

Children's Rainbow Center Newsletter

Rainbow Times

The Revised Child Welfare Act

The amendment of the Child Welfare Act was passed on May 27th. The revised act was promulgated on June 3rd, and all local governments should have received a notice. This revision is the first time in five years since 2011.

The most significant change is that it now specifies "the child's subjected rights" as the Principle to Guarantee the Child's Welfare on Article 1. Changes were made from various angles such as: to establish Comprehensive Support Center for Maternal-Child Health in each municipal area, to reinforce the function of Children's Guidance Centers and municipal government, to enhance independence support for children in social care, and to reinforce supports for foster families and families with adopted child. The summaries of changes made are described below.

Please go to Ministry of Health, Labour and Welfare Homepage for more information.

<http://www.mhlw.go.jp/stf/seisakunitsuite/bunya/0000128028.html> (document regarding this revision: in Japanese)

Purpose of the revision

The purpose of the revision is to reinforce the sequential measures throughout child abuse prevention and independence support by taking actions such as establishment of Comprehensive Support Center for Maternal-Child Health in each municipal area, reinforcement of the function of Children's Guidance Centers and municipal government, enhancement of independence support for children in social care, and reinforcement of supports for foster families and families with adopted child.

Summary of the legislative bill

1. Clarification of the principle of Child Welfare Act

- (1) Clarify that every children has rights to receive adequate care and are guaranteed to be brought up in good health.
- (2) The national and local governments shall support the parents, and promote homely environment to raise children.
- (3) Clarify the national, prefectural, and local government's role and responsibility.
- (4) Specify that disciplinary action by the person with parental authority shall not extend further than is necessary for the child's care and education.

2. Child Abuse Prevention

- (1) The local governments shall be obliged to make their effort to establish a Comprehensive Support Center for Maternal-Child Health which offers continuous support throughout pregnancy to child-rearing.
- (2) Medical and educational institutions with information on pregnant woman in need shall be obliged to make their efforts to offer the information to local government.
- (3) National and local governments shall specify that maternal-child health measures contribute to prevention and early identification of child abuse and neglect.

3. Quick and accurate response to Child Abuse and Neglect

- (1) The local governments shall be obliged to make their effort to establish the base to provide adequate support for children.
- (2) Designate professional personnel in organization funded by the local government to coordinate the Regional Council for Aid-requiring Children.
- (3) Special wards set by government ordinance shall establish a Child Guidance Center.
- (4) Prefectural government shall designate a lawyer or take equivalent measure along with ①child psychologist, ②doctor or nurse, ③child welfare officer assigned to guide or educate the children in each Child Guidance Centers.
- (5) Medical and educational institutes shall provide information on abused and neglected children when sought by Child Welfare Centers.

4. Independence support for abused and neglected children

- (1) Specify that support on parent-child relationship recovery should be provided by cooperative organizations such as institutions, foster parents, local governments and Child Guidance Centers.
- (2) Consistent support of foster parents (from finding foster parents to independence support of children) should be carried out as a service provided by prefectural government (Child Guidance Centers).
- (3) Adoptive foster parents should be fixed by law, and accordingly, counseling and support regarding the matter should be carried out as a service provided by prefectural government (Child Guidance Centers).
- (4) Young person under the age of 23 who are enrolled as students shall be included as independence support home users.

Date of enforcement

April 1st, 2017.

1 and 2(3): from the day of promulgation.

3(4), 5 (5) and 4 (1): from October 1st, 2016.

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