

COUNTERMEASURES AGAINST TRAFFICKING IN PERSONS BY THE PREFECTURAL POLICE

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I. INTRODUCTION

In line with “Japan’s 2014 Action Plan to Combat Trafficking in Persons”, the police are linking up with the Immigration Bureau and other organizations to strengthen efforts at Japan’s borders to crackdown on malevolent employers and traders, while protecting victims as early as possible and working to understand the situation of human trafficking in Japan.¹ “Identification” and “control” are important parts of our countermeasures against trafficking in persons.² This paper discusses cases of trafficking in persons (hereafter, “TIP”) cleared by prefectural police and three factors which led to those cases.

II. THREE FACTORS THAT HELP CLEAR TIP CASES

The prefectural police’s countermeasures have contributed to the arrest of TIP suspects in Japan in multiple cases. One example of such an arrest involved a suspect who forced trafficking victims to live in a designated apartment and prostitute themselves with customers found online, seizing any money that was paid. In this case, the suspect was arrested for violating the Anti-Prostitution Act.³

In another case, the suspect deceived victims in Thailand, saying “You can make money if you work at a massage parlor in Japan”. Once the victims arrived at Japan, the suspect took their passports away from them, forced them to engage in sexual services and seized any money they were paid. In this case, the suspect was arrested for violating the Immigration Control and Refugee Recognition Act.⁴

There are three factors in which the information cycle of the prefectural police contributed to clearing these TIP cases. First, information was aggregated efficiently; all information on suspected TIP cases in the prefecture goes to one department at the prefectural police headquarters. Second, information was shared effectively; information such as signs common to victims of TIP is shared with both citizens and local police officers. Third, information was gathered comprehensively; the department in charge obtains a wide range of information related to TIP through administrative measures, specialized investigations and cooperation with related organizations. In short, the prefectural police’s information cycle related to TIP contributed to clearing both of these cases. The following chapters will introduce how this cycle works in detail.

III. INFORMATION AGGREGATION

A. Latency: Aggregating Pieces of the Puzzle

One characteristic of TIP is high latency⁵: it is extremely difficult to identify victims or suspects from

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¹ National Police Agency of Japan, The White Paper on Police 2018. <https://www.npa.go.jp/hakusyo/h29/english/Contents_WHITE_PAPER_on_POLICE2017.htm>, accessed 12 Apr. 2019.

² National Police Agency of Japan, Director General of Community Safety Bureau, Director General of Criminal Investigation Bureau, Director General of Security Bureau “Promotion on the identification of trafficking in person, protection and support of trafficking victims and control of trafficking in person (circular notice)” <<https://www.npa.go.jp/pdc/notification/seian/hoan/hoan20150216.pdf>> (16 Feb. 2015), accessed 12 Apr. 2019.

³ National Police Agency of Japan, Community Safety Bureau, Safety Division, Public information materials, Trends in the situation of trafficking in persons in 2018 (28 Feb. 2019),

<https://www.npa.go.jp/bureau/safetylife/hoan/jinshintorihiki/h30_jinshin.pdf>, accessed 12 Apr. 2019.

⁴ Ibid.

⁵ Prime Minister of Japan and His Cabinet, Ministerial Meeting Concerning Measures Against Crime, Japan’s Action Plan to Combat Trafficking in Persons, (16 Dec. 2014).

their external appearance. In order to identify TIP victims, it is important to bring pieces of information together and analyse them promptly. Once there is reason to suspect TIP has occurred, it is critical to start an organized investigation to combat a crime that is often committed across borders. At the prefectural police level, each police officer on duty can become the contact point with the victims and gather related information. Each bit of information may seem very small, like a piece of a puzzle, but in order to reach the full-length picture of TIP it is crucial to aggregate information within the prefectural police efficiently.

B. Prompt Reporting from the Scene

All information related to TIP or related crimes found in a prefecture goes to the Community Safety Department of the Prefectural Police Headquarters (hereafter, “HQ”). Since the range of duties for the prefectural police results in the range of the information which the HQ can gather and aggregate, this chapter briefly describes these duties and how reporting from the scene works.

In Japan, the National Police Agency (hereafter the “NPA”) and 47 prefectural police departments assume all policing duties. There are no independent police organizations such as city police.⁶ In addition, the NPA does not execute actual police duties, but rather manages police policies at the national level and the coordination of prefectural police departments.⁷

As a result, the duties of the prefectural police are relatively broad and include the control and prevention of crimes prescribed in the Penal Code, special laws and regulations at the prefectural or city level; traffic enforcement; the protection of intoxicated persons; searches for missing persons; the implementation of security measures for local events (from town festivals to the Olympics games) and rescue missions in areas affected by natural disasters.⁸

As a structure for aggregating information, prefectural police departments can be divided into HQ and police stations. The HQ consists of departments and divisions, and police stations are organized along similar lines. In addition, the jurisdiction of one police station is divided into several areas, each with one police box.

For example, the Saitama Prefectural Police (hereafter, “SPP”) has about 11,000 police officers,⁹ 39 police stations and 369 police boxes serving the 7.3 million people of the prefecture.¹⁰ If an officer encounters signs of a TIP case at a police box, this information is first reported to the community safety division of the police station, which then reports the information to HQ (Of course, in an obvious and urgent situation, officers at the scene use police radios to report immediately to HQ).

This is a relatively simple information aggregation structure (there are essentially no conflicts over jurisdiction with other organizations at the scene) but, with the breadth of their duties, it is a challenge for prefectural police to make prompt reports through this structure on a consistent basis. This is true of information on various matters, including TIP.

IV. INFORMATION SHARING WITH OFFICERS AND THE COMMUNITY

In order to identify TIP cases, it is crucial that each police officer engages in their duties with the adequate knowledge of TIP. Also, it is important to promote the awareness of TIP among the community.

< <https://www.kantei.go.jp/jp/singi/jinsintorihiki/index.html>>, accessed 12 Apr. 2019.

⁶ There are several police duties that overlap with those of other organizations, such as the Immigration Bureau, city offices or local fire departments. However, the prefectural police are the only “police” that cover all the duties described above as a primary investigative agency.

⁷ If a case that involves several prefectures, related prefectural police departments establish a joint investigation headquarters and report progress to the NPA.

⁸ Saitama Prefectural Police, Organizational chart of Saitama Prefectural Police, <<https://www.police.pref.saitama.lg.jp/b0011/saiyo/section.html>>, accessed 12 Apr. 2019 (Each prefectural police HQ consists of departments such as Community Safety, Community Police Affairs, Criminal Investigation, Traffic and Security).

⁹ Saitama Prefectural Police, Annual Report on Police Activities 2018 (10 Apr. 2019) <<https://www.police.pref.saitama.lg.jp/a0030/kenke/ayumi30.html>>, accessed 12 Apr. 2019 (11,524 police officers).

¹⁰ Saitama Prefecture, Population Estimates as of 1 Mar. 2019 (1 Apr. 2019), <<https://www.pref.saitama.lg.jp/a0206/03suikei/index.html>>, accessed 12 Apr. 2019 (Population Total 7,323,982 (Male 3,651,920, Female 3,672,062), Household Total 3,120,865).

A. Community Police Officers

Police officers assigned to police boxes (hereafter “community police officers”) work most closely with the local community. When incidents or accidents occur, community police officers immediately head toward the scene of action and take necessary initial responses. They are also focused on patrolling to prevent crimes as well as to crackdown on criminals.¹¹ Citizens also come to police boxes for consultations on a wide range of matters. (In 2018, about 140,000 new consultations were brought to SPP.¹²) In addition, community police officers assume a wide range of other duties, including but not limited to handling lost property, supervising unaccompanied minors at night etc.

In any of these instances, community police officers may encounter leads on TIP or related crime. For example, an emergency call or consultation about “a fight between male(s) and female(s) on a street (or in a neighbourhood), details unknown” may be a case that developed from a traffic accident, domestic violence, TIP-related troubles or other crimes. Items brought to a police box as found articles may also be stolen items and/or items containing illegal materials or materials related to crimes. (In 2018, SPP handled about 900,000 items brought to the police as found items.¹³)

In addition to these duties, community police officers make routine visits to houses and offices in their assigned areas, providing local residents with information on important items and listening to their opinions about the police. At apartment buildings, officers visit each household as well as the caretaker’s office. In order to combat TIP, community police officers ask the caretakers to post notices for residents and pass out multi-language leaflets that includes the number for emergencies, and anonymous hotline urges victims to go to the police.¹⁴ Officers share related information with residents such as the signs of TIP victims, which include:¹⁵

- A few females living together in an apartment are picked up by a van and taken somewhere every day, only returning late at night, and otherwise do not go outside.
- At a factory, a few foreign workers work long hours and get reprimanded severely every day and if one of them is seriously injured they do not go to a hospital.
- A girl with bruises on her face exits a car with a male driver and enters a hotel by herself.

These awareness-raising and information-gathering duties require steady effort and may be inconspicuous, and the possibility that they lead to a conviction may not be high (in 2018 the number of cleared TIP cases in Japan was 36¹⁶ out of all 327,081 cleared cases¹⁷). However, information gathered from the scene and from

¹¹ According to Article 2, paragraph 1 of the Police Duties Execution Act, “a police official may stop and question any person who is suspected on reasonable grounds of having committed or being about to commit a crime or who is deemed to possess information on a crime which has already been committed or is about to be committed, judging reasonably on the basis of unusual behavior and/or other surrounding circumstances”. This is a very effective tool, especially for community police officers, to crackdown on criminals or gain leads in various crimes.

¹² Saitama Prefectural Police, Annual Report on Police Activities 2018 (10 Apr. 2019).

<<https://www.police.pref.saitama.lg.jp/a0030/kenke/ayumi30.html>>, accessed 12 Apr. 2019 (140,793 new consultations. The topics of these consultation include crime prevention, domestic problems, criminal cases, public nuisance, agreements and trades and child abuse.)

¹³ Saitama Prefectural Police, Statistics 2018 <<https://www.police.pref.saitama.lg.jp/a0030/kenke/pr-suji.html>>, accessed 12 Apr. 2019 (903,627 items reported as found items).

¹⁴ National Police Agency of Japan, Community Safety Bureau, Safety Division Reporting Phone Number (Trafficking in persons).

<<https://www.npa.go.jp/bureau/safetylife/hoan/jinshintorihiki/otherlanguage/otherlanguage.html>>, accessed 12 Apr. 2019 (written in English, Thai, Tagalog, Indonesian, Chinese, Korean, Spanish, Russian and Japanese).

¹⁵ National Police Agency of Japan, Community Safety Bureau Signs of trafficking in persons

< <https://www.npa.go.jp/bureau/safetylife/hoan/jinshintorihiki/index.html>>, accessed 12 Apr. 2019.

¹⁶ The National Police Agency of Japan, Community Safety Bureau, Public information materials, Trends in the situation of trafficking in persons in 2018 (28 Feb. 2019),

< <https://www.npa.go.jp/bureau/safetylife/hoan/jinshintorihiki/index.html>>, accessed 12 Apr. 2019.

¹⁷ National Police Agency of Japan, The White Paper on Police 2018

<https://www.npa.go.jp/hakusyo/h29/english/Contents_WHITE_PAPER_on_POLICE2017.htm>, accessed 12 Apr. 2019 (the

members of the community can be critical to identify TIP cases.

B. Training

In order to gain leads in TIP cases through daily police duties or to provide information about TIP to the community, it is essential to share necessary information about TIP with all officers, including officers-in-training. To become a police officer in the prefectural police, one needs to finish six or ten months of training at a prefectural police academy.¹⁸ At the academy, cadets learn basic knowledge and skills related to their community policing duties. After the academy, new officers assigned to police stations start their duties at a police box. As time goes on, they receive subsequent training in advanced policing duties, such as countermeasures against TIP by senior officers.

However, as with all officers, the behind-the-scenes duties of community police officers are time-consuming; including filling out paperwork for investigations, consultations, or traffic enforcement. (For instance, it can take one hour to process one lost bag, including checking all items and drafting the report(s).) With the relative concentration of duties at the level of the prefectural police, it is a challenge to manage training efficiently and share necessary information with all police officers at all stages on a variety of subjects, including TIP.

V. INFORMATION GATHERING

Prostitution and adult entertainment-related offences are often related to TIP. The Department of Community Safety at the Prefectural Police HQ gains a wide range of information on those offences both through administrative measures and specialized investigation.

A. Administrative Measures

Based on “the Act on the Control and Improvement of Adult Entertainment Business” (hereafter the “Adult Entertainment Business Act”),¹⁹ designated police officers of the community safety division of a police station and HQ may visit and enter those adult entertainment businesses in its jurisdiction. If there is a violation of the “Adult Entertainment Business Act”, the police may execute administrative measures such as the revocation of a business license, an order for suspension or other necessary administrative guidance. These officers verify whether a business is run according to the “Adult Entertainment Business Act” and other related regulations; determining, for example, whether the roster of workers is kept in proper order and if the structures and equipment of the building match standard regulations.

At the end of 2017, in Saitama Prefecture, there were 1521 restaurants regulated by the “Adult Entertainment Business Act” (such as cabarets), 538 pachinko parlors, and 801 sex-related special businesses such as soap-lands, strip clubs and love hotels. Most of these businesses were located in the biggest entertainment area in the prefecture, Omiya. In 2018, 390 administrative measures were taken by SPP against those business for violations of the “Adult Entertainment Business Act” and other regulations.²⁰ The prefectural police promote a thorough understanding of those businesses in the prefecture, taking into considerations that victims of TIP may work at one of these adult entertainment-related businesses.

B. Specialized Investigation

In addition to these administrative measures, the Community Safety Department of the prefectural police also conducts specialized investigations into violations of the “Adult Entertainment Business Act”, the “Anti-Prostitution Act” and other related regulations taking into consideration that the possibility that victims of TIP may be identified through these investigations (In 2017, SPP cleared 127 adult entertainment business-related cases, but none of them involved TIP).²¹

number of cleared cases of criminal law offences).

¹⁸ Each prefectural police department provides this training for its own recruits, but the period of training is common to all prefectural police.

¹⁹ Article 37, paragraph 2 of the Act on Control of and Improvement of Adult Entertainment.

²⁰ Saitama Prefectural Police, Annual Report on Police Activities 2018 (10 Apr. 2019)

<<https://www.police.pref.saitama.lg.jp/a0030/kenke/ayumi30.html>>, accessed 12 Apr. 2019.

²¹ Saitama Prefectural Police, Annual Report on Police Activities 2018 (10 Apr. 2019)

<<https://www.police.pref.saitama.lg.jp/a0030/kenke/ayumi30.html>>, accessed 12 Apr. 2019.

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If the Department of Community Safety at HQ finds information related to TIP, they report it to the NPA. If necessary, the NPA seeks cooperation from other prefectural police departments, and related organizations to handle these cases. Countermeasures by prefectural police are an integral part of TIP countermeasures in the country as a whole.

VI. CONCLUSION

The wide range of duties of prefectural police and their proximity to local communities offers advantages in the fight against the high latency of TIP. To maximize this advantage, it is crucial that the information cycle within prefectural police departments includes information aggregation within the organization, information sharing with the officers and the community and information gathering through administrative measures, specialized investigation and cooperation with other organizations. The proper functioning of this information cycle has been and will be the key to clearing past and future TIP cases in Japan.