults.

As the CGC was notified, strangely enough, my sister and I were taken into temporary custody. We did not have an explanation for why the CGC took us into custody.

In the quarters, life was time-constrained, with little freedom.

The staff of the quarters is accustomed to

being called ‘teachers’, which gave me a strong impression of the power gap between adults and children. I was extremely shocked to see that **the staff made gut-wrenching gender-biased remarks and that the child who broke the basketball hoop was forced to sit straight up for more than an hour.**

During the study period, I was forced to do Primary 3 assignments even though I was in Primary 6. I appealed to the staff, ‘Let me do the Primary 6 assignments’, but I was ignored.

There were no school textbooks in the quarters; they just gave me assignments, and once complete, I had nothing to do but to wait idly until the staff showed up. No study was conducted in the afternoon.

The meal was minimal, and no refills were allowed. It did not fill my stomach at all. I found out after I left the quarters that the CGC receives a fair amount of money for the detainment of a child, which made me wonder how the CGC spent that money.

Interviews with the welfare officers occurred ‘once or twice a week’ and ‘for an hour or two’.

Both my sister and I told the officer, ‘We want to return home as soon as possible’, but the officer faintly replied to us, ‘not now. I’m sorry.’

My detainment was lifted on the condition that we live separate from my father. After my release, we were asked repeatedly by a member of staff of the CGC, ‘Have you seen your father?’ ‘What’s up recently?’ ‘Do you go to school?’ ‘Do you eat meals?’ I thought that the interview was just a waste of time.

After the detainment was lifted, I was able to **return to my school, but I was left behind in**

the learning progress of school, and so, I had a hard time catching up.

I didn’t want to tell my friends about my two months of detainment, so I explained that I had been to a relative’s house because of COVID-19.

As for the second detainment of my sister, which lasted for two months from December 2021 to February 2022, I worried about my sister coming home late, and I went to check with her school. I was shocked to learn that my sister had been taken away.

I was so frustrated that I couldn’t help my sister because as an elder brother I couldn’t defy the unreasonable detention of the CGC. This mental anguish made it difficult for me to go to school for the next two weeks.

The temporary custodies of our family members by the CGC were completely unnecessary.

I want the CGC not to harass families who don’t need temporary custody and to instead only protect children who really need it. I wanted them not to cheat us and lock us up in the detention quarters, despite I talked to the CGC staff about wanting to return home and talk to my parents.

Watanabe, the Director of Kashiwa CGC in 2020



5

Undue and Arbitrary Criteria of Child Guidance Centre for the Detainment of a Child

Narrative of a Girl Whose Hug and High Five Towards Her Father Were Declared "Risky Behaviour" without Any Investigation

I am a girl in Primary 6 who is detained at the Kashiwa Child Guidance Centre (CGC) on 5 August 2021 and released on 21 September.

My family consists of my mother, brother, myself, and my stepfather.

From an early age, my father's violence forced me to flee and live in an alternative care facility (ACF) in Saitama Prefecture. My father found where I was living; thus, I asked for help from the city government when I was Primary 2, and I have lived in an ACF ever since.

I stayed in a group home from Primary 2 to 5. I have often been verbally assaulted by ACF staff and thought of committing suicide about three times; so, I consulted my schoolteacher, but the ACF did not change its practices.

My mother urged me to return home, and so I met my mother and ran away from the ACF.

The Child Guidance Centres in charge were transferred from Saitama to Kashiwa in Chiba. Less than a year later, I was detained again.

I put a hand playfully on my father's shoulder and gave him a high five. For this reason, I was brought into custody because I was told, 'You shouldn't be so attached to your father, as you are in Primary 6.' I suspect that my detainment was a result of information on the condition of my family being secretly reported by the institution

On the day I was detained, the CGC asked me to come while my mother was kept waiting. I was taken to a distant room where a member of the staff of the CGC told me, 'I can't tell you why we will detain you, but we are worried about you'. When I said 'no,' the staff member left the room saying, 'I'll talk to your mother,' and returned saying, 'Your mother was satisfied with our detainment decision and left.'

I thought it might be a lie; so, I asked to see my mother one last time. The CGC staff member then said, 'I can't talk to your mother because she is talking to someone else.' **I realised that the CGC staff member lied to me.**

Inside the detention quarters, I was given assignments for Primary 2, and couldn't study ones from my own grade (Primary 6). I thought I would not be able to go to school because my scholastic performance lagged behind what was normal for my age. Everyone in the detention quarters studies together at the same time under the supervision of quarters staff. Each time, different members of staff appear. I wanted to study Chinese characters because I was not good at them, but I couldn't.

I was told that **the only reason for my detainment was that 'a pubescent girl hugging her father was considered dangerous'**. However, the notice of the decision of temporary custody did not come after two weeks. My mother

complained to the prefectural office, claiming that it was kidnapping because the CGC had taken me without cause. She later received the notice, with the reason being, ‘Alleged sexual abuse of my father to his daughter.’

An interview was conducted in mid-August, approximately one week after detainment. The conversation was recorded. A member of staff asked me, ‘Where on your body were you touched?’ I thought the member of staff asked me to show him *the places on my father’s body that I had touched*, so I indicated the hand and shoulder in the drawing.

The member of staff told me what he thought my father had done to me. I heard from a staff member that I was detained because of my father’s sexual assault. I asked, ‘Why my father blamed?’ Did this happen because of his hugs?’ I then said, ‘It was me who gave him a hug, not Daddy.’ I felt annoyed.

The member of staff member responded, ‘Oh, didn’t your father do it to you?’ *‘It was me* who gave him a hug. **Did you alter the stories?’** I appealed again.

The CGC has never admitted the fabrication of evidence that led to it blaming my Daddy.

I once hounded welfare officers Baba and Shirouzu as well as Psychiatry Officer Hagiwara for about three hours beginning at five o’clock in the evening. I insisted that I felt sorry for those who were detained wrongly in this manner.

The member of staff merely said, ‘You are not to blame, so it should be OK.’

As for my gynaecological check-ups, after hearing in August, Baba told me to check my

blood, throat, and body for any irregularities, so I went to a distant hospital on the last Monday in August. Along with Baba, Hagiwara, and the driver, Suzuki, I was taken so far away that I almost vomited because of motion sickness.

At the hospital, the doctor examined the wounds on my hand, and then I lay on bed to have my genitalia checked (gynaecological examination).

The six blood samples they took made me dizzy.

Baba offered to buy me a snack, but I refused.

They said that the results would come out in a week, but they didn’t tell me what they were. So, I asked.

I was told that I was dehydrated and needed to drink plenty of fluids.

I was then discharged on 21 September without any explanation given at all.

I was told not to make appointments with kids in the detention quarters, but I wanted to meet them.

I would like to ask the CGC to at least apologise to me for what it did to me.

(Data of Items # 4 and 5 are courtesy of the Association of Bridging Child Consultation Centres and Parents and Children (ABCPC))



I am a mother with three children. My eldest daughter has Rett Syndrome. In June 2014, as I had just moved from the Tokyo Metropolitan Area to Osaka, I inquired with the staff of the City of Higashi-Osaka about the school which my two daughters (7 and 10 years old) would attend. The staff visited my home on the following day, but the school for my eldest daughter was not determined. I said that my eldest daughter was suspected of having Rett Syndrome when our family lived in Tokyo and asked them to find a special needs school for her. However, we did not hear anything from the City Office for about 4 months. In October, a member of the City Office staff called our home to check on our daughter. My eldest daughter had been visiting a doctor once a month since moving to Osaka. We had already found a special needs school for her, and she was scheduled to start attending on 23 December 2014.

On 22 December 2014, just before the first day of her attending the special needs school, a large group of people in formal attire showed up at our home a little past 1 o'clock. My husband, having been rung by the Higashi Osaka Child Guidance Centre (CGC), rushed back home. Staff members of the CGC – Sakano, Nakatsuji, and Isono among them – said, 'Show us your daughter'. An argument erupted between us and the CGC staff. My husband told me to do as they asked, so I picked her up and took her to the front door, whereupon **several members of staff of the Child Guidance Centre pulled my daughter from me by force. I felt very sorry for my eldest daughter, who was petite and skinny, and as her face contorted in pain, I loosened my grip. The CGC staff took her away**

her written official documents for their abrupt removal of my daughter. Moreover, although we had two daughters, the second one was not taken away. If we were abusive parents, both girls should have been removed. The CGC told us that it was 'difficult to take care of this child' and insisted that the CGC's temporary custody was due to our parental 'abuse and neglect'. Thereafter, I went to the CGC many times and told them that I had taken good care of my daughter and taken her to a doctor; yet the member of staff of the CGC did not listen at all.

Ever since, for 3 years, I have been unable to see my eldest daughter because we were 'abusive parents' according to the groundless definition of the CGC. We worry that our eldest daughter has Rett Syndrome.

In November 2017, the CGC filed the Child Welfare Act Article 28 plea to the Osaka Family Court. The Court summoned us for hearing, but my husband informed them that he could not come on that day. The Court staff then told to us, 'It's just a matter of whether to place your eldest daughter into an alternative care facility (ACF). If you can't come, please talk to the Higashi Osaka Child Guidance Centre instead of fighting here at Family Court. We'll suppose that the summon for the Article 28 plea hearing did not take place. We will tell the CGC to set up a meeting, so we will withdraw this CWA Article 28 plea case'.

The Child Guidance Centre staff told us in the meeting, 'If you want to see your child, don't appeal to Family Court' and 'if you want to see your child, don't sue', and they promised us that we could see

our daughter if we let the CGC place her instead of having her placed by the Family Court Judge. We later found out that the placement under consensus is in pursuance to the CWA Article 27, while the Higashi Osaka CGC insisted that it was under Article 28. At the time, my husband was working for a company where power harassment and financial exploitation were the norms. We lived in a company flat, but when my husband resigned, the company asked us to pay JPY 1 million for refurbishing the flat. We were then forced to sign a memorandum stating that the company would keep a part of my husband's salary to pay for the refurbishment. The Social Welfare Council advised my husband to quit the company. With only JPY 10 thousand per month to live on, we had to rely on assistance from the Social Welfare Council and other sources to make ends meet.

At that time, we found out that I was pregnant with our third daughter, and the Social Welfare Council also advised us to apply for postnatal public assistance. I was already seven months pregnant when I realised it because my period did not come due to the stress of having my oldest daughter taken away by the CGC.

The Social Welfare Council staff told me they would collect baby supplies, and a nurse at the Children's Welfare Bureau said, 'We'll get you some baby supplies, too'. I was to give birth by Caesarean Section at the hospital designated by the CGC. My third daughter was born in November 2017, and my second daughter was happy about the birth of our new baby. However, the doctor said, 'Since she's not growing well, we'll keep her for a while', and as I was leaving the hospital, they added, 'Please come visit her, breastfeed her. We'll take good care of her, and be sure to come get her'. We trusted the doctor and

left the hospital without my baby.

Yet, later that day, I received a call from the CGC saying that my new-born baby had been removed from me and taken away into CGC's temporary custody. **I was deceived; my beloved baby was stolen by the CGC.** I must have been designated as a 'specified expectant mother' in secrecy.

In June 2018, we moved to Toyama after confirming with the CGC that, following our change of addresses, the children kept in the Higashi-Osaka CGC detention quarters would be transferred to Toyama as well. A year later, in July 2019, the third daughter was transferred to an ACF in Toyama Prefecture, and the eldest daughter was also transferred in August 2019. Although they are sisters, the eldest daughter is sickly, and she appears to have been placed in an ACF with resident nurses. The eldest daughter is presumably treated as a child with disabilities. In other words, my eldest daughter is a 'child with disabilities whose parents are unable to care for her', and the third daughter is an 'infant whose parents are unable to care for her'. **However, giving consent to placement in an ACF amounts to accepting the CGC's fabricated accusation of being abusive parents.** We were deceived by the Higashi Osaka CGC; **our family has been destroyed, and my husband, considered an abusive parent, had a heart attack and has fallen seriously ill. We have been deprived of everything.** The Toyama CGC says they will return our eldest daughter next year as she will be 18 years old and the CGC will no longer be able to claim an additional allowance for disabled children.

7

Mere Parental Quarrel Caused Our Son to be Detained in an Alternative Care Facility for Almost Two Years by the Nagoya City Central Child Guidance Center

My family consists of three members: I, my wife, and our son.

My name is K.O, my wife's name is Y.O and our son's name is K.O.

On 5 February 2021, our son, then a private secondary school student (now Secondary 5 in the same school), was removed from our family and taken into temporary custody by the Nagoya City Central Child Guidance Centre (CGC) without our consent. More than one year and 10 months have passed without any investigation to confirm the facts and we have not been allowed to see our son. **The Nagoya City Central Child Guidance Centre abducts, lies, threatens, brainwashes children, and does not pursue their genuine civil duty.**

Below, we would like to share with you some of the actual human rights violations we have suffered from the Nagoya City Central Child Guidance Centre.

Mutsuko Machino, a member of staff of the Child Guidance Centre officer, turned a mere quarrel between the parents and children into an abuse case. Machino submitted false records for the CWA Article 28 plea of our beloved son to place him into an alternative care facility (ACF). **In Japan, the records of the Child Guidance Centre are unilaterally accepted by the Family Court judges even if they are false. Therefore, without any confirmation of the facts, children are forcibly admitted to an alternative care facility, which**

is, in our case, built right in front of the CGC. The ACF is called 'Yokidojo', and its director is Kenji Sugie (photos on the back page). **An ACF receives a hefty subsidy of ca. JPY 400 thousand per child per month from the government. The fact that the CGC has never made any attempt to reunify the parents and children suggests possible collusion between the Child Guidance Centre and the facility.**

Immediately after our son was forced into temporary custody, Machino forced us to sign a blank consent form. We were told that ONLY IF we signed the consent form, which authorised them to place our son into the ACF, they would 'send our son to school'. The Child Guidance Centre, over the phone, also threatened to transfer legal parental custody of our son. Japan's Child Guidance Centre is vicious, trifling with the right of a child to receive proper education at school and to be raised in a proper care environment by their biological parents.

The CGC has, to this day, refused visitation to us, our relatives and my son's teachers, and has not given us any reports on the condition of our son. On 14 July 2022, we inquired about the future of the case, and on 29 July 2022, we received a response stating that they would 'consider allowing us to see our son' ONLY IF we accepted their undue requests. In this way, **the CGC takes the child as hostage and in return force parents to accept the CGC's demands.**

Our son, who was placed in an alternative care facility, has begun to lead a self-defeating life and plays video games until late at night. In addition, Machino has brainwashed our son by telling him that his ‘parents are stupid and you [my son] are right’ and that he ‘should not return home now’ (information obtained from our son’s social network account). This comes along with **a severe drop in our son’s scholastic performance**, which even those around him have been worried about. We have repeatedly told the alternative care facility about these situations and asked them to improve his living and study environment, but they have ignored it. **The environment of the alternative care facility is very poor in fulfilling the child’s best interest.**



Alternative care facility ‘YokiDojo’

Article 15 (2) of the Japanese Constitution clearly states that ‘all public servants are servants of the whole and not of a part’, but the Child Guidance Centre officials do not make fair decisions because they want the children to stay in

the alternative care facility for the longest possible duration. Furthermore, they treat parents in an authoritarian and intimidating manner. There is no fairness in this. The Child Guidance Centre system in Japan does not respect the opinions of the parents at all, but they perform their own play by only listening to the Child Guidance Centre staff themselves.



KENJI SUGIE

Alternative care facility director



Alternative care facility

Child Guidance Centre

8

Shibata Child Guidance Centre Kidnapped My Son and Produced Fake Documents in Order to Sever Our Parenthood for More Than 3 Years

I am a father with a master's degree in psychology from Hiroshima University. After a 24-year career as an instructor at a preparatory school, I am now in my 9th year as a private secondary school teacher. My only son was abducted by the Shibata Child Guidance Centre (Director: Nobuyuki Ito, CGC hereafter), Niigata, on 29 March 2019, and confined into an alternative care facility for over 3 and a half years. During these years, **the family bond between my son (currently Secondary 5) and me was completely severed, with our communication totally cut off. The CGC destroyed my family and ruined my son's inherent right for lifetime development.**

My family succeeded in winning my son back home on 5 August 2022. I have been talking to my son ever since while taking care of him. In the process, I discovered many undue deviations from the human rights norms in the responses and measures taken by the Shibata Child Guidance Centre. I would like to describe them below. If necessary, I would be willing to submit recordings of interviews with the CGC as evidence and to respond to testimony upon request.

It all started on 29 March 2019. My son gave a ring to the Shibata CGC about our family affairs since he was acquainted with a member of the staff of the CGC. After the phone call, however, he was suddenly brought into the custody of CGC; after that, my son was completely cut off

from myself, our relatives, his acquaintances and his friends. The CGC prohibited all contact, and communications were completely banned.

After the return of my son, towards the end of August 2022, he read the documents that the CGC had prepared and submitted to Niigata Family Court for a plea to CWA Article 28 by Director Ito. He found, according to my son's claim, many 'statements that are not true' as well as 'some facts that are distorted and give an impression different from reality' and that 'my words were taken out of context and my intentions were intentionally distorted'. He is indignant at **the documents, most of which are false and completely different from the truth.**

Here is an example of one of the many statements that differ from the facts. In the Article 28 plea documents, there is an allegation that states that 'The child kicked another child in the side in the CGC's detention quarters', but this is not true. According to my son, there were children running naked in the quarters and children kicking down the walls, and the living area attached to the CGC was itself an unsettling environment. The general care (e.g. nutrition and education) for the children in the CGC detention quarter was dismal, and the detained children were put under constant stress, causing frequent troubles among them. My son describes the **CGC's detention quarters as 'an environment worse than a prison'**. In addition, he said that he was abused at this detention quarter, such as being grabbed by the neck by Shunzo Kato, a

member of staff in charge of my son at the Shibata CGC. This abuse by the CGC has already been reported to the Children and Family Division of the Niigata Prefecture Government.

When my son was in the CGC's detention quarters, the CGC conducted an intelligence test on my son, and he was diagnosed as having 'a tendency towards developmental disorders'. In response, **my son asked for a second opinion from an institution specialising in developmental disabilities in Niigata Prefecture, but this was turned down** because 'there is no problem'.

The CGC staff also neglected to promote my son's career path and his right of development.

When my son, who was in his third year of secondary school at the time, needed to continue on to senior secondary school, I, as his father, proposed multiple promotion options in consideration of my son's personal characteristics and conditions, and provided these proposals to Mr Kato. He did not respond and instead ignored them. These actions are regarded as violation of the domestic law, Act on Support for Persons with Developmental Disabilities.

Being in the third year of secondary school, my son refused to go to school and repeated grades, leaving him with no choice but to be expelled from and change schools. Facing this situation, the CGC finally released my son and had him return home.

The above facts are just tips of iceberg. There are too many things to expose here that are considered to be undue and illegal facts

committed by the CGC and its detention quarters.

Although the CGC boasts that it promotes 'supporting families' and 'the best interest of the child', this self-embellishment is simply false. The response of the CGC is immature, leaving much to be desired from the internationally expected level of expertise. After detainment, the troubles of my son have increased and consequently have not been solved. CGC abuses their authoritarian power and repeatedly oppresses the rights of families and children.



Nobuyuki Ito, Director, The Shibata Child Guidance Centre

She is a mother living with her only son.

Between 2017 and 2019, her son suffered from school bullying at the basketball club through Primary 2 to 4 in his elementary school (Principal: Tadashi MAKINO). She asked the City Board of Education to investigate it thoroughly, including school gang rape. The school, the city's Board of Education and the school's lawyer investigating the bullies (Satoshi Soga) ordered her to end her friendships in the school and visit a child psychiatrist (Yoko Araki of the Osaka Psychiatric Medical Centre, as well as Tomomi Kameoka, Yuka Watanabe and Ayako Kotani). She and her son sought treatment for PTSD caused by school bullying. Yet, all child psychiatrists refused it on the grounds that they could not accept any claim of school bullying **and denied treating their PTSD as an outcome of the abuse at school. They said that they could treat PTSD if it was the outcome of 'family abuse and child developmental disorders'**. No child psychiatrists in Hyogo offered medical treatment, and no one could write any medical certificates stating that the PTSD was caused by school bullying. These child psychiatrists could only deal with 'Child Developmental Disorder caused by Parental Abuses', meaning that none of them writes any medical certificate standing against the local state power, of which public schools and Child Guidance Centre are a part. This is obviously a joint attempt to cover up school bullying.

In many cases in Japan, school bullying, school rapes, and corporal punishments by teachers are covered up through the fabrication of 'parental abuses' and 'child developmental disorders' to protect the school authority. The

removed from her and detained in temporary custody for 'investigation' at the Child Guidance Centre, of which Director was Toshihiko Taniguchi who was replaced halfway through by Hiroshi Kozuki). Her son has never been physically abused by either of his parents. The members of staff of the CGC (Yoshiko Morita, Sohei Sakagami, Yayoi Tomogane, Yuki Nomura and Ryo Nakamura) deceptively told the parents that their son would be back home within a day or two, and the CGC detained him only for the purpose of investigation. Although the CGC could legally detain a child for 2 months at most, **her son has been detained by the CGC for a year. The CGC never informed the parents about their child's whereabouts, and they cut off any visitation or communications for these 12 months.**

Towards the end of 2021, the CGC told the mother that the son would be returned to the care of relatives, but it was mere deception. On 10 February 2022, the CGC deceptively filed the CWA Article 28 plea to Kobe Family Court (The Judge: Toshihiko Sugimoto). **The lawyers representing the CGC (Kazumi Fukuda and Akira Takeuchi) wrote down false character defacements, personal attacks, and slanderous statements against the family**, and the Family Court is likely to make a judgement based on these documents, treating them as objective data.

Through his prolonged detention, the son's mental and physical condition has been deteriorating gradually, presumably due to Child Growth Disorder and Affection Deprivation Syndrome caused by isolation from his family. He has not been able to attend junior secondary school due to the

deterioration of his physical and mental condition and frequent tics, Tourette, insomnia and nightmares, infant regression (emotional anxiety), and astigmatism. He has suffered from weight loss, and his visual acuity has halved from 6/6 to 6/12. His scholastic ability has deteriorated because the CGC does not offer assignments suitable for his grade in school. Due to COVID-19 infection with high fever, the son was hospitalised for 2 weeks. Moreover, the **CGC put him into an unknown child psychological therapy institute** (a kind of Alternative Care Facility), **even though he never had a mental illness that required hospitalisation before detention by the CGC.**

Kept out of school, **he is locked up in solitary confinement and dosed with off-label psychotropic drugs** (Risperidone and Abilify 3 mg—unusual and dangerous prescriptions for minors), which the CGC claims cures a fabricated psychopathology of ‘Munchausen's Syndrome’ but genuinely manipulates his memories.

In Japan, off-label psychotropic drugs are commonly administered to children without their parents’ consent after the children are confined in CGC detention quarters, Alternative Care Facilities, and mental hospitals. These drugs eschew school bullying in the mind of children and substitute it for fake ‘parental abuse’. Details about the child’s hospitalisation, the doctor in charge, medical records, and prescriptions are concealed and not disclosed to the parents, despite the violation of the right to medical consent.

Deprived of contact with his former friends and family, **her son desperately attempted suicide**, which was obviously a side effect of the off-label psychotropic drugs.

The son misses his mother very much. A few days after he was removed by the CGC in January, he

said, **‘I want to leave the CGC detention quarters. I want to go home as soon as possible, and I want to see my parents’.** Nonetheless, his mother was falsely explained and fooled by the CGC staff — that her son had consistently insisted that he would not want to return home and see his parents. The CGC said that they would impose a complete ban on parental visitation and communication based on ‘the child’s will’, but this was found to be false in the proceedings of the CWA Article 28 plea to the Kobe Family Court. The mother also found many descriptions in his reports, which she obtained from information disclosure through the prefectural government, suggesting **corporal punishment and abuses to her son committed by the members of staff of the CGC detention quarters.** The CGC had deceived her and filed a lawsuit to fabricate physical abuse by the mother. On 16 June 2022, CGC child psychiatrist Naotoshi Kinoshita issued a forged medical note, claiming that the deteriorating physical and mental condition after detainment in the CGC was ‘due to the mother’s abuse’, and for this reason, the parents’ visitation and communication with their son were completely banned pursuant to Article 12 of Child Abuse Prevention Act, which is in grave breach of Article 9(3) of the Convention on the Right of the Child. **No objective evidence of parental abuse exists.**

The mother sought the assistance of **child advocates** to solve this problem. However, in the Hyogo Bar Association, the advocates are anonymous lawyers whose names are not revealed to parents, and **their purpose is not to empower the rights and wishes of the child but rather to represent the interests of the Child Guidance Centre and force their interest onto the child.** The family has been deeply deceived and destroyed.

My family includes just a mother and one daughter without a father. My only daughter (she was then 13 years old, in the first year of secondary school) was being bullied at Kitakami Minami Junior Secondary School, Iwate Prefecture (School President: Tsuyoshi Izumizawa). I, as her mother, consulted with Educational Supervisor Hideyoshi Kaga and her class teacher about her suffering from the bullying. My daughter had five meetings with the school counsellor from in April to August 2019.

One evening in August 2019, she did not return home. I was searching for her for two hours, and I found out that she had been taken into temporary custody by Morioka Child Guidance Centre (Director: Osamu Ogawa, CGC hereafter), which was run by the Prefecture of Iwate. I went to the CGC and asked, 'Is my daughter really safe?' I was so worried about her.

From the beginning of the temporary custody by the CGC detention quarters, **Kitakami Minami Junior Secondary School, in an attempt to cover up the bullying at school, created fabrications that I had abused my daughter.** Of course, I, the mother who loved her so much, had never abused my daughter. I was accused of the false child abuse stories by the CGC.

When my daughter was placed in CGC temporary custody, I was not given an opportunity to defend myself. There was no leeway in the life of our single-mother

household, but the **intervention of the CGC destroyed our modest family of just the two of us** and forced me to spend time every day to meet with the members of the staff of CGC, Abe and Oikawa. As a result, I was mentally exhausted. **My daughter was not able to attend school from the CGC detention quarters, which deprived her of her right to educational opportunities.**

I used to work part-time, but after my daughter was abducted by the CGC, I became too mentally unstable to understand verbal instructions from my boss. I drove through three red lights on my drive home. To avoid additional troubles for my employer concerning my daughter's affairs, I quit my part-time job, which made financing my family life even more difficult.

Since I had no legal support, I could do nothing but act submissively to the authority. The CGC immediately decided on 25 November 2019 to **place my beloved daughter into an alternative care facility (ACF) without my consent or the due legal procedure** of filing a Child Welfare Act (CWA) Article 28 plea.

The placement to the ACF was, however, cancelled on the same day. The reason was the alleged theft by my daughter in the CGC detention quarters. She was accused without evidence of theft in the CGC detention quarter; thus, she was transferred to Aijikai Kotorisawa Gakuen, a child psychological treatment facility. There she was falsely accused of sexual deviance

and was locked up in solitary confinement because she said, 'I want to go back home, and my mom never abused me.' She was then forced to see a **child psychiatrist, Takenori Yamate, who dosed my daughter such psychotropic drugs as Abilify, Risperidone, Seroquel, which further deteriorated her mental condition. She attempted suicide multiple times; however, the institution coerced her against expressing 'I want to go home and see my mom.'**

The abduction and confinement of my daughter by the CGC lasted for about two years, and as a result, our family have been exposed to local false prejudices such as having an 'abusive parent' and a 'mal-treatment family'. On 21 July 2021, suddenly and for no clear reason, the CGC terminated my daughter's 2-year custody at the Child Psychological Treatment Facility and transferred her to the family home. My daughter was forced to transfer schools (to Hanamaki Kita Junior Secondary School).

There, my daughter had to undergo self-study to catch up in school; but due to CGC's detention of her in the first semester of junior secondary school, there are some sections from the school subjects that my daughter does not understand, and my daughter still cannot enjoy the opportunity to receive a formal and proper education.

Recently, my daughter underwent the school medical check, which revealed visual impairments due to psychological factors. Because my daughter was forcibly transferred to Hanamaki Kita Junior Secondary School, she was separated

from her close friends without even having the chance to say goodbye.

The CGC forced my daughter to change her places of residence from Kitakami to Morioka, then Hanamaki, while the CGC prolonged her custody for about 2 years; she still shows symptoms of anxiety and Regressive Symptoms in infants because the family segregation has deeply traumatized her.

The CGC has treated me and my daughter as nuisances, tumours, and worthless abnormalities in our school and society. The CGC has obstructed the intellectual development of my daughter and destroyed our family. My daughter and I were forced to change schools and move places of residence, and we lost the leeway from our humble daily life.

I cannot allow the CGC to destroy our cosy and peaceful family under the guise of 'family support'.



Morioka Child Guidance Centre



**CGC Child
Psychiatrist
Takenori
Yamaie**



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