



**The Japanese Child  
Guidance Centre  
Tramples on the Rights  
of the Children and  
Families of the Chinese  
Expatriates in Japan**

**Zai Ri Zhong Guo Gong Min Er Xiang Bei Hai Suo Pei Xie Hui  
(在日中国公民儿相被害索偿协会)**

E-mail: [poc19950701@gmail.com](mailto:poc19950701@gmail.com)

Address: 3-13-1-305 Fujimoto, Kokubunji, Tokyo 185-0031, Japan

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**Part I:**

**My Son Was Wrongfully Abducted, Stigmatised, and Had His Character and Intellectual Ability Destroyed by the Japanese Child Guidance Centre, Child and Family Support Centre and the Alternative Care Facility.**

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## ■ I. INTRODUCTION

1. I am a national of the People's Republic of China (PRC) and my son has PRC citizenship at birth. His father is Japanese, but due to family circumstances, I raised my son from the age of zero while working on my own. My son and I were interdependent on each other.
2. Because I was a university lecturer in China, I wanted my son to have a higher education, so I had my son take numerous lessons and go to kindergarten at an international school. I worked hard morning, noon, and night to pay for his tuition. I sent my son from my parents' home in China through Primary 4 because of two periods of my health problems and because I wanted my son to be exposed to the many influences of Chinese society and culture.
3. When my son was 12 years old after moving to a school in Japan, I was accused of 'child abuse', even though it was not abuse, and my son was taken into temporary custody at Kodaira Child Guidance Centre, Tokyo.
4. While the Paragraph 29(a) of the Concluding Observation of the Committee on the Rights of the Child in March 2019 stipulates, 'after hearing the views of both parents and children...', there was no abuse, neither parent nor child consented to 'protection', and there was no justification for the protection, but I was falsely accused of child abuse, and the child was forcibly restrained, confined and brutalized.
5. The embassy, which is the representative of the PRC government in Japan, stated that they recognized that my child was abducted and brutalized. However, deep down in my heart, I really wanted the embassy to submit the case of a suffering Chinese child to the ambassador of the PRC, which is a permanent member of the UN Security Council, and for the Chinese ambassador to appeal to the UN on our behalf, claiming that we were falsely accused and victimized by the Japanese police, prosecutors, and judiciary.
6. I cried out to the heavens and the earth, but they did not answer me. No one will do justice for us. The only way was to appeal to the UN through Professor Fujio Mizuoka, a representative of a Japanese private organization called the Association for the Elimination of Damage Caused by Child Guidance Centres.

## ■ II. ABDUCTION, CONFINEMENT, CRUELTY, DISCRIMINATION AGAINST AND PERSECUTION OF CHINESE EXPATRIATES IN JAPAN AND VIOLATION OF THEIR BASIC HUMAN RIGHTS BY THE JAPANESE STATE

- ① **28 April 2017: Joint abduction by collusion between the City of Kokubunji, Tokyo; Kodaira Child Guidance Centre, Tokyo; a member of municipal assembly of Kokubunji belonging to Constitutional Democratic Party and the International Exchange Association of the City of Kokubunji.**
7. My son, who was 12 years and 6 months old at the time, was forcibly taken into claimed 'protection from abuse' without his mother's knowledge and without the consent of the mother and the child. My son cried and said he didn't want to go, but he was told a lie that his mother had given her consent. He was forcibly put in a car and taken away. He was forcibly taken away in violation of the UN Convention on the Rights of the Child, which states that the views of the child and parents should be respected.
- ② **23 August 2017: Hiroyuki Sugata, Etsuko Kunugi and others forcibly admitted my child to Shakujii Gakuen, which is an alternative care facility (ACF), in Tokyo.**
8. My child was detained in the ACF in accordance with Article 27, Paragraph 1, Item 3 of the Child Welfare Law, although the measures set forth in Article 27, Paragraph 1, Item 3 of the Child Welfare Law may not be taken against the will of the person who has parental authority or the guardian of the minor.
9. In the 'Reason for taking measures' column of the notice of decision to take measures, it is written, '*Due to inappropriate childcare*'. Etsuko Kunugi, the person in charge of the Child Guidance Centre, called it 'verbal abuse' and 'psychological abuse'. I was also told by Michiko Sato and Toyoko Hasebe that abuse is used in a wide range of meanings in Japan and I was deceived.
10. I wonder why they did not write 'for parental consent' in the Reason column. In fact, not only did they not have my consent as the parent, they never even showed me the consent form, but according to the disclosed Child Sheet, it indicated that there was a written consent from the parent. There is no way I would have signed a consent form that I have never seen. When I asked for disclosure of the consent form, the response was that it was not to be disclosed and that it did not exist. Who forged my parental consent form?

11. My son wanted to go home, and I asked for the return of my son, but the temporary custody lasted unusually long 4 months. My son was sent to the ACF by forged parental consent, even though he was not abused.
12. Our family ties recognised by the international human rights laws were destroyed by the Japanese Ministry of Health, Labor and Welfare, the Child Guidance Centre, the City of Kokubunji, members of the parliament, etc.

- **Violation of Article 9 of the Convention on the Rights of the Child:** It ensures that a child is not separated from his/her parents against his/her will. The views of the parents and child shall be heard and subject to judicial review, taking into consideration the best interests of the child.
- **Violation of the Article 23 of the International Covenants on Human Rights** (also known as the “International Covenant on Civil and Political Rights”) The family is the natural fundamental group unit of society and should be protected by society and the State.
- **Convention on the Rights of the Child:** It ensures that a child is not separated from his/her parents against his/her will. The views of the parents and child shall be heard and subject to judicial review, taking into consideration the best interests of the child.
- **Violation of the Article 23 of the International Covenants on Human Rights** (also known as the “International Covenant on Civil and Political Rights”) The family is the natural fundamental group unit of society and should be protected by society and the State.

### ③ Regarding the pregnancy of an 18-year-old girl of Shakuji Gakuen

13. I was told only verbally about a pregnancy incident involving my 14-year-old son and an 18-year-old girl who had previously had sexual problems with him in the Shakuji Gakuen. (I must say that there is a very high possibility that the pregnancy was caused by a staff member because there was a sex crime committed by Shakuji Gakuen staff member in 2014. I would like to know the truth about whether the guilt was passed to my son by the staff).
14. However, after the lawsuit started, the Tokyo Metropolitan Shakuji Police Station denied the request for disclosure of the DNA test because it was a criminal case, even though it was said that the accident was caused by the curiosity of an adolescent male and female and was not a crime. Why?

### ④ In 2019, my 14-year-old son was placed in a locked and secluded punishment cell alone at the alternative care facility.

15. They placed him in a ‘cage’ by cutting off from the outside world and completely confined, without any investigation or judgment by the police, prosecutors, or the court.

16. What crime did the 14-year-old child commit? Even a criminal has the right to know the evidence of the crime he committed.

**Violation of the Article 23 of the International Covenant on Human Rights - Article 7:** No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

### ⑤ Deprivation of the right to the compulsory education of my son

17. On April 27, 2017, Kokubunji City Board of Education Masahiro Furuya, 2nd Junior High School Principal Yasushi Shigematsu, homeroom teacher Shu Funabiki met at the Kokubunji City Government Office and Kodaira Child Guidance Centre.
18. School records of my son were expunged in violation of the School Education Law, and parental consent was not signed. I requested disclosure of personal information in this regard, but it was not disclosed by the city government.
19. The following are the periods during which my son could not receive school education. He was deprived of the right to compulsory education, as he was not sent to the middle school.
- i. 28 April to 31 August 2017
  - ii. the pregnancy incident in 2019 to 5 June 2019
  - iii. 5 June to 1 July 2019.
20. He was placed in an inadequate educational environment and was unable to enter a senior secondary public school of even at bottom level with his own deviation score of 40, which is a significant violation of the child's right to development. This is a violation of the right to compulsory education stipulated in the Constitution of Japan.

### ⑥ Medical neglect

21. Despite the diagnosis of the attending physicians at the Tokyo Metropolitan Children's Medical Centre and others, the Child Guidance Centre did not provide my son with any dental treatment for over a year and a half, and did not allow me to take my son to the hospital at all.
22. In the end, I was the one who ended up providing medical treatment for him, after the 'protection' of my son was forced upon me and I was accused of 'child abuse' and 'inappropriate child care'. In other words, the Child Guidance Centre left the treatment of the child in their custody upon me, whom they labelled with various names.
23. About JPY 300,000 to 400,000 a month of taxpayer's money is paid for the temporary custody of a child at a child guidance centre or an ACF, but the children are given only used clothes, and the money is not being used for the benefit of the children. I wonder what in the world are they spending it on? The Paragraph 28(c) of the Concluding Observation of the UNCRC states, 'There is allegedly a strong financial incentive for the child guidance centres to receive more children.'



**① For a long period of time, I was disallowed to visit my son, and my son and I were deprived of the right to see each other.**

24. My son was forbidden to tell me about internal situations of the Child Guidance Centre, the ACF, the school, etc., and he was treated as hostage and was so 'guided' by them from the age of 12. When I asked him about internal situation during my visits, my visits were then suspended for a long time.
25. My son complained that he wanted to go home, but the ACF kept threatening to call the police if he escaped.

**⑦ My son and I were forbidden to use the Chinese national language during visits, etc., and we were deprived of our right to use our mother tongue.**

**⑧ My very bright son's intelligence was destroyed.**

26. I wonder what kind of psychiatric drugs at the Child Guidance Centre, Kayano Kodaira, gave my son? I requested the Child Guidance Centre to disclose my child's personal information, but everything was redacted and undisclosed.
27. From the age of 12, my son was subjected to lengthy coerced confessions to admit his mother's abuse, but he would not admit it.
28. They disregarded the Youth Welfare Protection Act and leaked personal information about us everywhere we went, including city departments, the school board, schools, and even our family hospital, regardless of whether we changed hospitals. Specifically, my son was labelled a sex offender who got a girl pregnant at the age of 14, and I was labelled a child abuser, and we were monitored and warned. Even felons don't go this far. Why in the world would they go to such lengths against us, a parent and a child, who are serious and do not cause trouble for anyone?
29. Even the felons have the right to know, but we have been deprived of even the basic right to know the evidence of our alleged guilt. We, a parent and child, have been deprived of our fundamental human rights and personal liberty.

**Violation of the Article 17 of the International Covenant on Civil and Political Rights:** Private life, family, residence and correspondence shall not be unreasonably or unlawfully infringed upon, nor their honor or reputation damaged.

## ■ III. THE CHRONOLOGICAL DETAILS OF THE HUMAN RIGHTS INFRINGEMENT THAT MY FAMILY SUFFERED

30. **8 February 2017:** I suffered from stage 1 breast cancer. After Michiko Sato, a Japanese language instructor at Kokubunji International Association (who taught Japanese language to children outside of school for about 2 years, unmarried, single, no children, in her 70s) found it out, she reported all my personal information behind my back mainly to the city officials, for protection from abuse.
31. **22 February:** I was abruptly asked by Yui Nomoto, a homeroom teacher at Kokubunji City 7th Elementary School, to come to the school to discuss a matter concerning my son. Because my son used to be in a Chinese elementary school and his mother was also Chinese, she would blame me and always scolded my son during children's fights. I always protested and rebelled against Nomoto after asking my son what had happened. This time, too, I thought it might be a quarrel between the children, so I went to the school.
32. In fact, in advance, Michiko Sato, Yui Nomoto, Constitutional Democratic Party member Toyoko Hasebe (chief child welfare commissioner and social worker), Mr. Morisawa in charge of the Kokubunji City Child and Family Support Centre, school counsellor Mr. Kuriki and the vice principal gathered there and began to explain to me under the guise of introducing a short stay for children. There was no prior explanation from the school, and the above faces had gathered.
33. I thought I might consider a short stay for my son as one option in the event of my cancer surgery.
34. **9 March:** Morisawa of Kokubunji City Child and Family Support Centre requested that he accompany me to the hospital for a short stay permit, and I agreed. For some reason Toyoko Hasebe and Michiko Sato were also present there, and the three of us went to the hospital together.
35. **17 March:** Outpatient local surgery was performed, and on March 21, I was informed of the diagnosis by attending physician: 'There were some very small cancer cells in the canal. Another surgery is necessary, but it is not urgent. It will be fine after you have made a decision based on a thorough study of your doctor and the surgical procedure in about six months. There are cases where the patient can be cured without surgery'.
36. I decided to gather information on the type of surgery and doctors.
37. What was written on the Child Reception Form of the Child Guidance Centre: *'Surgery to be performed in April. She has no plans to prepare for her child's school entry, and wants to leave her child in an ACF because she is dying.'*
38. This is self-serving crap they filled in on their own. In fact, there was no surgery scheduled for April, because I was searching for a hospital or a surgical procedure based on my doctor's words above. It takes a minimum of two months to make an appointment for surgery at a hospital, and there was not even a hospital appointment, so why did they list April as the scheduled surgery date? It is also contradictory that a



person who said she wanted to die would go to a hospital to ask about treatment options.

39. It can be inferred that this was done to support the justification for taking my son into custody in April.
40. **23 March:** There was a graduation ceremony of Kokubunji City 7th Elementary School, and on 25 March, I was planning to buy a junior high school uniform, but Michiko Sato told me, 'Children grow up fast and need to buy uniforms twice during the three years of junior high school. You don't need to buy the uniform because they are expensive. I know graduates, school teachers, and the PTA, so I will get them for your son'.
41. Michiko Sato also said, 'In order to reduce the burden on your body, from now on I will make lunches for your son and do his laundry'. But I said, 'That's unnecessary and annoying, I can at least feed my son and wash his clothes. I haven't gotten that bad'. Despite my refusal, Sato took two of my son's white shirts out of the laundry basket and brought them away.
42. **27 March:** I had an outpatient visit to a psychiatrist for sleep deprivation, and Sato was with me. The diagnosis was an adjustment disorder (only temporary depression), yet Sato immediately reported it.
43. **29 March:** there was no home visit as stated on my son's Reception Form of the Child Guidance Centre. The Child Reception Form was fabricated, a home visit was concocted, and a fabricated statement was made up to support the decision made the next day.
44. **30 March:** Kokubunji city government, Kodaira Child Guidance Centre, Assembly woman Toyoko Hasebe, the school, and others decided to take my son into detainment in the Child Guidance Centre. These organizations together decided to secretly plan, deceive, and secretly abducted my son. The decision was made without asking the opinion of the parent, and the child.
45. Then, without informing me, Michiko Sato, the informant, began feeding my son and keeping him until 9:00 p.m. almost every day in the name of teaching him Japanese, creating a situation in which she would take care of him for custody in the child guidance centre. Before April, she regularly sent my son home at 7:00 p.m. She was setting a trap for making up the reason that I could not take care of my son. I had an operation on 17 March, and Sato was present. She did not take care of my child during that most difficult time, but suddenly started taking care of him on her own from 31 March onward.
46. **5 April:** Mariko Kawaguchi and Yoshimi Nushiro of Kokubunji City Child and Family Support Centre made a home visit. I told them that I would like to have a short stay near the Honda Community Centre, to which I had received a referral on 22 February. Nushiro said, 'It's difficult'. I said, 'Why is it difficult? You checked my symptoms with the hospital, didn't you? The two conditions for a short stay were hospital confirmation and a home visit, right? Why can't you do it? Tell your supervisor about it'. After that, they left without saying a word.
47. The Child Reception Form of the Child Guidance Centre on 5 April falsely stated that 'The mother gave verbal consent to the custody of the child'.

48. On the Child Reception Form on 13 April, it is stated that Morisawa of Kokubunji City Child and Family Centre made a home visit. In reality, Morisawa only called me and asked me to rewrite the account for debiting school expenses. I then gave my son the documents.
49. The Child Reception Form of **April 13** was also falsified to include remarks about leaving the child at an ACF, etc. This is in order to match the request made for assistance on 14 April from the Kokubunji City Child and Family Support Centre to the Child Guidance Centre. The fact that I prepared the documents for payment of school expenses itself proves that I had no intention of leaving my son in the care of an institution.
50. **20 April:** Yoshimi Nushiro suddenly brought Etsuko Kunugi from Kodaira Child Guidance Centre, saying it was a home visit. Etsuko Kunugi said, 'Please write down the father's name, his date of birth, address, and phone number for a short stay'. I refused, saying, 'I've been raising my son all these years on my own, so you just need my information, don't you?' Etsuko Kunugi persisted, saying, 'you just write it down, and I won't do anything with it.' I had no choice but to write down my child's father's information on a memo and handed it to her.
51. **27 April:** At 5 p.m., Etsuko Kunugi from the Child Guidance Centre called me out of the blue and came for a home visit with Sadaaki Sasaki. Kunugi said, "We will take your child away tomorrow.' I said no. I figured that it was not a short stay, and refused for various reasons.
52. I haven't even written the short stay application yet. I haven't received a single piece of paper from the city office. I can take my child directly to a place near the Honda Community Centre for a short stay. I haven't even toured the facility yet. My child is being treated for injuries every day and has appointments at the metropolitan hospital. I am still researching my surgical procedure, doctors, and hospitals.
53. I thus considered a short stay only as an insurance and it's not my final decision. I adamantly refused for about 30 minutes.
54. Around 5:40 p.m., the Child Guidance Centre staff left my home and went to the Honda Community Centre, where my son always studied, and met up with Toyoko Hasebe and Michiko Sato.
55. **27 April:** My son was informed by Kokubunji City No.2 Junior High School (Yasushi Shigematsu, Shu Funabiki) that he need not come to school from tomorrow. The school did not contact me, the custodial parent, at all.
56. Michiko Sato, as usual, kept an eye on my son at the Honda Community Centre in the name of teaching him his studies. After Etsuko Kunugi and Sadaaki Sasaki from the Child Guidance Centre arrived, Sato handed over the baton to Kunugi and Hasebe, and Sato went home. Sato pretended that she knew nothing about it and was not involved.
57. Toyoko Hasebe (a Constitutional Democratic Party member of the municipal assembly, chief welfare commissioner for children, secretary-general of the NPO Kokushoren Cafe, who works at the Cafe Honda at the Honda Community Centre, and is the president of the PTA associations of the municipal elementary and junior high schools and a probation officer) tricked and persuaded my son and led him to the Community Centre the next day, and did not let him go home even though he wanted to go home early. Hasebe monitored my son until he entered his home.

58. I was naturally angry that my son came home so late, knowing nothing about the abduction conspiracy, and he was even more shocked by it, and I could not even have a conversation with him about tomorrow. At night, before my son went to bed, Michiko Sato called me to remind my son and we discussed the matter.
59. **28 April:** Around 7:20 a.m., my son left a note on the table that he was going to the Community Centre and went away. I thought he went to school as usual and did not know that his enrolment had been cancelled by the school. At about 8:00, I noticed the note on the table and immediately went to the Community Centre to look for him, crying, but I could not find him.
60. At about 8:40, I called Michiko Sato. She told me that my son had just been taken to the Child Guidance Centre and that the best thing to do was to consult Toyoko Hasebe. I called Kodaira Child Guidance Centre first, but they replied that Kunugi was not available.
61. At 9:00, I called Toyoko Hasebe. She said she had no knowledge of my son's disappearance and that she would call the Child Guidance Centre and bring him back to me.
62. At 10:30, Etsuko Kunugi and others of the Child Guidance Centre met up at the Community Centre. Michiko Sato said to me in front of my son, as if he deliberately heard her, 'Ms. Liu, are you going to see your child off?' And Etsuko Kunugi of the Child Guidance Centre said to my son, 'Your mother is not coming today. She has agreed to take you with me'.
63. The child was crying and complaining that he would not go, but Etsuko Kunugi and others told him that his mother had agreed to it. My son said, 'Mommy abandoned me'. (Sato's later testimony) Etsuko Kunugi and others forced my son into a cab, and he was crying so hard in shock. When the cab driver saw the child crying in grief, he too was concerned.
64. **On that day,** I called the Kodaira Child Guidance Centre several times, but the receptionist always replied that no one was available. However, Toyoko Hasebe called me and informed me that she had made an appointment with the Child Guidance Centre on 1 May.
65. **28 April:** At 5:30 p.m., the post office worker handed me a 'Notice of Temporary Custody Decision'. My child was abducted first, and the notice came later. Even when the criminal is arrested, an arrest warrant will be issued first. Why didn't they 'protect the child' in front of me? Can they 'protect' a child without verifying parent-child identification?
66. **1 May:** Toyoko Hasebe and I went to Kodaira Child Guidance Centre. I told them, 'You took custody of my child without my permission, even though you initially said it was a short stay. Give him back to me.'
67. Incidentally, in my later lawsuit (which I lost), the court rejected my argument by saying, in effect, that whether 'institutionalized' refers to a short stay or admission to a facility does not affect in any way the fact that assistance was necessary with respect to my son. The court has no understanding that it makes a great deal of difference to me whether my son does a short stay or is admitted to a facility.

68. Kodaira Child Guidance Centre's record of the child's progress stated, 'She insisted that she wanted to do the pick-up procedure today and wanted to pick up the child today'.
69. Satoshi Yamamoto and Etsuko Kunugi of the Child Guidance Centre were adamant that they would not return the child and offered no explanation. Toyoko Hasebe said to me that China and Japan have different cultures and therefore different ways of raising children. I told her that we are the same people everywhere.
70. Toyoko Hasebe said to me, 'We can't do this today. That's it. We have to go'.
71. On the way back, Toyoko Hasebe said, 'They won't listen to what we say, so I will contact the city's Ms. Nushiro and ask her to explain to them'. She promised to me that 'since it was originally discussed as a short stay, I will ask her to convince the Child Guidance Centre to return the child'.
72. **After that**, I called Nushiro of the city's Child and Family Support Centre and the Children's Division of the Kokubunji city government, but she was not available and they were silent throughout.
73. Michiko Sato said to me, 'I don't want to see your son cry, I don't like it when children in a jolly mood change because they are taken into custody'. 'Ms. Liu, don't worry, they are just checking him out, they will give him back to you in three months'.
74. I talked to Toyoko Hasebe about filing an objection, which was listed at the bottom of the notice of the temporary custody decision. Toyoko Hasebe also told me, 'Don't worry, you will get your son back in three months. You need to find a room, move, have the surgery, etc. and when everything is ready, you can go pick up your child. Three months goes by so fast. You don't know anything about Japan, and it takes a long time to go through a lawsuit in Japan; your child will be home before the lawsuit is over'. She said that to me so I would misunderstand that filing an objection is itself a lawsuit.
75. **After that**, I asked for assistance from the Japan Legal Support Centre, Houterasu (a public agency that assures the access to legal support at low fee throughout the country), but they told me that they could provide assistance for the abused children, but not for the children who have been abused and taken into custody, and that I should contact another organisation.
76. I was suspicious of Michiko Sato and contacted her to find out more about how my child had been taken into custody. Michiko Sato said that she had called Etsuko Kunugi at the Child Guidance Centre and told her that she could take care of the child because she had a retirement allowance and a pension. With that statement, I came to trust Sato. Since the Child Guidance Centre would not return my child to me no matter how much I asked them, I thought it would be all right if Michiko Sato receive my child even as a foster parent, and I would then take the child after he was returned to Sato. I had informed Sato of this.
77. Etsuko Kunugi of the Kodaira Child Guidance Centre, who was always slow to respond, contacted me immediately.
78. **15 June:** I confirmed Sato's intention to become a foster parent, and on June 29, as I had promised to meet with Michiko Sato at the Honda Community Centre to process the necessary paperwork, I went there and waited, but no one showed up. I called Michiko Sato and Etsuko Kunugi several times but could not reach them.

79. Finally, Michiko Sato e-mailed me and said, 'Didn't you know we had to cancel today?'
80. Later, Etsuko Kunugi told me that she had received a call from Michiko Sato informing her that she would not be taking the child due to her health condition. When I asked Michiko Sato about it, she told me that according to the advice of the Child Guidance Centre and the City of Kokubunji, she was too old and she had no husband, so she couldn't take the child in.
81. Sato's statement that she would take the child was their tactics, and my approval of the foster care arrangement was taken to mean that I approved the child's placement in an ACF, which resulted in one excuse for the Child Guidance Centre to say that the mother consented to the measure.
82. **6 July:** Etsuko Kunugi called me and said, 'I have heard many things from the child, and as a result of my investigation, I found abuse by the mother, verbal abuse, and psychological abuse. The child did not want to live with his mother, or that it was impossible for him to live with his mother due to her illness, so we decided to place the child in an ACF'.
83. My son complained that he wanted to go home, but Etsuko Kunugi told my son, 'Your mother is sick, so she has agreed to place you in a foster home'.
84. No matter how much I tried to tell her that I wanted my son back, that I would provide a medical certificate from my doctor, etc., or demanded action from Toyoko Hasebe, a municipal council member, or even called the Kokubunji City Child and Family Support Centre, all to no avail.
85. The **6 July** record of the progress of guidance by the Kodaira Child Guidance Centre states that they explained to me face to face, but in reality, they only explained to me over the phone about the important notice of decision to place the child in an institution. Regarding admission to the facility, it is stated that 'Mother is against it. She will not budge on taking the child home.'
86. As a mother and child alone, I have worked hard to make a living as a Chinese woman with only my hands to support me. I had to work hard to make a living. I had to work as both a mother and a father. I have had shortcomings and things I felt sorry for my child. I don't expect my child to understand me yet, but why should I be called abusive.
87. My child is my only hope to live, even though I have cancer. I wrote my will. I also sent an e-mail of my will to Michiko Sato. The suicide ended in an attempt.
88. **21 August :** Etsuko Kunugi of Kodaira Child Guidance Centre asked me to prepare clothes, etc. for my child, as they were necessary for him to go to school. Since he has not been able to go to school for 4 months, I gave her a cardboard box containing his clothes so that my child would not be inconvenienced. This act of giving the cardboard box was recognised by the Japanese court at a later date as an act to show that I consented to put my child in the child care institution.
89. Progress Record Sheet of Kodaira Child Guidance Centre states: 'We asked the mother to fill out the consent form again, but she refused. She had given her verbal consent.'
90. They never once showed me the consent form, and I only asked them to return my child.

91. **31 August:** My son was brought to and detained in Tokyo Shakuji Gakuen, an ACF.
92. **4 September:** It was the day of my surgery. After discharge from the hospital, I asked again for the return of my child.
93. **5 November:** Elderly grandparents came from the PRC to Japan on a 3-month visa with high airfare, worried about my illness and their grandchild associated with my illness. But the Child Guidance Centre would not even allow them to see their grandchild. Even the criminals in prison could have a visitation.
94. **7 December:** I had a private visit at Tokyo Shakuji Gakuen for the first time. My child could not hold it in and cried. I protested, and in retaliation, the visit was suspended for a long period of time, and the child was reprimanded in the name of 'guidance' and 're-educated' to adapt to the ruthless rules of the Child Guidance Centre.
95. After my surgery was over, I repeatedly asked for the return of my child, but Etsuko Kunugi and others at the Kodaira Child Guidance Centre insisted that I as the mother was too sick for my son to return home. They said that it would be okay if I had a supporter, so I took two of my supporters with me, but even though these friend-supporters promised to support me and my child, Child Guidance Centre did not return my child.



## ■ IV. THE FALSE CHARGE TO MY SON ON A PREGNANCY INCIDENT AT THE ACF

96. For about 6 months since 17 January 2019, my visitation to my son was severed for various pretexts. When I called the school, they never gave me any information about my son's situation, and when I called Shakuji Gakuen, I was always told that my son was not there.
97. On 2 June at 9:00 p.m. I called Shakuji Gakuen, but they said that my son is at a tutorial school and has not returned yet. How late was it? I wondered if the children's home was not worried about them.
98. Actually, my son was confined in a 'cage' at the time. The ACF had set up a cage-like cell for the children's punishment, with no sunlight.
99. On 5 June, I called Etsuko Kunugi all day but she did not answer. There was an incoming call at about 8:00 p.m. but I did not notice it.
100. On 6 June, I called Etsuko Kunugi at 8:40 a.m. and I was told to come today at 5:00 p.m.
101. At the 5:30 meeting, Etsuko Kunugi and Sachiyo Shimada from Kodaira Child Guidance Centre, and Sakurai from Shakuji Gakuen attended.
102. Sakurai said, 'I came to tell you, the mother, that your son had sexual relations with an 18-year-old girl. The girl was raped.'
103. I asked her to put what she said in writing, but she refused. I asked her to tell me again so I could record it, but she refused.
104. My child later told me, 'I was doing my laundry at night in the laundry room, and an 18-year-old girl from a nearby room pulled me aside and touched me, causing me to lose consciousness and to have a seizure'.
105. I asked Etsuko Kunugi and Sachiyo Shimada to call the police, but they refused.
106. I went to the Shakuji police station to file a damage report, but was told that it was too late to do so for the day.
107. On 7 June, I went to the Shakuji Police Station again with a representative of a support group for foreigners.
108. Pediatric detectives in charge (Kita and Fujimoto) said, 'The Girl in the Shakuji Gakuen have got pregnant for quite some time, but we don't know who got them pregnant'.
109. Kita said, 'We will now hear what happened from the child. Neither the parent nor the representative of the support group can be present'. My 14-year-old child was interrogated for about three hours.
110. According to what the staff of Shakuji Gakuen explained to me on 27 June, they first noticed the matter in mid-May of 2019, and the sexual contact was made in April

and an abortion was made in May (this was later contradicted by others). The police came to the school on 5 June and investigated the matter by talking to the girl and my son, and concluded that my son made the girl pregnant. They later decided to do DNA testing on that pregnancy, because Sakurai and Manabu Mori of the ACF said that the 18-year-old girl had problems with other men.

111. On 30 August, the detective Kita of the Shakuji Police Station stated that it was not a criminal matter and was an accident, that the DNA test result showed that the pregnancy was caused by my son, and that the girl had an abortion on May 30.
112. Then as part of a court case I brought later, I requested disclosure of personal information of the DNA test result, but was denied for the reason that it was a criminal case.
113. There were many questions about this matter. First of all, the police concluded that my son was the responsible one even before they did the DNA test. How could they? My request for disclosure of the DNA result was denied after the police switched its initial stance that the matter was only an accident to the position that that it was a criminal case. Why did they switch the position after I demanded that the DNA test result be disclosed? To hide something?

## ■ V. ABRUPT RETURN OF MY SON TO MY FAMILY

114. After this incident, I took my son out of Shakujii Gakuen and brought him back home in 2019, but the ACF did not come to recover him or the Kodaira Child Guidance Centre issued a notice of termination of the measure of detainment. They didn't even contact me about it at all, nor was there a home visit. The notice of termination came over 3 weeks later. Because there was no notice of termination of the measure, my son was left in limbo and couldn't attend any school for 3 weeks. Shakujii Gakuen at the time was in custodial position to provide him with an education, but it abandoned the child's upbringing.
115. The Child Guidance Centre had accused me of 'abusing' him or 'improperly raising' him, but then why didn't they 'protect' him again after I took my son home? Why did they not even do any home visits when the TV news just reported that there was a child who was abused and died after the child was returned to the home? If they claim to be 'child protection professionals', why do they not care at all about my son after he returns home? As you can see here, what they say and do are so contradictory.
116. All of the above statements in this report are true to my best knowledge and are based on facts, which are supported by physical evidence, including the recorded testimony of those involved.

## ■ VI. PROPOSED RECOMMENDATIONS

1. The Government of Japan should faithfully and fully implement all items in paragraph 29 of the urgent recommendations issued by the UN Committee on the Rights of the Child in March 2019. The issuance of a 'temporary protection warrant' by the court, introduced in the Child Welfare Law revised in June of this year, does not meet the requirements required by this emergency recommendation and does not protect the human rights of children and families.
2. The Government of Japan shall faithfully implement all provisions of the 'Guidelines for the Alternative Care of Children' (A/64/434) adopted by the United Nations General Assembly at its Sixty-fourth session on 18 December 2009, in particular Articles 3, 14 and 20.
3. The Government of Japan should clarify the principle that the highest priority is given to the care of children by their biological parents, that foster homes, foster parents, and adoptive parents are the next best alternative, and that the government must always pursue the realisation of care by the biological parents.
4. The Government of Japan should issue a closure order against ACFs that unjustly detain children in closed spaces, such as 'cages' or 'punishment cells', or assault children, in accordance with international human rights norms.
5. The Government of Japan should clarify the principle that Child Guidance Centres should not prohibit the visitation of the parents to their child. Article 12 of the Child Abuse Prevention Law shall be repealed.
6. When the Child Guidance Centre has no choice but to separate a child from his or her parents as 'temporary custody', it should do so only when there is clear evidence of serious and heinous abuse, and only after thoroughly listening to the parents and the child, and only when there is evidence and the parents and the child give their explicit written consent.
7. The Child Guidance Centre shall not fabricate any information concerning the families and children concerned.
8. When foreign parents and their children visit each other in a Child Guidance Centre, they shall be allowed to speak in their native language.
9. The Child Guidance Centres should be especially careful about foreign families with limited Japanese language ability and knowledge of Japanese law, and whose lifestyle differs from that of Japanese, and give due consideration to these factors when separating parents and children.

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**Part II:**

**My Son, Formerly a Student of Nada, the Most Prestigious Secondary School in Japan, Has been Kidnapped by the Child Guidance Centre; Then the Alternative Care Facility Turned Him into a Mediocre 'Artificial Orphan'.**

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## ■ I. INTRODUCTION

1. I am a Chinese single mother living in Japan as a Japanese foreign permanent resident from the time when my biological son, a Chinese national, was three years old.
2. In 2013, when my son was 16 years old, he was kidnapped by the Nishinomiya Child Guidance Centre (CGC) without judicial review as stipulated necessary in Article 9(1) of the Convention of the Rights of the Child. He was subsequently transferred to an Alternative Care Facility called Harima Dojin Foster House (ACF), financed almost totally by the Japanese government.
3. I, the biological mother, have not been informed of the whereabouts of my son for six and a half years nor whether he is safe or alive. The tie of the biological family has been totally severed by the Japanese CGC system.
4. This act of the Japanese government is against Article 9(1) of the International Covenant on Civil and Political Rights (hereafter, Covenant).



## ■ II. THE CGC DETAINED MY BIOLOGICAL SON WITHOUT COURT PROCEDURES AND IN BREACH OF THE INTERNATIONAL HUMAN RIGHTS LAWS

5. On 17 June 2013, two young male officers from the Nishinomiya Child and Family Centre (Nishinomiya CGC) intruded into my home without judicial warrant or my consent. One officer's surname was Kakuda, while the name of the other was not known. They took my son away together with his Alien Registration Certificate without my approval. My son was 16 years old at the time and was studying at the Nada Secondary School, one of the most prestigious secondary schools in Japan. This act of the authority is against Article 17(1) of the Covenant.
6. At the same time, I found that his bank passbook and bankcard were missing from my home. Initially, I did not know the whereabouts of these bank documents. Later, the Director of the Harima Dojin Foster House (ACF), where my son was detained, Chiyo Yamamoto admitted that she had kept these bank documents when she brought my son back home to collect his passport.
7. A few days later, I received a notice from Nishinomiya CGC. In the notice, they informed me of their decision to transfer my son to the Harima Dojin Foster House (ACF) for detainment without my consent for the reason that, according to their claim, there was no good relationship between mother and child. No family court endorsement, which is obligatory even under Japanese domestic law, was made. From this day on, my son had to spend more than two hours travelling from ACF to attend his secondary school every day.
8. **It is in breach of Article 11 of the United Nations Guidelines on Alternative Child Care** (The Guideline on Alternative Child Care is United Nations No. 64 Congress resolution. Hereafter, Guidelines)
9. In order to obtain my approval signature of my son's Admission to Harima Dojin Foster House (ACF), Mr. Kakuda, a Nishinomiya CGC officer, came to my home to persistently persuade me, almost like a salesman. However, I strongly objected to the decision by the Nishinomiya CGC. I persisted with my assertions and refused to sign the notice.

### ■ III. UNDUE CONFISCATION OF MY SON'S PASSPORT BY THE ACF DIRECTOR

10. My son's passport was to expire in June 2013. I planned to take my son to the Consulate-General of the People's Republic of China in Osaka to renew his passport. I made an appointment with my son about the time to renew his passport.
11. However, the Director Yamamoto of the ACF prevented me from doing it on my own; in order to obtain my son's passport, she came to my home with my son without informing me beforehand. In order to renew my son's passport in time, I could do nothing but to entrust her with the task of doing so.
12. After renewing my son's passport, she retained his passport and refused to return it to me, no matter how many times I asked her for it.
13. It means that the ACF in fact robbed me of the legal document to testify the custody of my son, which I did not realise at that time.
14. **It is severely in breach of Article 3 of the Guidelines.**

## ■ IV. THE ACF'S BAN ON MY VISITATION TO MY SON

15. For the period from 17 June 2013 to 31 March 2016, my son was not allowed to go home for family reunions even once, even though his secondary school was just 30 minutes away from my home.
16. I therefore went to the ACF to meet my son. One young female member of staff, a young male member of staff, and the Director Chiyo Yamamoto together hindered me from seeing my son.
17. I thus decided to wait there for his return from school from 10 in the morning to 5 in the afternoon until my son showed up.
18. When it became dark, my son finally came back. He looked very pale and had become very thin. His hair had grown very long. He was shedding tears all the time. I was told that my son had failed his university matriculation exam.
19. I strongly requested I take my son to the Suzuki Clinic, which is my family doctor, for a physical examination. The ACF allowed me to take my son to the Clinic for a physical examination at a time fixed by the ACF.
20. Thereafter, I have been unable to obtain any information about my son. The ACF has cut off all outside contacts with my son. The Director Yamamoto even banned me from calling my son.
21. The Director Yamamoto of the ACF exerted such great power that she keeps possession of my son's passport and refuses to return it to me. This is clear breach of the rights of foreign nationals residing in Japan.
22. The Harima Dojin ACF is under the management of the Yamada family. The Director Chiyo Yamamoto had planned to kidnap my son for financial reasons to fill a space at ACF. While there are spaces in the ACF, it cannot obtain money from the government.
23. The Director Yamamoto persuaded my son to leave his family to live in ACF so that he can receive school expenses support instead of an education loan. She claimed that I did not have enough money to pay for my son's education, as I was an alien single mother. She even told me that she had much more income available for such purposes. Citing the government support, the private 'welfare' corporation that owns and runs the ACF cited the educational stipend, which exceeds their legal capacity.
24. My son was forced to spend more than JPY 10,000 in seven days for mobile phone charges in order to receive instruction from the Director to flee from the family. Before my son's admission to Harima Dojin ACF, he was fully prepared for his detainment. He took all his bank passbooks and bank cards away from my home and the Director Yamamoto kept these. My son left his passport at home only because it could not be renewed without my involvement.
25. The ACF Director's claim that I was poor because I came from China as an overseas student was an utter discrimination against a single parent family of a foreigner.

26. Indeed, I am not wealthy, yet I worked hard to afford my son's education expenses with my hard-earned money so that my son could go on to the Nada Secondary School and then to a prestigious university in Japan.
27. I seriously doubt if Harima Dojin ACF has proper qualification for Alternative Child Care in the light of the international human rights laws. The CGC merely colludes with the ACF instead of properly supervising the ACF.
28. It is in breach of Articles 5 and 23 of the Guideline.

## ■ V. UNDUE EXTENSION OF DETAINMENT OF MY SON TO THE ACF

29. In March 2016, I received a notice from Nishinomiya CGC of the decision on extending the period of my son's detainment in the ACF.
30. I strongly objected to this decision. I appealed to the administration of Hyogo prefecture.
31. The administration of Hyogo prefecture made its ruling that placing my son from 16 years old to 20 years old in the Harima Dojin Foster House is 'legal'.
- 32. The written decision by the administration of Hyogo prefecture is in breach of Articles 23(1), 24(1), and 26 of the Covenant.**
33. The ACF's explanation ignored the fact that I had brought up my son and fabricated my 'abusing [my] child' without any evidence but only based on verbal statements. The CGC had never provided hard evidence for their accusations. The CGC attempted to make my low income a reason for placing my son in Alternative Child Care.
34. The administration replaces proper justice; the administration has no independence in making the judgement on its own act of administration.
35. Since 1 April 2016 until now, I do not know the whereabouts of my son. Both the ACF and the CGC have refused to tell me where my son lives and what he is doing.
- 36. It breaches Articles 10 and 14 of the Guideline.**

## ■ VI. CONCLUSION AND PROPOSED RECOMMENDATIONS

37. It was the act of kidnapping of my son by the Japanese government, planned by the ACF and Nishinomiya CGC.
38. It is not limited to the single issue related to the Alternative Child Care. It is a general human rights issue in Japan of systematically kidnapping children through the CGC system, deploying discriminatory measures against foreign nationals residing in Japan, and to the Japanese state power and the vested interests associated with it.
39. In 2013, the CGC placed my son into the ACF under the claim that there was no good relationship between mother and child. In the end, I have lost my son in the face of the state power that colludes to and nurtures the vested interest of the alternative care seeking financial gain from the kidnapped children.
40. In this way, the CGC and the ACF severed the relationship of blood ties of the parents and children by creating 'artificial orphans'. **They breach Articles 32, 36, and 40 of the United Nations Guideline and Article 23(1) of the International Covenant on Civil and Political Rights completely.**
41. I have appealed to as many administrative agencies and non-governmental organisations in Japan that I could think of, such as the police, Ministry of Justice, foreigner consultation centre, NGO Network for Foreigners' Assistance KOBE, and so on. I have also asked Consular assistance. I have not received any help from any of these agencies.
42. **We therefore propose your committee to issue recommendation that the Japanese government stop engaging in activities that resulting the illegal detention of children for its financial gain.**
43. **We propose the recommendation that the CGC and the AFC should not aim especially at the children of one-parent families, foreign families, and the financially weaker families in Japanese society.**
44. **We propose the recommendation that the Japanese government should stop expanding ACFs, but instead scrap them in favour of the biological bonds of the families. There are currently numerous children detained in the ACFs with their ties with biological parents severed.**
45. **We propose the recommendation that the Japanese government should investigate the CGCs and the ACFs and the Child Guidance system in general in Japan, in order to make it clear about the human rights infringements associated with it, especially undue and prolonged detainment of many children in a children's camp without their explicit parental approval and with the children gravely deprived of the right to development.**
46. **We propose recommendation that judicature of Japan should be independent of the administration of the CGCs and the ACFs and the conduct of fair justice in Japan. Unfortunately, as a reality, the judiciary severely leans towards the administration in Japan, which is in clear breach of Article 14(1) of the Covenant. I have a lot of physical evidence to refute the lies of the Nishinomiya CGC and Harima Dojin AFC, which the**



Japanese judiciary has accepted without questioning its veracity, upon request from your committee.

47. On 27 March 2017, the administration of Hyogo prefecture made its ruling that placing my son in the Harima Dojin Foster House from 16 years old to 20 years old is 'legal'. From April 2016 my son has been missing, which has had a devastating effect on my mental health. I am no longer able to work. I am now in a very tough situation. This degrading way the Japanese government has treated me is in itself **a form of psychological torture, which is against Article 7 of the Covenant**. This is my final appeal regarding the aforementioned.