

## **Criminal charges**

April 1, 2016

March 30, 2016

June 1, 2015

Tokyo District Public Prosecutor's Office

Accuser

〒 261 - 0003

Address 6-18-9 Takahama Mihama Ward, Chiba City

Telephone 090-4824-7899

Occupation Joint Venture Company Future Representative

Birth date September 9, Showa 24 Showa

Name Nagano Yasuhiro

Accused person

The following is an estimate from the morning edition dated February 20, 2015 by the  
Yomiuri Shimbun

[Accused persons concerning three Filipino people who are illegally employed]

A policeman

Person who falls under crime of 194 criminal law special officials ex officio authority

1) Police officers from Kanagawa Prefectural Police Department Name Name unknown  
and responsible person (name unknown)

Criminal law 172 A person falling under the crime of false accusation

1) Police officers from Kanagawa Prefectural Police Department Name Name unknown  
and responsible person (name unknown)

Public prosecutor

Person who falls under crime of 194 criminal law special officials ex officio authority

1) Yokohama District Public Prosecutor's Office Inquiry Prosecutor Attorney Name

unknown and those concerned with the prosecution

2) Yokohama District Public Prosecutors Office trial prosecutor prosecutor name unknown

name and prosecutor concerned

Criminal law 172 A person falling under the crime of false accusation

1) Yokohama District Public Prosecutor's Office Inquiry Prosecutor Attorney Name

unknown and those concerned with the prosecution

2) Yokohama District Public Prosecutors Office trial prosecutor prosecutor name unknown

name and prosecutor concerned

judge

Person who falls under crime of 194 criminal law special officials ex officio authority

1) The judge of the Yokohama District Court who approved the arrest request and issued an arrest warrant (last name name unknown)

2) Judge of the Yokohama District Court (Surname Name unknown) who approved the detention request and issued a detention letter

3) Judge of the Yokohama District Court who did a trial by arrest / detention (full name name unknown)

【Accused persons concerning the Philippine embassy staff (driver)】

A policeman

Person who falls under crime of 194 criminal law special officials ex officio authority

1) Police officers from Kanagawa Prefectural Police Department Name Name unknown and responsible person (name unknown)

Criminal law 172 A person falling under the crime of false accusation

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Public prosecutor

Person who falls under crime of 194 criminal law special officials ex officio authority

1) Yokohama District Public Prosecutor's Office Inquiry Prosecutor Attorney Name unknown and those concerned with the prosecution

2) Yokohama District Public Prosecutors Office trial prosecutor prosecutor name unknown name and prosecutor concerned

Criminal law 172 A person falling under the crime of false accusation

1) Yokohama District Public Prosecutor's Office Inquiry Prosecutor Attorney Name unknown and those concerned with the prosecution

2) Yokohama District Public Prosecutors Office trial prosecutor prosecutor name unknown name and prosecutor concerned

judge

Person who falls under crime of 194 criminal law special officials ex officio authority

1) The judge of the Yokohama District Court who approved the arrest request and issued an arrest warrant (last name name unknown)

2) Judge of the Yokohama District Court (Surname Name unknown) who approved the detention request and issued a detention letter

3) Judge of the Yokohama District Court who did a trial by arrest / detention (full name name unknown)

[Accused person concerning three persons including diplomats, etc. for document inspection]

A policeman

Criminal law 172 A person falling under the crime of false accusation

1) Police officers from Kanagawa Prefectural Police Department Name Name unknown  
and responsible person (name unknown)

Public prosecutor

It is unknown in a newspaper article

judge

It is unknown in a newspaper article

## **Chapter 1 . Purport of accusation**

Japan criminalized foreigners who illegally worked against "illegal employment" as "Immigration and Refugee Recognition Act (hereinafter referred to as" Immigration Act")" Article 70 "Illegal Working Crime" and employed illegally worked employment By equality criminal disposition of both parties under Article 2 of the Immigration Act 73, "illegal employment promotion crime", it is prohibited to dispose of foreigners arbitrarily "equal under the law" of the Constitution of Japan We are legislating not to violate the international law.

However, in reality, we do not dispose of (illegally worked employers) as "illegal employment promotion crime", but criminalize (illegal workers only) criminalized themselves as "illegal workers," and ban them from the world.

This is contrary to international law which prohibited foreign discrimination arbitrarily. It is contrary to equality under the law of the Constitution of Japan.

If you do not dispose of businesses with "illegal employment promotion crime" that

illegally worked, foreign nationals who were made illegally worked are also innocent (innocent) the logic of law. If so, of course, there is no one to help anyone to work illegally.

This is governance under the law, respect for fundamental human rights, compliance with international law.

The violation of the Immigration Control Act of the Philippine Embassy in 2014, 2015, as well as the case of violation of Immigration Control Act occurred in 2010, made a criminal act more viciously.

Although we had not dispose of illegal workers as "illegal employment promotion crime", but only foreigners who illegally worked were punished by "illegal working crimes" and were exiled from abroad, "illegal employment promotion In order to pretend to be an equally disposal of an "assistant" of a third party in lieu of the employer of "crime", he criminalized a third party and sentenced the alien who worked illegally to "imprisonment punishment "And expelled it from abroad. A third party is a Philippine Embassy staff member and a diplomat who was found guilty to violate the Immigration Act as providing employment contracts to Filipinos planned to be employed as housekeeping employees.

Therefore, an assistant who points to the counsel of the former offender is not a business operator for promoting illegal employment, so it can be called a false complaint.

Illegal employment is established because there are operators who can work illegally. It is equitable under the law that it is impossible for illegal workers to exist because businesses who made illegal workers illegal workers and made illegal workers have not been punished for promoting illegal employment, Since it is observance, both the primary offense are innocent. And embassy officials and diplomats who were deemed to be assistance are not guilty because they were deemed a crime for nothing related to

illegal work.

In the case of aiding violation of Immigration Bureau Violation in 2010, "Kin Gungaku" which was considered as a complicity with a whistle-blower is a illegal work founded to abide by international law, assuming that the act of assisting the illegal employment of the Chinese was carried out It was not illegal employment promotion crime "which is a special law prescribing aiding acts and promoting acts against illegal acts, but also illegally provided" false contracts of employment ", so the status of residence was easily obtained. So I was in Japan. I was illegally working because I was in Japan. In the cause-and-effect relationship with, I was imprisoned with imprisonment (imprisonment punishment) abused the "criminal sin" of the criminal law which is the general law.

As in the incident in 2010 received by accusers, in this 2014 and 2015 assistant violation incidents incident, the Philippine Embassy officials and diplomats up to illegal logic applied "assistance crime" and was criminalized We do.

My argument is that criminal acts aimed at assisting criminal laws are criminal acts in violation of applicable law for the following reasons. The charges of the accused are "criminal charges of false charges" of the criminal law, and it is "crime of abuse of the special public officer's authority."

1. The aid for assisting illegal employment is stipulated in Article 2, Article 73 of the Immigration Control Act, "Special Law", "Crime of Promoting Illegal Employment." In the newspaper article, the diplomats of the Embassy of the Philippine Embassy are not doing the act prescribed in "Crime for Promoting Illegal Employment." The assistant of illegal work is an assistant who regulates in "illegal employment promotion crime", that is, a landscaping business operator.

2. Landscaping business operators hiring Filipinos have not been disposed of as "illegal employment promotion crime" prescribed by Immigration Control Law without the accusation. If so, Filipinos who were hired were also acquitted without injustice. If it is, there is no illegal employment so that no one is an assistant for illegal work.

3. Next, it can not be said that the provision of "Contents false employment contract" made it easier to acquire the status of residence.

In addition,

Although it is said that they have acquired the status of residence easily, the conditions for granting status of residence are not stipulated by law, the conditions of granting are unpublished, they are given at discretion by the Minister of Justice and have made the status of residence easier I can not say.

As stipulated in the cancellation of the status of residence as stipulated in Article 22-4 of the Immigration Act as long as you have acquired your status of residence under "Contents of False Employment Contract" it is separate from illegal employment.

Even if you obtain the status of residence of international or technical skills from the Minister of Justice for "content false employment contract", if you work within the scope of the status of residence of international or technical skills or humanities, you will not become illegal (non-qualified) activities It is a trivial idea. Therefore, acquisition of status of residence and illegal work are not related at all.

Article 31 of the Constitution stipulates that "No person shall be deprived of its life or liberty unless it is based on the procedures prescribed by the law, or can not impose any

other punishment" (The provision of the law refers to the law established in the Diet In light of the regulations established by local councils), submission of employment contracts is not required by law or ministerial ordinance, but is requested to be submitted to foreigners by section manager and even if it is false, Minister of Justice There is no legal basis to impose criminal penalties on the case at the discretion. The only thing is that the Minister of Justice can cancel the status of residence as immigration by the Immigration Control Act.

Although the granting of status of residence is at the discretion of the Minister of Justice, the Minister of Justice provides "granting policy" under the "Ministerial Ordinance", but it can not be said that employment contracts make it easier to acquire residence status and illegal work.

I was in Japan because I got my status of residence. Although he said that he was in Japan, he said he was able to work illegally, but the status of residence is provided by the Minister of Justice at the discretion for undisclosed conditions.

Even after receiving the status of residence, furthermore the immigration permission (seal on the passport) is also unpublished permission conditions, allowing the foreign minister to reside (enter) by giving permission at the discretion. Therefore, even if the employment contract is false, it can not be said that it is easy to influence the discretionary authority of both Ministers.

In addition,

As a fact, since the Minister of Justice gives the status of residence at the discretion, accused persons were explained and operated as follows on the status of residence due to questioning with immigration etc. as follows.



1) If it is not disclosed, but the status of residence qualification is satisfied, if the employment company is inappropriate or the employment contract is false etc, the foreigner is allowed to change employment contract company and reapply.

2) Even if a foreign national who has made an employment contract has not acquired a status of residence and does not enter the company, the status of residence is granted to individuals of foreign nationals, and after granting, anywhere in the range of residence status (specific activities) It is free.

3) After acquiring the status of residence, even if you can not join the employment contract company, you can find employment in the range of your status of residence and work within a certain period of time, rather than immediately rescission of your status of residence.

Therefore, it can not be said that the provision of false employment contracts made it easy to acquire the status of residence, and there is no causal relation between acquisition of status of residence and illegal employment.

As stated above, even if you obtain the status of residence of technology and humanities internationally at the discretion of the Minister of Justice with "content false employment contract", if you work within the scope of the status of residence of technology and humanities internationally, you will not be illegally employed It is obvious that it is not self-evident that "content false employment contracts" and illegal work are irrelevant.

It is self explanatory that they were illegal workers being the responsibility of employers who employed and worked foreigners with status of residence without the qualification to

work.

As described above, according to the purpose of legislation of Immigration Control Act, aiding and encouraging aiding work against illegal work is unjustifiable as stipulated in "illegal employment promotion crime", and the application of assistance charges for providers of employment contracts Filipinos who illegally worked because they are illegal and do not have any punishment under the law of the "illegal employment promotion offender" because they are not subjected to any punishment and can not be said to be equal under the law and contravene international law, "is.

It is "absolutely innocent" because illegal work can not be done without a person making illegal work, that is, a business that makes illegal work.

And embassy officials and diplomats who provided 'Contents false employment contract' are innocent as stated earlier, because assistance for illegal employment is not established.

However, as stipulated in the Immigration Control Act, it is a disposition to withdraw from the country under suspicion of assisting the cancellation of the status of residence, but Filipino who illegally worked has not received deportation abroad from the Minister of Justice under Article 22 4 4 4 with the status of residence I am innocent.

Four. It is human rights violation against foreigners to assert that a foreigner will be in a criminal office if it is in Japan. And if foreigners are to be in Japan, it is abuse of assistance to assume that foreigners commit criminal offense if they commit a criminal act, people can not live with peace of mind.

Residents who are not criminal punishment due to causality that they made a crime

because they made it possible to live in Japan rather than "illegal employment promotion crime" which stipulated the punishment of the aid acts against foreigners illegal employment. It is illegal to apply the "assistance crime" of the criminal law on the grounds of aiding the deletion of an act of qualification for abuse of assistance crime.

Since we provided "(false) employment contract" to the former offender (requested by the section manager in charge of illegal employment), it was possible to obtain the status of residence easily (at the discretion of the Minister of Justice) at discretion. Since the status of residence was obtained, I was able to live in Japan (the foreign immigrant visa was obtained at the discretion of the foreign minister). I was able to work illegally because I was able to live in Japan. As stated earlier, even if it is "content false employment contract", obtaining acquisition of residence status and permission of immigration visa is nothing more than legal. It is a vicious discrimination against foreigners that it is criminal that there is no basis, there is no causal relation clearly and because it was in Japan, it is a vicious discrimination against a foreigner, it is a human rights violation, and it is illegal because of abuse of assistance crime is.

In Japan, we refer to such a far-cryptic reasoning theory as "argue-making argument if wind blows". If the wind blows, why will the tuya be profitable ...? If you talk about causality, it is long. And there are various scenarios. In other words, the cause-and-effect relationship is "frustration".

If such a custom of applying assistance crime is rooted in a distant causal relationship, it is a terrible Japanese society. People can not live with peace of mind.

In addition,

I made it possible to live in Japan, so I was able to "work illegally". Therefore, although it says that the causal relationship is obvious, I lent a room of apartment to a foreigner so that I could live in Japan. As being able to live in Japan, it is possible for homicide to be able to be applied to the owner of the apartment, the aiding crime of "murder guilt" can be applied? What? What? As this answer,

A police officer of the interrogation of the accuser said, "Since the president, the Chinese have worked illegally, it is enough for assisting illegal work, but ... if the Chinese are murdering, it is an assistance crime against murder Please be careful! "I said. We are already applying "murder guilt" of murder to the owner of the apartment.

While the international community is struggling with immigration problems, crimes committed by these special public officials arise because arbitrary foreign exclusion practices are rooted.

Therefore, the offense of the accused's offenders is "criminal charges of false charges" of the criminal law, "crime of abuse of the special public officer's authority".

Regarding individuals, we will state the facts of the complaint in Chapter 2, but the "crime of abuse of the special public officer's authority" is a crime established by abusing its authority and arresting and imprisoning others. Criminal constitution requirements of official abuses of special public officials As to the suitability,

① The principal is a special civil servant, . . . facts It is police officers, prosecutors and judges.

② Having arrested and confined a person . . . It was arrested and confined as a fact.

③ abuse of authority, established by. . . . Whether abusing official authority, but abuse

is the illegal exercise of authority on duties, so that means and methods are not only violent and threatening but also victimized in practice. It is said that it suffices if it is enough to oppose the freedom of decision making to the extent that the result can not be accepted to the person.

As for the police officer, Article 189 of the Code of Criminal Procedure, the police officers shall be appointed by other laws or the National Public Safety Commission or the prefectural public safety commissioner. I will perform the duties as judicial police officials, as determined by the Association.

2 When a judicial police official thinks that there is a crime, it shall investigate the perpetrator and evidence. It is stipulated.

Therefore, it is illegal to conduct investigation, arrest and confinement, even though crime is not imagined, that is, it is not in violation of any law, it is a crime of abuse of the special public officer's authority.

As stated in the complaint facts, we urge freedom of decision making by exercising illegal content lie and arrest warrant etc, exercise authority on duties.

Criminal offense is established because this obvious illegal act is abuse of official abilities, since crimes of abusing ex official authority of special civil servants does not require deliberation.

As far as the innocence is concerned about the offense to assist Embassy officials and diplomats in the Philippines, as listed above,

1) Since employers are not disposed of by illegal employment promotion crime, it is innocent to criminalize only foreigners who are not fair under the law and are illegally

worked because they are against international law.

2) Illegal work consists of illegal workers and illegal workers. There can not be only criminals who have worked illegally, even though there are no offenders who have made illegal work. So he is innocent.

3) The offense is not an assistant to illegal employment promotion, but a person who provided a false employment contract is illegal worker and illegal worker's offense is applied, but the provider of employment contract Since there is no causal relation with illegal employment, it is false arrest, prosecution, judgment and innocent.

Means for restoring honor is 'request retrial.' However, we can not request a re-trial of "mistake in application law". However, it can prosecute crimes of police officials and prosecutors involved in the case, and if the crime is confirmed, you can request "retrial."

I hope that the prosecution will voluntarily request a retrial as a proof that Japan's judiciary realizes governance under the law, respect for basic human rights, and compliance with international law.

In addition,

Therefore, I will submit a letter of accuser though it will be several times.

Because the following acts of deemed persons are deemed to be criminal charges of 172 false charges of criminal law and 194 criminal offenses of special civil servants, criminal prosecution is urged to be punished for severe punishment.

## **Chapter 2. Accusation fact**

## **Part One. Accused persons on three illegal Filipino workers**

### **Chapter 2 Part 1 - 1. A policeman**

#### **I . Police officers' special public servants abuse of their own authority Criminal facts of criminal penal code**

1. The police officers of the accused, in June around the Heisei 20, Filipino worked in a landscaping company in Tokyo with activities outside the status of qualification, but contrary to the Immigration Control Act, Filipinos illegally worked with illegal business employees In spite of the fact that the truth is a disposition act of cancellation of the status of residence without losing arrest by unfair arrest as a promotion crime, contrary to the law of the law and the international law, Filipinos, Philippine embassy staff driver Because we received a provision of more false employment agreement, we were able to obtain status of residence so we were able to live in Japan so we could work illegally with embassy staff (driver) as an assistant, As an illegal claim against the arrest warrant in the Yokohama district court as a content of false criminal content as content (activity outside the status of qualification), the accused issued an illegal arrest warrant abusing the authority which he has, pressed down freedom of decision, arrested . They conducted detention and investigated the matter.

The driver was illegally arrested as aiding aid for invasion of the immigration law (activity outside the status of qualification) as providing a false employment contract.

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following supplements the purpose of arrest and detention





under the law, and also to contravene International Law, In order to pretend that both parties of unlawful employment were criminalized, it was conceived as a criminal of the criminal law aiding criminal law for violation of immigration law (activity outside the status of qualification). Therefore, I tried a crime of false arrest and false sending.

In addition,

The conditions for granting status of residence are unpublished, and the status of residence is the one that the Minister of Just grants at the discretion. Then, if the former offender has submitted a false employment contract and has obtained the status of residence of the specified activity, the Minister of Justice shall, pursuant to Article 4 4 of Immigration Act 22, "cancel the status of residence" Since the Immigration Control Law stipulates that it can do it, there is no causal relationship between illegal employment and false employment contracts under the Immigration Control Act.

Even if a former offender has submitted a false employment contract and has acquired the status of residence of a specific activity, it is self-evident that if he / she is working within the scope of residence status it will not be "illegal work".

The truth is that illegal employment has been made because the former offense worked outside the scope of residence status. That is because some businesses hired formal offenders to make illegal work outside the status of qualification as stipulated by "illegal employment promotion crime".

Therefore, even if it is a false contract of employment, there is no causal connection with illegal employment, but it is a crime that a general public has abused by the immigration law or international law, and only foreigners are "illegal Working crime "as a criminal

punishment as a criminal punishment and not only has a causal relationship with illegal work," In the argument that the tubers will blow if the wind blows ", illegal third parties irrelevant to illegal work are illegal I have made up as an assistant to work and abused the crime aiding criminal law.

Probably the purpose of the crime was that it was not possible for senior police officers, prosecutors, and judges to be criminals by making both offenders who worked illegally and accused of assisting criminal law of illegal employment criminal, probably due to a violation of Immigration Control Act To prepare achievements that can criminalize foreigners who have illegally worked by disposing the assistant of cancellation of status of residence without first criminalizing the business owner due to the illegal employment promotion crime, is.

In addition,

The purpose of the investigation is to arbitrarily do unreasonable investigations to investigate Filipinos only for filing illegal work, contrary to international law, contrary to international law, and to make a record of investigations to investigate to the Yokohama District Public Prosecutors Office.

Illegal employment became illegal because there was a business to make illegal work. Therefore, it is illegal under the law of the law to punish only the justice without punishing (arresting) the business that illegally worked.

The causal relationship of illegal workers' crime is prescribed by illegal employment promotion crime, which is clearly different from causality, and it is illegal.

Both of Filipinos are not even treated for deportation by reason of the cancellation of

status of residence (Article 22-44) by the Minister of Justice.

This incident is exactly the same as the method of making a criminal aid for criminal law a Chinese criminal charger and Kin Gungaku who was regarded as a false illegal employment crime as a criminal trial for violation of Immigration Act in 2010 (activity other than qualification).

Three Filipino people are forced to work illegally if they do not criminalize employers who have made illegal work to the extent of attention by the Immigration Control Act in order to not contravene international law, the purpose of Immigration Act, equality under the law, Filipinos must also be disciplined, but arrests and detention acts are illegal only arresting Filipinos who were illegally worked contrary to the Immigration Control Act and squeezing freedom of decision making by means of illegal means It is a maliciously deliberate criminal act (described later), not negligence.

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

## **II. Criminal facts of police officials' false accusations**

1. The police officers of the accused, in June around the Heisei 20, Filipino worked in a landscaping company in Tokyo with activities outside the status of qualification, but contrary to the Immigration Control Act, Filipinos illegally worked with illegal business employees An accused who does not arrest illegally by promotion crime and arrests only Filipinos unjustly by illegal worker's crime and illegally abuses the official authority which it is illegal to abuse illegally worked Filipino from normal Unlike countermeasures, we

planned to severely imprisonment imprisonment with Immigration Control Act (non-qualification activity), and it is necessary to punish the employer who is the assistant of the Immigration Acts for promoting illegal employment in order to not contravene international law Because we do not want to punish by information, truth is an act of cancellation of the status of residence, but as a violation of Immigration Act (activity outside the status of qualification) content as a false name, that is, embassy officials (drivers) I made up as an alternate assistant, Embassy staff ( Rolling officer) received a provision of a false employment contract, so I got a status of residence, I got a status of residence, so I stayed in Japan, so I got illegally employed because I stayed in Japan The fact that the Philippines who arrested and arrested the police station in Kanagawa prefecture as an assistant of embassy officials (drivers) as illegal workers entered the Yokohama District Public Prosecutors Office entrusted to the local public prosecutors office Legal information I filed an illegal false accusation (inspection) with a criminal name.

Embassy officials (drivers) have been arrested afterwards for assisting the immigration law (activities outside the status of qualification) and are being inspected.

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following refills the purpose of false accusation

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The trial calls for three Philippine people to be criminal punishment arbitrarily contrary to international law, fairness under the law as a violator of immigration law (activity outside the status of qualification).

Therefore, three Filipinos should not criminalize employers who illegally worked, with the attention degree in accordance with the Immigration Control Act, in order not to comply with the purpose of Immigration Control Act, equality under the law, international law, illegal work Although Filipinos who were made to do also need to be disciplined, they arbitrarily criminalize the criminal assistants and criminalize only Filipinos who were illegally worked, they are criminal with a mean illegal means Therefore, illegal false accusations of the accused persons is not mere negligence, but a maliciously deliberate criminal act (described later).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.

## **Chapter 2 Part 1 - 2. Public prosecutor**

### **I . An interrogation prosecutor's offense, a criminal fact of a special civil servant official abuse of official authority**

1. A prosecutor of the accused was a Filipino ladder company in Tokyo around June around 2013, but in contrary to the Immigration Control Act, contrary to the Immigration Control Act, Filipinos were found guilty of promoting illegal employment Do not unreasonably arrest by law, contrary to the law and international law under the law, and even though the truth is a disposition act of cancellation of the status of residence,

Filipinos lie than the driver of Embassy of the Philippines officials Since he was provided with a false employment contract, he was able to acquire the status of residence and was able to live in Japan so he was able to work illegally with an embassy official (driver), he was imprisoned at a police station in Kanagawa prefecture Content that made a Filipino violated Immigration Act (Activities other than License) with Filipino being being illegally charged to the Yokohama District Court with a false criminal name, the accused issued abuse of the official authority and illegal detention , Pressure on the freedom of decision making, arrest / detention We used to go investigate.

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of the investigation is to ask three Philippine people to violate the Immigration Act as fairness under the law as a violator of the Immigration Act (non-qualification activity), and arbitrarily request criminal punishment contrary to international law.

Three Filipino people are forced to work illegally if they do not criminalize employers who have made illegal work to the extent of attention by the Immigration Control Act in order to not contravene international law, the purpose of Immigration Act, equality under the law, Filipinos must also be disciplined, but arrests and detention acts are illegal only arresting Filipinos who were illegally worked contrary to the Immigration Control Act and

squeezing freedom of decision making by means of illegal means It is a maliciously deliberate criminal act (described later), not negligence.

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

## **II. Interrogation Prosecutor's criminal fact of false accusation (Article 172)**

1. A prosecutor of the accused was a Filipino ladder company in Tokyo around June around 2014, but he did not arrest the illegal employer for illegal employment crimes and did not arrest the Filipino The accused who wants to arrest unfairly with illegal worker's crime and illegally abuses its own authority by illegally abusing his / her official authority, unlike usual countermeasures against Filipinos who illegally worked, In order to strictly impose a sentence of imprisonment, and to do so, in order not to be contrary to international law, we must punish the employer who is the assistant of the immigration law by the illegal employment promotion crime, but because I do not want to be punished by the sentence , The truth is an act of cancellation of the status of residence, but falsely, the embassy officials (drivers) are made up as substitute assistants, the embassy officials (drivers) receive false information on employment contracts Because I was, I got a status of residence, residence He was able to stay in Japan, so he declared that he was illegally working and so embassy officials (drivers) as assistants of illegal work, Filipino arrested and arrested in the police station in Kanagawa prefecture To the Yokohama District Court as a false accusation (prosecution) with a false criminal name as a violation of immigration law (activity outside the status of qualification).

Embassy officials (drivers) have since been arrested and indicted for assisting in violating Immigration Control Act (activities outside the status of qualification).

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following refills the purpose of false accusation

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses. .

Prosecution calls for three Filipino offenders to commit criminal punishment arbitrarily contrary to international law, as a fair under the law as a violator of immigration law (activity outside the status of qualification).

Therefore, three Filipinos should not criminalize employers who illegally worked, with the attention degree in accordance with the Immigration Control Act, in order not to comply with the purpose of Immigration Control Act, equality under the law, international law, illegal work Although Filipinos who were made to do also need to be disciplined, they arbitrarily criminalize the criminal assistants and criminalize only Filipinos who were illegally worked, they are criminal with a mean illegal means Therefore, illegal false accusations of the accused persons is not mere negligence, but a maliciously deliberate criminal act (described later).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.



### **III. Prosecutors of trials, criminal facts of official abuses of special public servants offenses**

1. The prosecutor of the accused was handed over from the interrogation prosecutor, and around June, around 2013, although the truth is the act of canceling the status of residence, the Embassy official (driver) sent a false employment contract. Because I was given a visa, I got a status of residence, I got a status of residence, so I was able to stay in Japan, so I took illegal work, so I decided to embassy officials (drivers) to work illegally. Filipino who is imprisoned in the immigration detention center (or police station in Kanagawa Prefecture) as an assistant, content as a violation of immigration law (activity outside the status of qualification). Do not release illegally as a criminal under the offense of false crime as any obligation. There is no illegal arrest and detention, and around June of that same year, at the trial trial begins with a charge of false criminal charges, oppressing the freedom of decision making, no obligation, arrest detention and trial. It was done. In addition,

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following supplements the purpose of arrest and detention

The summary is as described in I. The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

Because the purpose of the trial was to aid criminal defense assistants, we received a false employment contract for lying in the aid of the cancellation of status of residence, so we got the status of residence, so we were able to stay, so illegal employment. It is to make an illegal trial to appeal to the Yokohama District Court Office as an argument.

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The examination calls for four Chinese people to criminal punishment as a violation of immigration law (activity outside the status of qualification).

Three Filipino people are forced to work illegally if they do not criminalize employers who have made illegal work to the extent of attention by the Immigration Control Act in order to not contravene international law, the purpose of Immigration Act, equality under the law, Filipinos must also take measures for disposition, but illegally prosecuting Filipinos who were made illegally work contrary to Immigration Control Act illegally with a false criminal penalty, seek a declaratory claim, illegal means of freedom of decision making Under pressure, arrest / detention is not mere negligence, but a maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

#### **IV. Criminal fact of false accusation crime (Article 172) made by prosecutor of trial**

1. The prosecutor of the accused was a Filipino ladder company in Tokyo around June around 2013, but he did not arrest the illegal employer for illegal employment crimes and did not arrest the Filipino The accused who wants to arrest unfairly with illegal worker's crime and illegally abuses its own authority by illegally abusing his / her official

authority, unlike usual countermeasures against Filipinos who illegally worked, It is necessary to punish employers who are assistants of Immigration Control Act as offenses for promoting illegal work as they plan to strictly imprisonment, and do not contravene international law, but because they do not want to punish by their passion, Even though the truth is the act of canceling the status of residence, I made up the Embassy official (driver) as an alternate assistant, and received the provision of false employment contract from the Embassy official (driver) I was granted a status of residence, acquired my status of residence Because he was able to stay in Japan, he decided that he had worked illegally, so that the embassy official (driver) was arrested and arrested by the immigration detention center (or the police station in Kanagawa Prefecture) as an assistant to illegal work Filipino people in the Yokohama district court trial as a violation of immigration law (activity outside the status of qualification) content false accusation (discrimination request) with a false crime name.

In addition,

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following refills the purpose of false accusation

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The requester's request calls for three Filipino offenders to commit criminal punishment arbitrarily contrary to international law, as a fair under the law as a violator of immigration law (activity outside the status of qualification).

Therefore, three Filipinos should not criminalize employers who illegally worked, with the

attention degree in accordance with the Immigration Control Act, in order not to comply with the purpose of Immigration Control Act, equality under the law, international law, illegal work Although Filipinos who were made to do also need to be disciplined, they arbitrarily criminalize the criminal assistants and criminalize only Filipinos who were illegally worked, they are criminal with a mean illegal means Therefore, illegal false accusations of the accused persons is not mere negligence, but a maliciously deliberate criminal act (described later).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.

## **Chapter 2 Part 1 - 3. Judge's accusation fact**

### **I . Judge who issued arrest warrant Special public servant Criminal offense abuse of authority**

The judge of the accused was a Filipino ladder company in Tokyo around June around 2013, but in contrary to the Immigration Control Act, contrary to the Immigration Control Act, Filipinos were found guilty of promoting illegal employment Do not unreasonably arrest by law, contrary to the law and international law under the law, and even though the truth is a disposition act of cancellation of the status of residence, Filipinos lie than the driver of Embassy of the Philippines officials Because we received false employment contracts, we were able to acquire the status of residence and were able to live in Japan so we were able to work illegally with Embassy officials (drivers), and violated the immigration law ) The content that was made a false crime, which

caused the arrest warrant to be lawfully accepted by the police officer requesting an arrest warrant, illegally issued an arrest warrant, oppressed the freedom of decision making, arrested and imprisoned is.

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of issuing an arrest warrant is to allow three Filipinos to be arrested arbitrarily for fairness under the law as a violator of immigration law (activity outside the status of nationality), against international law contrary to international law.

Three Filipino people are forced to work illegally if they do not criminalize employers who have made illegal work to the extent of attention by the Immigration Control Act in order to not contravene international law, the purpose of Immigration Act, equality under the law, Filipinos must also be disciplined, but arrests and detention acts are illegal only arresting Filipinos who were illegally worked contrary to the Immigration Control Act and squeezing freedom of decision making by means of illegal means It is a maliciously deliberate criminal act (described later), not negligence.

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

## **II . Criminal fact of criminal offense abusing special officials of experts who approved detention claims**

1. The judge of the accused was a Filipino ladder company in Tokyo around June around 2013, but in contrary to the Immigration Control Act, contrary to the Immigration Control Act, Filipinos were found guilty of promoting illegal employment Do not unreasonably arrest by law, contrary to the law and international law under the law, and even though the truth is a disposition act of cancellation of the status of residence, Filipinos lie than the driver of Embassy of the Philippines officials Because we received false employment contracts, we were able to acquire the status of residence and were able to live in Japan so we were able to work illegally with Embassy officials (drivers), and violated the immigration law ) Content with a content of false false charges arrest / detention by arrest / detention by oppressing the freedom of decision by illegally issuing a detention letter due to the fact that the offense of the prosecutor requesting the arrest warrant is lawful is.

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of issuing a detention letter is to allow three Filipino offenders to commit an arbitrary arbitrary arbitrary detention against the impartiality under the law as a violator of the Immigration Act (Activities other than the Act), contrary to international law .

Three Filipino people are forced to work illegally if they do not criminalize employers who have made illegal work to the extent of attention by the Immigration Control Act in order to not contravene international law, the purpose of Immigration Act, equality under the law, Filipinos must also be disciplined, but arrests and detention acts are illegal only arresting Filipinos who were illegally worked contrary to the Immigration Control Act and squeezing freedom of decision making by means of illegal means It is a maliciously deliberate criminal act (described later), not negligence.

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

### **III. Criminal Justice Special officials Criminal fact of abuse of official authority of offense**

1. The judge of the accused was a Filipino ladder company in Tokyo around June around the year, but he worked for activities outside the status of qualification, but did not arrest the illegal employer for promoting illegal employment and filipino Although the truth is an act of cancellation of the status of residence by arresting only the unjustly illegal worker's crime and illegally abusing the official authority it has, Filipinos are fraudulent employment from the embassy staff (driver) Because I was given a contract, I got a status of residence, I got a status of residence, so I was able to stay in Japan, so I got illegal work and I will send an embassy official (driver) Content to be an assistant, a violation of Immigration Act (Activities outside the status of qualification) The prosecution charged with prosecution, which is a false criminal offense, was judged as

legal by reason, and Filipino was imprisoned at the immigration camp (or police station in Kanagawa Prefecture) Do not release it, leave the trial illegally, intention Pressure on the constant of freedom, there is no obligation to the Filipino, we used to go to trial to perform the illegal arrest and imprisonment.

As mentioned above, for each Filipino 3 people, for each accusation fact (criminal fact)

The following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of the court trial was to fair competition under the law as a violator of the immigration law (activities outside the status of qualification), contrary to international law, to conduct a trial.

Three Filipino people are forced to work illegally if they do not criminalize employers who have made illegal work to the extent of attention by the Immigration Control Act in order to not contravene international law, the purpose of Immigration Act, equality under the law, Although Filipinos must also be treated as cautionary, only Filipinos who have been illegally worked contrary to the Immigration Control Act are illegally imprisoned with illegal imprisonment of their contents and public trial, squeezing the freedom of decision making by illegal means Doing so, arrest / detention act is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official



authority of the special public servant 194 criminal law.

## **Part 2 Accused persons on embassy officials (drivers) of the Philippines**

### **Chapter 2 Part 2 - 1. A policeman**

#### **I . Police officers' special public servants abuse of their own authority Criminal facts of criminal penal code**

1. Police officers of the accused persons illegally abused their own authority around June Heisei 20, and Philippine Embassy officials (drivers) did not suspect any crime and did not conduct criminal acts Regardless, the truth pointed to the assistance act of 4-4 of the cancellation of the status of residence of the Immigration Act, providing false alleged employment contracts to the former offenders who illegally worked in falsehood is a crime suspected As a staff member of the Philippine Embassy (driver) in Kanagawa Prefecture, for falsification of the Immigration Act violation (activity outside the status of qualification), he falsely claimed the arrest warrant to the Yokohama District Court in advance, and the accused himself has it Abusing the authority and contents illegal arrest warrant illegal arrest warrant, squeezing freedom of decision making, illegal for the Philippine Embassy officials (drivers), illegal arrest / detention conducted and interrogated is.

Regarding the above-mentioned facts of accusation (criminal facts), the following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

Because the purpose of the investigation is to assist the Philippine Embassy official (driver) as a guilty offense, it is impossible to send it to the Yokohama District Public Prosecutor's Office for the purpose of preparing and providing a false employment agreement in the act of assisting the cancellation of the status of residence Although it is to conduct an investigation, to keep a record, to force confessions, but the act of proveing willfulness is illegal, as the aiding act of creating and offering a false employment contract is not a crime.

Therefore, the Philippine Embassy officials (drivers) did not commit any criminal acts, but made them criminal with mean-minded methods, and oppressed the freedom of decision making by illegal means, illegal arrest of the accused · Conviction is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

## **II. Criminal facts of police officials' false accusations**

1. Police officers of the accused persons illegally abused their own authority around June Heisei 20, and Philippine Embassy officials (drivers) did not suspect any crime and did not conduct criminal acts Regardless, the truth refers to the aid act of Article 4-4 of Article 22 of the Immigration Act, and the accused who wishes to obtain fidelity by

falseness, unlike usual countermeasures against the ordinary countermeasure, the Immigration Control Act We plan to strictly imprisonate with a violation (activity outside the status of being engaged), and in order to not contravene international law, we must punish the employer who is the assistant of the Immigration Act by the illegal employment promotion crime Because we do not want to be punished by the Philippine Embassy officials (drivers), we planned to punish them as an alternate assistant and to punish them under the Criminal Law, providing content for false employment illegal employment contracts is a crime , The police station in Kanagawa Prefecture The driver of the Philippine Embassy arrested and arrested for illegal false accusations (inspections) against the Yokohama District Public Prosecutors Office for alleged infringement of the Immigration Act (alien activity) .

Regarding the above-mentioned facts (criminal facts) of one case, the following supplements the purpose of false accusations

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The prosecution calls for the criminal punishment for the Philippine Embassy official (driver) as an aid to violation of the immigration law.

Therefore, as Philippine Embassy officials (drivers) were made criminals with a mean fashion, they did not do any criminal acts, so illegal false accusations of the accused persons were not mere negligence but malign intentional It is a criminal act (described later).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.

## **Chapter 2 Part 2 - 2. Public prosecutor**

### **I . Interrogation Prosecutor's offense, special officials abuse official authority**

#### **Criminal fact of crime**

1. A prosecutor of the accused is illegally abused the authority it has in about June Heisei 20, and the Philippine Embassy official (driver) has no criminal offense and he / she is not acting criminally The fact that the truth refers to the aid action of Article 4-4 of the Immigration Control Act of April 22, Article 4 of the Immigration Control Act, providing false employment contracts to the former offenders who illegally worked as false, as crime is considered to be considered , Illegally obtained a detention letter illegally with a charge of the Immigration Act violation (activity outside the status of qualification), etc. for the Philippine Embassy official (driver) under arrest / confinement at the police station in Kanagawa Prefecture, etc. Then abuses the official authority and presses the freedom of decision with a false illegal detention letter, the Philippine embassy official (driver) has no obligation, conducts illegal arrest detention and interrogation It is.

Regarding the above-mentioned facts of accusation (criminal facts), the following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of the detention claim is to aid the Philippine Embassy officials (drivers), so it is necessary to prosecute to the Yokohama District Court for making a false employment agreement in the auspicious action of canceling the status of residence. It is to investigate and take a record in the scenario of the accused, and to compel confessions, but because the aid act of creating and providing a false employment contract is not a crime, the act of proving willfulness is illegal.

Therefore, the Philippine Embassy officials (drivers) did not commit any criminal acts, but made them criminal with mean-minded methods, and oppressed the freedom of decision making by illegal means, illegal arrest of the accused. Conviction is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

## **II. Interrogation Prosecutor's criminal fact of false accusation (Article 172)**

1. A prosecutor of the accused is illegally abused the authority it has in about June Heisei 20, and the Philippine Embassy official (driver) has no criminal offense and he / she is not acting criminally. In fact, the truth refers to the aid act of Article 4-4 of Article 22 of the Immigration Control Act and the accused who wants to obtain a handicap with a false charge, unlike usual countermeasures against the illegal worker's usual dealing, violation of Immigration Control Act (Activities outside the status of being qualified) to strictly impose a sentence of imprisonment for it, in order to not violate international law,

employers who are assistants of the Immigration Act must be punished by a crime to promote illegal work, Because I do not want to punish, it is a crime that I planned to make a Philippine Embassy official (driver) punish as an alternate assistant and criminal penalty and provided false employment contract to illegally worked offenders, Kanagawa Arrest / confinement at the police station in the prefecture I filed a false accusation (prosecution) to the Yokohama District Court for the assistance of the Philippine Embassy official (driver) inside the Immigration Act violation (activity outside the status of qualification).

Regarding the above-mentioned facts (criminal facts) of one case, the following supplements the purpose of false accusations

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

Prosecution is for seeking criminal punishment for Embassy officials (drivers) of the Philippine Embassy as an aid to violation of Immigration Control Act.

Therefore, as Philippine Embassy officials (drivers) made criminal acts without any criminal acts, illegal false accusations of the accused were not mere negligence but malicious deliberate criminal acts (See below).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.

### **III. Prosecutor of trial, criminal fact of official officials abuse of their own authority offense**

1. The prosecutor of the accused was handed over from the interrogation prosecutor, and from around June Heisei 20, until around June Heisei 20, the prosecutor of the accused was illegally abused the official authority it has, and the Philippine Embassy staff (driver) In spite of no criminal being considered or acting as a criminal act, the truth refers to the aid act of Article 22-4 of Article 22 of the Immigration Control Act, despite not doing any criminal act, false, content false employment contract To the former offender who worked illegally is a crime, the Philippine Embassy officials (drivers) imprisoned at the immigration detention center (or the police station in Kanagawa Prefecture) for the violation of immigration law (activity outside the qualification) Do not release as a defendant of assistance crime, and around June of that same year, he read illegal content false indictment in trial, started a trial, oppressed the freedom of decision making, what the Philippine Embassy officials (drivers) There is no duty, Illegal arrest and detention I did a trial.

In addition,

Regarding the above-mentioned facts of accusation (criminal facts), the following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of the trial is to assist the Philippine Embassy official (driver) as a guilty office, so to make a trial as making a lie and fake employment contract in the act of

assisting the cancellation of status of residence.

Therefore, the Philippine Embassy officials (drivers) did not commit any criminal acts, but made them criminal with mean-minded methods, and oppressed the freedom of decision making by illegal means, illegal arrest of the accused · Conviction is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

#### **IV. Criminal fact of false accusation crime (Article 172) made by prosecutor of trial**

1. A prosecutor of the accused is illegally abused the authority it has in about June Heisei 20, and the Philippine Embassy official (driver) has no criminal offense and he / she is not acting criminally Nevertheless, the truth refers to the aid act of Article 4-4 of Article 22 of the Immigration Control Act, and a lief who wishes to get in touch with a public prosecutor of interrogation is a normal individual who has illegally worked Unlike countermeasures, since it was severely imprisoned for violation of Immigration Control Act (activity outside the status of qualification), in order not to be contrary to international law, it is necessary to punish employers who are assistants of Immigration Law by promoting illegal employment However, because I do not want to be punished by the sentiments, as provided by the plan, to provide the staff of the Philippine Embassy (driver) as an alternative aid to the punishment under penal code, the contents provided false employment contract to illegally worked offenders As a crime, immigrant income It was a false accusation (argument request) to the Yokohama District Court for the aid of



the Philippine Embassy official (driver) imprisoned in the place (or the police station in Kanagawa Prefecture) for violating the immigration law (activity outside the status of qualification) .

Regarding the above-mentioned facts (criminal facts) of one case, the following supplements the purpose of false accusations

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

Declarations · Requests are for seeking criminal punishment for Embassy officials (drivers) of the Philippine Embassy as aiding aid violation of the immigration law.

Therefore, as Philippine Embassy officials (drivers) made criminal acts without any criminal acts, illegal false accusations of the accused were not mere negligence but malicious deliberate criminal acts (See below).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.

## **Chapter 2 Part 2 - 3. Judge's accusation fact**

**I . Judge who issued arrest warrant Special public servant Criminal offense abuse of authority**

1. The judge of the accused issued an illegal abuse of the official authority which he owns around June Heisei 20, and the Philippine Embassy official (driver) has no criminal offense and is not acting criminally The fact that the truth refers to the aid action of Article 4-4 of the Immigration Control Act of April 22, Article 4 of the Immigration Control Act, providing false employment contracts to the former offenders who illegally worked as false, as crime is considered to be considered , Illegal arrest warrant claim of police officers due to alleged infringement of immigration officials (drivers) of the Philippine Embassy in charge of invasion of immigration law (activity outside the status of qualification) as lawful, and illegally issuing arrest warrants, Oppressed the freedom of decision making, the Philippine Embassy officials (drivers) made illegal arrests and detention without any obligation.

Regarding the above-mentioned facts of accusation (criminal facts), the following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

Because the purpose of issuing the arrest warrant is to aid the Philippine Embassy official (driver), we will send a letter to the Tokyo District Public Prosecutors Office for preparing and providing a false employment agreement in the auspicious action of canceling the status of residence In order to investigate for taking a record and compel confessions, it is illegal to demonstrate willfulness because the aid act of creating and offering a false employment contract is not a crime.

Therefore, the Philippine Embassy officials (drivers) did not commit any criminal acts, but made them criminal with mean-minded methods, and oppressed the freedom of decision making by illegal means, illegal arrest of the accused · Conviction is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

## **II . Criminal fact of criminal offense abusing special officials of experts who approved detention claims**

1. The judge of the accused issued an illegal abuse of the official authority he had in about June Heisei 20, and the Embassy official of the Philippines (driver) said that despite the fact that no criminal offense is being considered and no act of criminal acts The fact that the truth refers to the aid act of 4-4 of Article 22 of the Immigration Control Act as aiding acts and lying falsely, providing false contracts of employment to the offenders who illegally worked as a crime is considered to be considered , An illegal detention notice of a public prosecutor by a sentence due to the allegation of assisting the Philippine Embassy officials (drivers) arrested / captured by a police station in Kanagawa Prefecture for violation of immigration law (activity outside the status of qualification) He illegally issued a detention letter, oppressed the freedom of decision making and illegally arrested and captured the Philippine embassy staff (driver) without any duty.

Regarding the above-mentioned facts of accusation (criminal facts), the following

supplements the purpose of arrest and detention

The summary is as described in I. The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of issuing a detention letter is to aid the Philippine Embassy officials (drivers), so to prosecute to the Yokohama District Court for the purpose of preparing and offering a false employment contract in aiding action to withdraw residence status. Although it is to investigate and make a record and compel confessions, the aiding act of creating and offering a false employment contract is not a crime, so it is illegal to demonstrate willfulness.

Therefore, the Philippine Embassy officials (drivers) did not commit any criminal acts, but made them criminal with mean-minded methods, and oppressed the freedom of decision making by illegal means, illegal arrest of the accused. Conviction is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official authority of the special public servant 194 criminal law.

### **III. Criminal fact of criminal offense of abuse of authority of special public official of trial judge**

1. The judge of the accused was illegally abused the authority which it holds around the June of Heisei 20, and the Embassy official of the Philippines (driver) does not think any crime is considered and does not act as a crime. Regardless of the fact that the truth

refers to the aid acts of Article 4-4 of Article 22 of the Immigration Control Act and to falsely acts, false contracts of employment were provided to the former offenders who worked illegally as a crime, the immigration detention Illegal contents of the prosecutor illegal contents by the invasion of the Immigration Law (activity outside the status of qualification) by the Philippine Embassy official (driver) imprisoned at the place (or police station in Kanagawa Prefecture) It did not approve, did not release, tried court trial, oppressed the freedom of decision making, made Philippine Embassy officials (drivers) tried to make illegal arrest / detention without any obligation.

Regarding the above-mentioned facts of accusation (criminal facts), the following supplements the purpose of arrest and detention

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The purpose of the trial court appointment is to aid the Philippine Embassy official (driver) as an assistant, so to make a trial as making a false employment contract written in the auspicious action of canceling the status of residence.

Therefore, the Philippine Embassy officials (drivers) did not commit any criminal acts, but made them criminal with mean-minded methods, and oppressed the freedom of decision making by illegal means, illegal arrest of the accused · Conviction is not mere negligence but maliciously deliberate criminal act (described later).

Therefore, the act of the accused is a criminal offense against abuse of the official

authority of the special public servant 194 criminal law.

### **Part 3 Accused persons on three diplomats, etc. for document inspection**

#### **Chapter 2 Part 3 - 1. A policeman**

##### **I . Criminal facts of police officials' false accusations**

1. The police officers of the accused, before about June Heisei 20, although the truth is the act of revoking the immigration status of the Immigration Act and its aiding action,

It was illegal to have criminal disposition of 3 Filipino people who illegally worked by obtaining the status of residence from the Philippine Embassy officials (drivers) who received illegal employment contracts as impersonation laws (activities outside the status of qualification) So it was mentioned in the first part before.

Description It is illegal to criminalize the Philippine Embassy officials (drivers) who provided false labor contracts as a violation of immigration law (activities outside the status of qualification) as aiding criminal charges, so before it is illegal, I mentioned in.

The police officers of defendant who caused the crime to taste, around November Heisei 20,

Four Filipino diplomats and three Philippine Embassy staff from the story of the Filipino who worked illegally earlier Contents Contribute to Filipinos who have illegally employed a false employment contract to assist in obtaining status of residence I heard that he was

doing business and asked the Philippine Embassy for an interview but one had already returned to the country and three received responses that they returned home shortly after application.

Therefore, the police officers, around February,

Three acts by the three Filipino diplomats and two Philippine Embassy staff members illegally abusing the official authority they have had the act of assisting the cancellation of the status of residence of the Immigration Act (Article 22-4-4) The accused who wants to obtain fun with diplomats' fingers despite not receiving any criminal punishment, even though no criminal offense is done or criminal act is not done, Like the Philippine Embassy officials (drivers), despite the fact that the truth is an act of assisting the cancellation of the status of residence of the Immigration Act, the act of providing three employees who have worked illegally for an employment contract earlier is entrusted to the Philippine Embassy It is a lie fake complaint (document sentinel) to the Yokohama District Public Prosecutor's office with the name of false criminal content because it is a crime aid for criminal law against violation of law (activity other than qualification).

For each of the above, for each case of one accusation fact (criminal fact)

The following refills the purpose of false accusation

The summary is as described in I . The same as criminal fact of criminal law of official abuse of officials of police officers and criminal offenses.

The examination calls for one criminal punishment as a diplomat of the Philippine diplomat and two Employees of the Philippine Embassy as an aid to violation of Immigration Control Act.

Therefore, one Philippine diplomat and two Philippine embassy staff were made criminals with a sneaky way of not doing any criminal acts, so illegal false accusations of the accused were mere negligence There is no malicious deliberate criminal act (described later).

Therefore, the acts of the accused are those that fall under criminal law 172 false charges.

### **Chapter 2 Part 3 - 2. Public prosecutor**

It is unknown in a newspaper article.

### **Chapter 2 Part 3 - 3. Judge's accusation fact**

It is unknown in a newspaper article.

### **Chapter 2 Part 4 Bad malignant deliberate criminal acts (with regard to intention of accusation fact)**

#### **I . The malignancy of the criminal of the accused**



**1. If the wind blows, Okaya will make profit The conclusion of the formula It is frightening the theory of assistance due to the aggressive causal relation with existence.**

The criminal spirit of the accused's false complaint and arrest detention can be obtained by accusers collusion with the accomplice of the accomplice of the accomplice and providing the funeral offenders who have illegally employed a false employment contract, It was. The proper criminal was able to stay in Japan because the status of residence was obtained. Since I stayed, I was able to work illegally.

Therefore, it was a crime that aided the aid of the Immigration Control Act violation (illegal work due to activities other than the status of qualification).

The causal relationship that is the reason is a clearly deliberate crime that apparently deprived the applicable law illegally, deviating largely from the intent of the Immigration Control Law, even the logic of assistance guilty.

If such a "wind blows, Okaya profitable" argument is permitted, I was able to work illegally because I was able to stay. The part of that, because he was able to stay, so that he could kill himself, it can also be a crime aid for murder charges.

Of course, because it is an assistance criminal act, we have to be intentional, but since we have decided the conclusion, we can make as many deliberations as we intend.

As stated earlier, this case is not easy to obtain the status of residence because the Minister of Justice gives the status of residence at the discretion. Unlike graduation

certificates prescribed by ministerial ordinance, the submission of employment contracts is provided as per the section manager's notice, there is no legal basis to impose punishment. It can be said that it is a clearly formed crime.

**1. Misuses that the Immigration Control Act is primarily a law dealing with treatment of foreigners and is not generally known**

**(Supplementary supplementation of purpose of false complaint)**

In the purpose of Immigration Act as measures to promote illegal employment, the direct causal relationship of illegal employment is the matter prescribed in illegal employment promotion charges.

Even if we obtain a status of residence such as technology, humanities international etc from the Minister of Justice with false contract of employment

If you work within the range of a qualification, you will not be illegally employed.

Working illegally becomes an illegal employment of non-qualification activities because I worked outside the status of residence. However, even if foreigners want illegal work anyway, unless there is a business operator who can work, they can not become illegal workers.

That is because businesses hired illegal foreign workers who are not eligible to work. If not employed,

It can not be 100% illegal workers. That is why the illegal employment promotion crime is created.

Since the conditions for granting status of residence are unpublished and the status of

residence has been given at the discretion of the Minister of Justice, we give the Minister of Justice the authority to cancel the status of residence. In addition,

Even if we receive cancellation of the status of residence, it is an administrative punishment for deportation, and we can not let criminal disposition of the accused person to leave the country with the aid of the criminal law.

For this reason, foreigners who provided false documents to other foreign nationals and assisted them to obtain status of residence by amending the Immigration Control Law immediately before the prosecution on July 1, 2010 are administrative penalties for deportation (Formerly no disposal), it is well known that provision of a false labor contract will not be a crime, and the law on dealing with treatment of foreigners, mainly the intellectual law, is generally known as knowledge It is obvious that it was a deliberate crime that was calculated by misusing what is not done.

### **3. Using the mass media, fraudulent criminal justification by manipulating false information**

In this Philippine diplomat and embassy officials' documentation inspections, as in the attached newspaper article, we are conducting investigations of false information as if it is justified.

This pattern is exactly the same pattern as the aid case for violating the Immigration Control Act of the accused by 2010.

It is as described in this letter that it is false information.

As soon as I saw the newspaper, I emailed to the Yomiuri Shimbun and Mainichi Shimbun to send corrected articles and I am writing a letter to the Philippine Embassy to protest to the Japanese government because it is false, I hope that the sentence has not been finalized.

In addition,

With this false information, I think that it can not be denied to give a case to a judge.

Three people are sent a document, but I think I am in time, I am writing a letter of charge.

## **II. Ideas of crimes of abusing special authority officials**

### **1. Criminal composition requirement of criminal offense abuse of special civil servants**

"Crime of abuse of the special public servant's authority" is a crime established by abusing its authority and arresting and imprisoning others. Criminal constitution requirements of official abuses of special public officials As to the suitability,

① The principal is a special civil servant, . . . facts It is a policeman, a prosecutor, a judge.

② Having arrested and confined a person . . . It was arrested and confined as a fact.

③ abuse of authority, established by.

**Whether abusing the official authority or not,**

**By illegally exercising authority on duties**、 It is said that the means and methods are not limited to violence and intimidation, as long as they can press down on the freedom

of decision-making to the extent that it is legally and virtually impossible to accept the result to the victim.

As stated in the facts of complaints, we apply to the court the lie and arrest warrant, etc., illegal contents, etc. by presenting a warrant arrest warrant to oppose freedom of decision making and exercise authority on duties .

Criminal offense is established because this obvious illegal act is abuse of official abilities, since crimes of abusing ex official authority of special civil servants does not require deliberation.

## **2. Critical intentions (lie fake complaint) behind the offense of abuse of special public officials'**

Police officers, prosecutors and others got arrest warrants (lying fake charges), claiming arrest warrants on the content of criminal being considered as false, pretending to reasons of arrest, in making illegal arrest / detention We arrested and arrested arrest / imprisonment so cleverly that it is necessary for the establishment of a false accusation to falsify a serious deliberate thing,

In addition to the malignancy of the criminal offense of said accused, I will further describe.

**The case of a violation of Immigration Control Act (illegal employment due to activities outside the status of qualification) is not an unusual case.**

**It is an incident occurring on a daily basis.**

As a fact, the police detention center charged with a complainant was overflowing with an arrest of illegal work. It is not uncommon for illegal stay for over 10 years. In many cases, we will not dispose of employers without even arresting illegal employment due to passion, so among illegal foreigners who are illegally working, illegal residents usually do not carry out criminal treatment, is.

In many cases, the regular staying qualifications are illegally made to criminalize themselves against fairness against the law under the law and to arbitrarily move away from the country. However, in this case, because it is a regular staying qualification, in order to get a hand in imprisonment with a fine sentence as a penalty punishment, the conditions for granting a status of residence are not stipulated by the law and the Minister of Justice is unpublished granted Despite being awarded at discretion on the condition, the content is extremely malicious crime that applied fraudulent employment crime by forming false assistants with the provision of false employment contracts making it easy to obtain status of residence is.

Aside from that, Osaka's Chinese girls' international student worked as a hostess, was arrested for illegal work of non-qualification activities and became to leave the country, but this international student rarely tried.

As a result of the trial, I am innocent. It is because the Ministerial Ordinance is not the main regulation (Immigration Control Act) but decides the working hours of 28 hours a week, such as being unable to work as a customs activity as a non-qualification visa at a study abroad visa.

The conditions for giving a status of residence are not stipulated by law and can not be said that it was privately held at the discretion of the Minister of Justice and did not facilitate the status of residence, and I also know that the submission of false documents is administrative penalty for deportation, 100 is also aware that criminal facts are the reasons for assisting "cancellation of status of residence", with the primary criminal as the reason for arrest, and the criminal attitude of abusing the official abduction of the primary offender dealing with the Immigration Act is a clear intention (recognized negligence) .

Furthermore, after the arrest (June 14, 2010), the amendment to the Immigration Control Act, which came into effect on July 1, 2010, for the month to be prosecuted, to the other Canceled Status Foreigners who assisted out the submission of lies and false documents, as you can see from the fact that the clause for deportation has been added and enforced,

It is obvious that aiding false documents of the Immigration Law fake documentation assistance of the submission is not subject to criminal disposition,

It can be said that the criminal act of abusing the official authority of police officers dealing with the Immigration Act is intentional (recognized negligence).

With respect to illegal employment, in order to avoid violating the Immigration Control Act (illegal employment), foreigners who have illegally worked as illegal workers for illegal employment, so as not to contravene the laws and international laws under the law, To criminal disposal of illegal employment by criminal offense is the purpose of the Immigration Bureau Law, it is not reasonable to apply non - illegal employment promotion crime to aid for illegal employment by the Immigration Control Act Judicial

police officers who handle violation (illegal employment) cases, of course, were familiar with it, so to make reasons for assisting cancellation of status of residence against the illegal employment crime as the reason for assisting the criminal law is a planned intentions It is said that it is recognition (negligence with recognition).

As a fact, many violations of immigration laws (illegal employment of activities outside the status of qualification)

Although arrested foreigners were working illegally, the employer without punishment in illegal employment conducive crime, foreigners are allowed to work illegally, in a fair and arbitrary disposal under the law of contrary to international law I knew that I was aware of it, criminalizing it with a small penalty and moving away from the country as an invitation letter, in terms of duties.

Therefore, illegal employment crimes related to the illegal employment of the Immigration Control Act, illegal employment conducive crime, because the law, such as visa cancellation is the crime of sufficiently understand, say that the criminal intent of the ex officio abuse is intentional (recognizing there is negligence) is.

A judicial police officer (Kaori) who thought that it would be released due to non-prosecution during interrogation said,

From now on, if you do not understand by the Immigration Control Law, please ask the police.

Where I do not understand, I have a specialist so I will listen and teach.

From this also police are familiar with Immigration Control Law and are clearly deliberately calculated.



A young prosecutor Tokunaga who conducted investigation,

At the time of interrogation, when the accuser said that the criminal law does not constitute any crime,

"I am a great person Who believes you, no one believes what you say"

"I am great, I can do it even if I am fine if I admit it, I can imprisonment if I do not approve of it"

"I am great, many Chinese will not be charged or will be sent to the immigration penalty with a small penalty and I will make a fine if I acknowledge you."

It is certain that no one believed it, but also from this it was deliberately calculated.

### **3. Unwillingness**

I did not know the existence of the status of status of residence, the cancellation of the status of residence of the Immigration Control Act (Article 22-4) and the crime of promoting illegal employment (Article 73-2), because I had forgotten, so excusing that it was mere negligence The

As a judicial police officer dealing with illegal work related to immigration cases, conducting duties without neglecting laws and ordinance surveys such as the purpose of the Immigration Control Act, the creation of related provisions, the purpose of amendment and its contents,

Because it is said that the disastrous consequences of violating human rights violations that can not be irrevocably lost due to mistakes in application laws and bringing the victims to the bottom of society will be disastrously conceived in terms of the nature of the duties, I will.

Also, if a police officer dealing with a violation of Immigration Control Act says that he did not know the Immigration Control Act, it is not permissible as it does not constitute a body as a state of law.

Police officers, prosecutors, special public officials such as judges did not know the law, People can not live with peace of mind if we adopt a mistaken application law.

Therefore, in order to prevent human rights abuses caused by these application law errors, police organizations, prosecution organizations, and court organizations are judicial administrations with check function based on criminal law, which governs under the law. However, In fact, in this case, we do not function at all and have been sentenced to imprisonment due to misappropriation of applicable law. Furthermore, since we are squeezing without accepting complaints and accusations, it is obvious that governance under the law will not be realized unless we punish stakeholders with resolve with the help of the international community.

This problem is deeply rooted, so Japanese people alone can not solve it. The Japanese government (the judicial administration) does not rule over some Japanese and many foreigners under the law, causing serious and systematic human rights abuses. Help me. I am seeking relief from the United Nations Human Rights Council.

### **III. Willfulness of false accusation**

In case of violation of Immigration Control Act, police officials and prosecutors are accused of lying false charges in addition to the abuse of special public officials' abilities.

False accusation charges are the act of making false accusations for the purpose of causing others to be punished or disciplined.

Because it is a deliberate criminal, a desired criminal, and "a purpose to make a person receive criminal or disciplinary action" is necessary,

I stated firmly.

The "intentions" of false accusations are also the same as those stated in the official abuse of special public officials.

The following statement is related to the accusation.

### **Chapter 3. Annotative explanation**

#### **1. Job authority of police officers**

##### **Criminal Procedure Act**

(Act No. 131 of July 10, 1947)

Chapter 1 investigation

Article 189 A police officer shall, respectively,

According to other laws or as stipulated by the National Public Safety Commission or Prefectural Public Safety Commission,

Job duties as judicial police officials.

○ **2 When judicial police officials think that there is a crime,**

**The criminal and evidence shall be investigated.**

Judicial police officers have all the power over the investigation that the judicial police office has.

Special authorities held by judicial police officers are as follows.

About arrest

Usually orders for arrest warrant (Criminal Procedure Code 199 (2)).

Receiving suspects arrested (Article 202 of the same law, Article 215 (1)).

Abstract of criminal facts at the time of arrest of suspect · Notice of election of defense counsel, record of excuse, decision of release / sending (Article 203, 1, 211, 216 of the same law)

Seizure, search, request for verification warrant (Criminal Procedure Code Article 218 (3))

Sale and refund of evidences (Article 222, Paragraph 1 of the same law)

Request for appraisal detention disposition (Article 224, paragraph 1), request for permission for appraisal (Article 225, paragraph 2)

Proxy inspection (Article 229 (2) of the same law)

Prosecution / accusation, receipt of the self-registration / record preparation (Article 241 (1) (2), 243, 245)

Sending a case to a public prosecutor (text of Article 246 of the same law, Article 242, Article 245)

Investigation agency

The investigation is made by the investigation agency.

The following are examples of investigation institutions prescribed by the Criminal

Procedure Code.

General judicial police official (= policeman) (criminal procedure law 189 (2))

Special judicial police officials (judicial police officials other than police officers) (Criminal Procedure Act Article 190)

Prosecutor (Criminal Procedure Act 191 (1))

Prosecution officer (Criminal Procedure Act 191 (2))

## **2. Job authority of prosecutor**

Duties of public prosecutor

Prosecution Office law

(Act No. 61 of April 16, 1947)

Article 4 The public prosecutor conducts prosecution on the criminal,

Requesting the court to justify the law and supervising the execution of the case,

In addition, when it is deemed necessary for other matters belonging to the authority of the court for duties,

Ask the court to notify or state opinions,

Also, as a representative of the public interest, do other affairs that other laws and ordinances belong to.

Article 6 A public prosecutor may conduct an investigation on any crime.

○ 2 The relationship between the public prosecutor and those who have the authority of investigation under other laws and regulations,

According to the provisions of the Code of Criminal Procedure.

Investigation agency

The investigation is made by the investigation agency.

The following are examples of investigation institutions prescribed by the Criminal Procedure Code.

General judicial police official (= policeman) (criminal procedure law 189 (2))

Special judicial police officials (judicial police officials other than police officers) (Criminal Procedure Act Article 190)

Prosecutor (Criminal Procedure Act 191 (1))

Prosecution officer (Criminal Procedure Act 191 (2))

Investigation agency

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Prosecutor (Criminal Procedure Act 191 (1))

Prosecution officer (Criminal Procedure Act 191 (2))

### **3. Judge's job authority**

Duties and powers of judges Constitution Article 76 (3)

"Everything is judged by its judiciary, following his conscience and exercising its authority independently, being bound only by this constitution and law."

Article 76 All judicial powers belong to the Supreme Court and the lower courts established pursuant to the provisions of law.

(2) The special court can not establish this.

Administrative agencies can not make a trial as the final judgment.

(3) All judges shall independently exercise their authority according to their conscience, It is bound only by this constitution and law.

#### **Chapter 4 The Filipino Damage**

The complainants' violation of the Constitution of Japan and Immigration Control Act, further governance under the law of the Japanese government,  
Insulting international rules, due to malicious misconduct,  
Four Philippine people (then one diplomat who seems to join the staff) will lose physical suffering, mental suffering, social trust.

By arrest, confinement and trial, Japan, the foundation of our lives, has been forcibly removed as a criminal,  
We lost all our credit, security deposits and household goods and income, the foundation of our lives.

The imprisonment imprisonment for four Filipino people is also a heavy burden on life in the Philippines.

As soon as possible, the prosecution 's office should request a retrial and withdraw the prosecution and compensate.

In addition,

It is necessary to redo the trial. (The prosecution offers a retrial and withdraws indictment)

And it is to pay damages. It is embarrassing internationally.

## **Chapter 5 Other**

### **I . Verification method**

1. Indictment

2. Japan Constitution, Immigration Control and Refugee Recognition Act, Penal Code etc.

3. Minutes of the Diet concerning revision of Immigration Control Act (Plenary Session and Committee etc)

(Creation of Law and Purpose of Amendment)

Four. Yokohama District Court ruling

### **II . Attached document**

Embassy of the Philippines Embassy Immigration Law violation Yomiuri Newspaper article copy 1 sheet



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## 告発状

平成28年 4月 1日

平成28年 3月30日

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東京地方検察庁 御中

告発人

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電話 090-4824-7899

職業 合同会社未来 代表

生年月日 昭和24年9月9日生

氏名 長野恭博 印

被告発人

下記は、読売新聞2015年2月20日付朝刊記事より推定

【不法就労のフィリピン人3人に関する被告発人】

警察官

刑法194条特別公務員職権濫用罪に該当する者

1) 神奈川県警の警察官ら氏名姓名不詳およびその責任者(氏名不詳)

刑法172条虚偽告発罪に該当する者

1) 神奈川県警の警察官ら氏名姓名不詳およびその責任者(氏名不詳)

検察官

刑法194条特別公務員職権濫用罪に該当する者

1) 横浜地方検察庁 取調べ 検察官検事 姓名不詳及びその検察関係者

2) 横浜地方検察庁 公判 検察官検事 姓名不詳及びその検察関係者

刑法 172 条虚偽告発罪に該当する者

1) 横浜地方検察庁 取調べ 検察官検事 姓名不詳及びその検察関係者

2) 横浜地方検察庁 公判 検察官検事 姓名不詳及びその検察関係者

裁判官

刑法 194 条特別公務員職権濫用罪に該当する者

1) 逮捕請求を承認し逮捕状を発行した 横浜地方裁判所の裁判官 (姓名不詳)

2) 勾留請求を承認し勾留状を発行した 横浜地方裁判所の裁判官 (姓名不詳)

3) 逮捕・勾留をして公判を行った 横浜地方裁判所の裁判官 (姓名不詳)

【フィリピン大使館職員 (運転手) に関する被告発人】

警察官

刑法 194 条特別公務員職権濫用罪に該当する者

1) 神奈川県警の警察官ら氏名姓名不詳およびその責任者(氏名不詳)

刑法 172 条虚偽告発罪に該当する者

1) 神奈川県警の警察官ら氏名姓名不詳およびその責任者(氏名不詳)

検察官

刑法 194 条特別公務員職権濫用罪に該当する者

1) 横浜地方検察庁 取調べ 検察官検事 姓名不詳及びその検察関係者

2) 横浜地方検察庁 公判 検察官検事 姓名不詳及びその検察関係者

刑法 172 条虚偽告発罪に該当する者

1) 横浜地方検察庁 取調べ 検察官検事 姓名不詳及びその検察関係者

2) 横浜地方検察庁 公判 検察官検事 姓名不詳及びその検察関係者

裁判官

刑法 194 条特別公務員職権濫用罪に該当する者

- 1) 逮捕請求を承認し逮捕状を発行した 横浜地方裁判所の裁判官（姓名不詳）
- 2) 勾留請求を承認し勾留状を発行した 横浜地方裁判所の裁判官（姓名不詳）
- 3) 逮捕・勾留をして公判を行った 横浜地方裁判所の裁判官（姓名不詳）

【書類送検の外交官等 3 名に関する被告発人】

警察官

刑法 172 条虚偽告発罪に該当する者

- 1) 神奈川県警の警察官ら氏名姓名不詳およびその責任者(氏名不詳)

検察官

新聞記事では不明です

裁判官

新聞記事では不明です

## 第1章. 告発の趣旨

日本は、「不法就労」に対して、不法就労した外国人を「出入国及び難民認定法（以下「入管法」と言う）」70条「不法就労罪」で刑事処分し、不法就労させた雇用者を入管法73の2条「不法就労助長罪」で、両者を平等に刑事処分することで、日本国憲法の「法の下での平等」や恣意的に外国人を処分することを禁じた「国際法」に反しないように立法しています。

しかし、実態は、（不法就労させた雇用者）を「不法就労助長罪」で処分せず、（不法就労した外国人だけ）を「不法就労罪」で刑事処分し、国外追放にしています。

これは、外国人を恣意的に差別することを禁じた国際法に反しています。日本国憲法の法の下での平等にも反しています。

不法就労させた「不法就労助長罪」で事業者を処分しないのであれば、不法就労させられた外国人も、処分なし（無罪）が法の論理です。そうであれば当然、如何なる、不法就労の幫助者もいないということです。

これが法の下での統治であり、基本的人権の尊重であり、国際法の遵守です。

2014、2015年に発生したフィリピン大使館入管法違反事件は、2010年に発生した入管法違反事件と同様にもっと悪質な、犯罪行為をしました。

従来は不法就労させた事業者を「不法就労助長罪」で処分せず、不法就労した外国人だけを「不法就労罪」で罰金刑にして国外追放していたのですが、「不法就労助長罪」の雇用者にかわる、第三者の「幫助者」をでっち上げ、平等に処分したように見せかけるため、第三者を刑事処分して、不法就労した外国人を罰金刑でなく「懲役刑」にして国外追放したのです。第三者とは、家事使用人として採用予定のフィリピン人に雇用契約書を提供したとして、入管法違反幫助罪とされたフィリピン大使館職員や外交官です。したがって、正犯の訴因で指す幫助者は、不法就労助長罪の事業者ではないので、虚偽告訴といえます。

不法就労は、不法に働かせる事業者がいるから成立するものです。正犯を不法就労させて、不法就労者にした事業者が不法就労助長罪で処罰を受けていないので、不法就労者は存在しないとするのが、法の下での公平であり、国際法の遵守ですから、正犯はいずれも無罪です。そして幫助罪とされた大使館職員や外交官は不法就労とはなんら関係のない理由で犯罪とされましたので無罪です。

2010年の入管法違反幫助事件では、告発人と共犯とされた「金軍学」は、中国人の不法就労に対して、その幫助行為をしたとして、国際法を遵守するため創設された、不法就労に対する幫助行為

や助長行為を規定した特別法である「不法就労助長罪」でなく、不法にも、「内容虚偽の雇用契約書」を提供したから、在留資格が容易に得られた。それで日本におられた。日本におられたから不法就労できた。との因果関係で、一般法である刑法の「幫助罪」を乱用され実刑（懲役刑）を受けました。

告発人の受けた2010年の事件と同様に、この2014年、2015年の入管法違反幫助事件では、フィリピン大使館職員や外交官まで不法な論理で「幫助罪」が適用され刑事処分されております。

私の主張は、刑法の幫助罪適用は、以下の理由により適用法違反による犯罪行為です。被告発人の罪名は刑法の「虚偽告訴罪」であり、「特別公務員職権乱用罪」です。

1. 不法就労に対する幫助罪は、特別法にあたる、入管法の73の2条「不法就労助長罪」で規定されています。新聞記事ではフィリッピン大使館職員外交官は、「不法就労助長罪」に規定する行為はしていません。不法就労の幫助者は「不法就労助長罪」で規定する幫助者で、つまり造園事業者です。

2. フィリピン人を雇用した造園事業者は、お咎め無しで入管法が規定する「不法就労助長罪」で処分されていません。そうであれば雇用されたフィリピン人もお咎め無しの無罪です。であれば、不法就労がないので不法就労の幫助者は誰もいないということです。

3. 次に、「内容虚偽の雇用契約書」の提供が在留資格の取得を容易にしたとは言えません。

在留資格を容易に取得させたというが、在留資格の付与条件は法律で規定されておらず、付与条件は未公開で、法務大臣が裁量で付与するものであり、在留資格を容易にしたとは言えません。

「内容虚偽の雇用契約書」で在留資格を得たのであれば、入管法22条の4の4在留資格取消で規

定するとおり不法就労とは別個のものです。

仮に「内容虚偽の雇用契約書」で法務大臣より技術や人文国際の在留資格を得たとしても、技術や人文国際の在留資格の範囲で働いていれば、不法就労（資格外活動）にならないことは自明の理です。したがって在留資格の取得と不法就労とは何ら関係のないものです。

憲法 31 条に 「何人も、法律の定める手続によらなければ、その生命若しくは自由を奪はれ、又はその他の刑罰を科せられない。」（法律の定めとは、国会で制定した法律を指します。地方議会で制定した条例も含む）に照らして、雇用契約書の提出は、法律でも、省令でもなく、課長通達で外国人に提出を求めるもので、仮に虚偽であるとしても、法務大臣が裁量で与える事案について刑事罰を科す根拠法がありません。唯一あるのは、法務大臣は、その対処として入管法で在留資格を取消ことができるとしています。

在留資格の付与は法務大臣の裁量ですが、法務大臣は「省令」で、付与方針を規定していますが、雇用契約書が在留資格の取得を容易にし、不法就労させるとは言えません。

在留資格を得られたから本邦におられた。本邦におられたから不法就労できたと言うが、在留資格は付与条件を未公開で法務大臣が裁量で与えるものです。

在留資格を受けても、更に入国許可（パスポートへの証印）も許可条件を未公開で、外務大臣が裁量で許可を与えて在住（入国）が可能になるものです。よって、雇用契約書が虚偽だとしても両大臣の裁量権限を容易に左右できるとは言えません。

事実として、在留資格は法務大臣が裁量で付与するものですから、告発人らは、入管との質疑などで在留資格について次のように説明され運用させられていました。

1) 非公開ですが在留資格要件が満たされれば、雇用会社が不適当若しくは雇用契約書が虚偽などの場合は、外国人に対して、雇用契約会社を変えさせて再申請させている。

2) 雇用契約書を交わした外国人が在留資格を受けて入社しなくとも、在留資格は外国人個人に付与するもので、付与後は、在留資格（特定活動）の範囲でどこで働こうと自由である。

3) 在留資格を取得後、雇用契約会社に入社できなくとも、直ちに在留資格が取消されるのではなく、一定期間内に、在留資格の範囲で雇用先を見つけ就労できる。

よって、内容虚偽の雇用契約書の提供が在留資格の取得を容易にしたとはいえ、また、在留資格の取得と不法就労とは何ら、因果関係はありません。

前記したように「内容虚偽の雇用契約書」で法務大臣より裁量で、技術や人文国際の在留資格を得たとしても、技術や人文国際の在留資格の範囲で働いていれば不法就労にならないことは明白で、

「内容虚偽の雇用契約書」と不法就労とは関係のないことは自明の理です。

彼等が不法就労者になったのは、働く資格のない在留資格の外国人を雇用して働かせた事業者の責であることは自明の理であります。

以上により、入管法の立法趣旨どおり、不法就労に対する幫助・助長行為は「不法就労助長罪」に規定するとおりで処分しなければ不当であり、雇用契約書の提供者への幫助罪の適用は不法であり、正犯は、「不法就労助長罪」の事業者が何ら処罰を受けないので、法の下で平等とは言えず、また国際法に反しますので不法就労をしたフィリピン人は「無罪」です。

不法就労をさせる者、つまり不法就労をさせる事業者なくして不法就労は絶対できませんので、「絶対に無罪」です。

そして、「内容虚偽の雇用契約書」を提供した大使館職員や外交官は前述したとおり不法就労に対する幫助罪は成立しませんので無罪です。

しかし入管法の規定で、在留資格取消の幫助の疑いで国外退去処分ですが、不法就労をしたフィ



リピン人が法務大臣より22条の4の4在留資格取消で国外退去処分を受けていませんので無罪です。

4. 外国人は日本におられるようにしたら犯罪をすると断定するのは、外国人に対する人権侵害です。そして、外国人を日本におられるようにしたら、その外国人が犯罪行為を犯せば幫助罪だとするのは幫助罪の乱用で、国民は安心して生活できません。

外国人のした不法就労に対して、その幫助行為の処罰を定めた「不法就労助長罪」でなく、日本に在住できるようにしたから犯罪ができたとの因果関係で、何ら刑事罰にならない在留資格取消行為の幫助を理由にして、刑法の「幫助罪」を適用するのは、**幫助罪の乱用で違法です。**

不法就労の幫助理由に、(課長通達で要求された)「(内容虚偽の)雇用契約書」を正犯に提供したから、(法務大臣より裁量で)在留資格が容易に取得できた。在留資格が得られたから、(外務大臣より裁量で入国査証が得られ)日本に在住できた。日本に在住できたから不法就労ができた。との因果関係で刑法の幫助罪を適用していますが、前記したように、仮に「内容虚偽の雇用契約書」であっても在留資格の取得や入国査証の許可とは、何ら法的な根拠がなく、明らかに因果関係がなく、又、日本におられるようにしたから犯罪ができるとすることは外国人に対する悪質な差別であり、人権侵害であり、また、幫助罪の乱用で違法です。

日本では、こうした遠い因果関係の論法を「風が吹けば桶屋が儲かる論法」と言います。風が吹けば、何故、桶屋が儲かるのか・・・？因果関係を話せば長いのです。そしてシナリオは色々あります。つまり、因果関係は「こじつけ」なのです。

こうした、遠い因果関係で幫助罪を適用する習慣が根付いていれば、恐ろしい日本社会です。国民は安心して生活ができません。

日本に在住できるようにしたから「不法就労」ができた。よって、因果関係は明白であると言うが、外国人にアパートの一室を貸して、日本に在住できるようにした。日本に在住できたから殺人ができたとしてアパートのオーナーに「殺人罪」の幫助罪が適用できるのでしょうか？？？この答えとして、

告発人の取調べの警察官は、「社長、中国人が不法就労したから、不法就労に対する幫助罪で済むけど・・・中国人が、殺人をしていたら、殺人罪に対する、幫助罪ですよ！気をつけてくださいよ！」と言いました。既に、アパートのオーナーに、殺人罪の「幫助罪」を適用しているのです。

国際社会が移民問題で苦心している中、こうした特別公務員による犯罪が起こるのは、恣意的な外国人排除の習慣が根付いているからです。

よって被告発人らの罪名は刑法の「虚偽告訴罪」であり、「特別公務員職権乱用罪」です。

個々については、第2章 告訴事実記載しますが、「特別公務員職権濫用罪」は、その職権を濫用して、他人を逮捕、監禁することによって成立する罪です。特別公務員職権濫用罪の犯罪構成要件該当性については、

- ①主体が特別公務員であること、・・・事実 警察官、検察官や裁判官らです。
- ②人を逮捕・監禁したこと、・・・事実として逮捕・監禁されました。
- ③職権を濫用したこと、によって成立します。・・・職権を濫用したか否かですが、濫用とは、職務上の権限を不法に行行使することで、その手段や方法は、暴行・脅迫だけでなく、法律上・事実上、被害者に対してその結果を受け入れざるえない程度に意思決定の自由を圧迫するものであれば足りるとされています。

職務権限については、第三章 注釈的説明で 記載しますが、警察官について言えば 刑事訴訟

法 第百八十九条 警察官は、それぞれ、他の法律又は国家公安委員会若しくは都道府県公安委員会の定めるところにより、司法警察職員として職務を行う。

2 司法警察職員は、犯罪があると思料するときは、犯人及び証拠を捜査するものとします。と規定されています。

よって、犯罪が思料されない、つまり、なんら法に違反していないのに、捜査、逮捕、監禁することは、不法な行為であり、特別公務員職権乱用罪にあたります。

告訴事実に記載のとおり、不法な内容虚偽の逮捕状等を提示するなどして意思決定の自由を圧迫し職務上の権限を行使しています。

特別公務員職権濫用罪は故意を必要としていませんので、この明らかな不法な行為は、職権乱用であるので、犯罪は成立します。

フィリピン大使館職員や外交官に対する幫助罪については前記のとおり無罪ですが、正犯について整理すると、

- 1) 雇用者が不法就労助長罪でなんら処分されていないので、法の下で公平でなく、不法就労させられた外国人だけを刑事処分するのは国際法に反しますので無罪です。
- 2) 不法就労は不法就労をする者と不法就労させる者がいて成り立つものです。不法就労させた犯罪者がいないのに、不法就労した犯罪者だけがいるはずがありません。よって無罪です。
- 3) 正犯は、不法就労助長罪の幫助者でなく、内容虚偽の雇用契約書を提供した者を不法就労の幫助者として、不法就労罪が適用されていますが、雇用契約書の提供者は不法就労とは因果関係がないので内容虚偽の逮捕・起訴・判決であり無罪です。

名誉回復のための手段は「再審請求」です。しかし、「適用法の誤り」は再審請求できません。しかし事件に関わった警察官や検察官の犯罪を起訴し、犯罪が確定すれば「再審請求」できます。

私は、日本の司法が、法の下での統治、基本的人権の尊重、国際法の遵守を実現する証として、検察が自主的に再審請求することを望んでいます。

よって、何度めかになりますが 告発状を提出いたします。

以下の被告発人の所為は、刑法 172 条虚偽告訴罪および刑法 194 条 特別公務員職権濫用罪に該当する者と考えるので、被告発人を厳罰に処することを求め告発します。

## **第 2 章. 告発事実**

### **第一部. 不法就労のフィリピン人 3 人に関する被告発人**

#### **第 2 章 第一部 – 1. 警察官**

##### **1. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実**

1. 被告発人の警察官らは、平成 26 年 6 月頃、フィリピン人は東京都内の造園会社で資格外活動で働いていたが、入管法に反して、不法就労させた事業者を情により不法就労助長罪で不当に逮捕せず、法の下での平等および国際法に反し、また、真実は在留資格取消の処分行為であるのに、嘘偽に、フィリピン人は、フィリピン大使館職員の運転手より嘘偽の雇用契約書の提供を受けたので在留資格を取得することができ、それで在日できた、よって大使館職員（運転手）を幫助者として、不法就労できたとして、入管法違反（資格外活動）として内容嘘偽の罪名で、横浜地方裁判所に逮捕令状を不法請求し、被告発人は持っている職権を乱用し不法な逮捕令状で、意思決定の自由を圧迫し、逮捕・監禁を行ない取調べ行ったものです。

なお運転手は、嘘偽の雇用契約書を提供したとして不法にも入管法違反（資格外活動）幫助罪と

して逮捕された。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は逮捕監禁の目的を補充

詳しくは、第1章、告訴の趣旨で記載しましたので、以下は犯行の動機、犯行目的などを記載します。

この事件は、入管法で規定する犯罪である。

不法就労に対しては、不法就労をした外国人を「不報就労罪」で、また、不法就労させた事業者を、不法就労に対する幫助罪である「不報就労助長罪」で公平に処分することが規定されている。

よって、入管法の不法就労に関しては、両罪でこの事件は完結しなければならないが、正犯のみを「不報就労罪」で刑事処分し、不法就労させた事業者を、不法就労に対する幫助罪である「不報就労助長罪」で公平に処分せずに、内容虚偽の雇用契約書を提出し、在留資格の取得を容易にしたので正犯は不法就労ができたとして、告発人を不法就労の幫助罪としたが、前章の告訴の趣旨で記載したとおり不法である。よって、告訴（起訴）は内容虚偽であるので無罪である。

従来は、不法就労した外国人だけを恣意的に「不法就労罪」で罰金などで刑事処分し国外退去させ、不法就労させた事業者を「不法就労助長罪」で処分していないが、法の下で公平でなく、国際法に反する行為であるので、外国人も無罪としなければならないが、この事件では、手柄を得たい入管法に熟知した被告発人らはたの被告発人らと共謀し、不法就労させた事業者を情により処罰せずとも、不法就労者を処分する新たな手口を画策したのです。

不法就労で逮捕したフィリピン人を罰金刑ではなく懲役刑として刑事処分するため、法の下で平等に処分するように見せかけ、また国際法にも反しないとするため、告発人らを虚偽の幫助者とす

ることで、不法就労の両者を公平に刑事処分したように見せかけるため、入管法違反（資格外活動）の刑法幫助罪の犯罪者として、でっち上げたのです。そのため虚偽逮捕、虚偽送検の犯罪を企てたのです。

在留資格の付与条件は未公開で、在留資格は法務大臣が裁量で付与するものです。そして、仮に正犯が、内容虚偽の雇用契約書を提出して、特定活動の在留資格を得ていた場合には、法務大臣は、入管法22の4条の4により「在留資格の取消」を行うことができると入管法は規定しているので、入管法では不法就労と内容虚偽の雇用契約書との因果関係は全く無い。

仮に正犯が、内容虚偽の雇用契約書を提出して、特定活動の在留資格を得ていたとしても、在留資格の範囲内で働いていれば「不法就労」とならないことは自明である。

真実は、正犯が、在留資格の範囲外で就労したので、不法就労となったものである。それは「不法就労助長罪」で規定するように、正犯を雇用して資格外の不法就労をさせた事業者がいたからである。

よって、仮に内容虚偽の雇用契約書であったとしても、不法就労とはなんら因果関係はないが、一般国民が入管法や国際法に疎いことを悪用した犯罪で、外国人だけを「不法就労罪」で懲役刑として刑事処分して手柄を立てたいばかりに、不法就労とは因果関係のない、「風が吹けば桶屋が儲かる論法」で、不法就労とは関係ない第三者を不法就労の幫助者としてでっち上げ、刑法の幫助罪を乱用しているのである。

犯行目的は、不法就労した正犯と不法就労の刑法幫助罪をした告発人らの両者を犯罪者とすることで、先輩警察官、検察官、裁判官ができなかった、入管法違反事件でおそらくはじめての、不法就労助長罪で事業者を刑事処分しなくとも、在留資格取消の幫助者を処分することで、不法就労した外国人を刑事処分することが出来る実績を作り、手柄をたてるためです。

捜査の目的は、恣意的にフィリピン人だけを不法就労罪で法の下での公平、国際法に反して、横浜地方検察庁へ送検するための無理のある捜査をして調書を取ることです。

不法就労は不法就労させる事業者がいたから不法就労になったのです。従って、不法就労させた事業者を処罰（逮捕）せずに正犯だけをを処罰するのは法の論理で不法です。

正犯の不法就労罪の因果関係は、不法就労助長罪で規定されており因果関係とは、明らかに異なるもので不法なのです。

なお、フィリピン人は4人とも、法務大臣より在留資格取消（第22条の4 4項）を理由として、国外退去の処分さえ受けていない。

この事件は、2010年の入管法違反（資格外活動）事件 罪名嘘偽の不法就労罪とされた中国人正犯 告発人と金軍学を刑法幫助罪とした、手口とまったく同じです。

フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、入管法に反して不法就労させられたフィリピン人だけを不法逮捕し、不法な手段で意思決定の自由を圧迫しての、逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法194条 特別公務員職権濫用罪に該当するものです。

## Ⅱ. 警察官らの 虚偽告発罪の犯罪事実

1. 被告発人の警察官らは、平成26年6月頃、フィリピン人は東京都内の造園会社で資格外活動で働いていたが、入管法に反して、不法就労させた事業者を情により不法就労助長罪で不法に逮捕せず、フィリピン人だけを不当に不法就労罪で逮捕し、手柄を得たい被告発人は、持っている職権を不法に乱用して、不法就労したフィリピン人を通常の対処と異なり、入管法違反（資格外活動）で厳しく懲役刑にすることを画策し、それには国際法に反しないためには、入管法の幫助者である雇用者を不法就労助長罪で処罰せねばならないが、情により処罰したくないので、真実は在留資格取消の行為であるのに、入管法違反（資格外活動）として内容虚偽の罪名で、つまり大使館職員（運転手）を代わりの幫助者としてでっち上げ、大使館職員（運転手）より内容虚偽の雇用契約書の提供を受けられたので、在留資格が得られた、在留資格を得られたので、日本に在留できた、在留できたので不法就労をやってしまったことは、大使館職員（運転手）を不法就労の幫助者として、神奈川県内の警察署に逮捕監禁中のフィリピン人を、横浜地方検察庁に入管法違反（資格外活動）とした内容虚偽の罪名で違法に虚偽告発（送検）したものです。

なお、大使館職員（運転手）はその後、入管法違反（資格外活動）の幫助罪で逮捕され送検されている。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は虚偽告発の目的を補充

要旨は 前記 Ⅰ. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

送検は、フィリピン人3名を入管法違反犯（資格外活動）として法の下での公平、国際法に反して恣意的に刑事処罰を求めるものです。

したがって、フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン



人も注意処分としなければならないが、恣意的に、刑法幫助者を偽装して、不法就労させられたフィリピン人だけを刑事処分する、卑劣な違法な手口で犯罪者になっているので、被告発人らの不法な虚偽告発は、単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 172 条 虚偽告発罪に該当するものです。

## **第2章 第一部－2. 検察官**

### **I. 取調べ検察官のなした、特別公務員職権乱用罪の犯罪事実**

1. 被告発人の検察官は、平成 26 年 6 月頃、フィリピン人は都内の造園会社で資格外活動で働いていたが、入管法に反して、不法就労させた事業者を情により不法就労助長罪で不当に逮捕せず、法の下での平等および国際法に反し、また、真実は在留資格取消の処分行為であるのに、虚偽に、フィリピン人は、フィリピン大使館職員の運転手より虚偽の雇用契約書の提供を受けたので在留資格を取得することができ在日できた、よって大使館職員（運転手）を幫助者として、不法就労できたとして、神奈川県内の警察署に収監されているフィリピン人を入管法違反（資格外活動）とした内容虚偽の罪名で、横浜地方裁判所に勾留状を不法請求し、被告発人は持っている職権を乱用し不法な勾留状で、意思決定の自由を圧迫し、逮捕・監禁を行ない取調べ行ったものです。

以上、フィリピン人 3 名に対して、それぞれ 1 件の告発事実（犯罪事実）について、  
以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

捜査の目的は、フィリピン人 3 名を入管法違反犯（資格外活動）として法の下での公平、国際法に反して恣意的に刑事処罰を求めるものです。

フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、入管法に反して不法就労させられたフィリピン人だけを不法逮捕し、不法な手段で意思決定の自由を圧迫しての、逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法194条 特別公務員職権濫用罪に該当するものです。

## II. 取調べ検察官のなした虚偽告発罪（172条）の犯罪事実

1. 被告発人の検察官は、平成26年6月頃、フィリピン人は都内の造園会社で資格外活動で働いていたが、不法就労させた事業者を不法就労助長罪で逮捕せず、フィリピン人だけを不当に不法就労罪で逮捕し、手柄を得たい被告発人は、持っている職権を不法に乱用して、不法就労したフィリピン人を通常の対処と異なり、入管法違反（資格外活動）で厳しく懲役刑にすることを画策し、それには国際法に反しないためには、入管法の幫助者である雇用者を不法就労助長罪で処罰せねばならないが、情により処罰したくないので、真実は在留資格取消の行為であるのに、虚偽に、大使館職員（運転手）を代わりの幫助者としてでっち上げ、大使館職員（運転手）より内容虚偽の雇用契約書の提供を受けられたので、在留資格が得られたた、在留資格を得られたので、日本に在留できた、それで不法就労をやってしまったとして、大使館職員（運転手）を不法就労の幫助者として、神奈川県内の警察署に逮捕監禁中のフィリピン人を、横浜地方裁判所に、入管法違反（資格外活動）として内容虚偽の罪名で虚偽告発（起訴）したものです。

なお、大使館職員（運転手）はその後、入管法違反（資格外活動）幫助罪で逮捕・起訴されている。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は虚偽告発の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。。

起訴は、フィリピン人3名を入管法違反犯（資格外活動）として法の下での公平、国際法に反して恣意的に刑事処罰を求めるものです。

したがって、フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、恣意的に、刑法幫助者を偽装して、不法就労させられたフィリピン人だけを刑事処分する、卑劣な違法な手口で犯罪者に行っているため、被告発人らの不法な虚偽告発は、単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法172条 虚偽告発罪に該当するものです。

### Ⅲ. 公判の検察官のなした、特別公務員職権乱用罪の犯罪事実

1. 被告発人の検察官は、取調べの検察官より引き継ぎを受け、平成26年6月頃、真実は在留資格取消の行為であるのに、大使館職員（運転手）より内容虚偽の雇用契約書の提供を受けられたので、在留資格が得られたた、在留資格を得られたので、日本に在留できた、それで不法就労をやってしまったとして、大使館職員（運転手）を不法就労の幫助者として、入国収容所（または神奈川県内の警察署）に収監中のフィリピン人を入管法違反（資格外活動）として内容虚偽の罪名で犯罪者として不法にも釈放せず何の義務もない、不法な逮捕監禁をして、そして同年6月頃、公判において内容虚偽の罪名の起訴状で公判を開始し、意思決定の自由を圧迫し、何の義務もない、逮捕監禁をして

公判を行ったものです。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

公判の目的は、刑法幫助者を幫助罪とするので、在留資格取消の幫助行為における嘘偽の雇用契約書の提供を受けたので、在留資格を得られた、それで在留できたので、不法就労ができたとして、横浜地方裁判所庁へ論告求刑するための不法な公判をすることです。

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

送検は、中国人4人を入管法違反（資格外活動）犯として刑事処罰を求めるものです。

フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、入管法に反して不法就労させられたフィリピン人だけを内容嘘偽の罪名で不法に起訴し、論告求刑し、不法な手段で意思決定の自由を圧迫しての、逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法194条 特別公務員職権濫用罪に該当するものです。

#### **IV. 公判の検察官のなした、虚偽告発罪（172条）の犯罪事実**

1. 被告発人の検察官は、平成26年6月頃、フィリピン人は都内の造園会社で資格外活動で働いていたが、不法就労させた事業者を不法就労助長罪で逮捕せず、フィリピン人だけを不当に不法就労罪で逮捕し、手柄を得たい被告発人は、持っている職権を不法に乱用して、不法就労したフィリピン人を通常の対処と異なり、入管法違反（資格外活動）で厳しく懲役刑にすることを画策し、それには国際法に反しないために、入管法の幫助者である雇用者を不法就労助長罪で処罰せねばならないが、情により処罰したくないので、真実は在留資格取消の行為であるのに、大使館職員（運転手）を代わりの幫助者としてでっち上げ、大使館職員（運転手）より内容虚偽の雇用契約書の提供を受けられたので、在留資格が得られたた、在留資格を得られたので、日本に在留できた、それで不法就労をやってしまったとして、大使館職員（運転手）を不法就労の幫助者として、入国収容所（または神奈川県内の警察署）に逮捕監禁中のフィリピン人を、横浜地方裁判所の公判で入管法違反（資格外活動）として内容虚偽の罪名で虚偽告発（論告求刑）したものです。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は虚偽告発の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

論告求刑は、フィリピン人3名を入管法違反犯（資格外活動）として法の下での公平、国際法に反して恣意的に刑事処罰を求めるものです。

したがって、フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、恣意的に、刑法幫助者を偽装して、不法就労させられたフィリピン人だけを刑事処分する、卑劣な違法な手口で犯罪者にしているので、被告発人らの不法な虚偽告発は、単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法172条 虚偽告発罪に該当するものです。

## 第2章 第一部－3. 裁判官の告発事実

### I. 逮捕状を発行した裁判官の 特別公務員職権濫用罪の犯罪事実

被告発人の裁判官は、平成26年6月頃、フィリピン人は都内の造園会社で資格外活動で働いていたが、入管法に反して、不法就労させた事業者を情により不法就労助長罪で不当に逮捕せず、法の下での平等および国際法に反し、また、真実は在留資格取消の処分行為であるのに、虚偽に、フィリピン人は、フィリピン大使館職員の運転手より虚偽の雇用契約書の提供を受けたので在留資格を取得することができ在日できた、よって大使館職員（運転手）を幫助者として、不法就労できたとして、入管法違反（資格外活動）とした内容虚偽の罪名で、逮捕状請求をする警察官の所為を情により適法と認め、逮捕状を不法に発行し、意思決定の自由を圧迫し、逮捕・監禁を行なわせたものです。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

逮捕状を発行した目的は、フィリピン人3名を入管法違反犯（資格外活動）として法の下での公平、国際法に反して恣意的に逮捕をして捜査をさせるためです。

フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処

分としなければならないが、入管法に反して不法就労させられたフィリピン人だけを不法逮捕し、不法な手段で意思決定の自由を圧迫しての、逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 194 条 特別公務員職権濫用罪に該当するものです。

## Ⅱ. 拘留請求を承認した裁判官の 特別公務員職権濫用罪の犯罪事実

1. 被告発人の裁判官は、平成 26 年 6 月頃、フィリピン人は都内の造園会社で資格外活動で働いていたが、入管法に反して、不法就労させた事業者を情により不法就労助長罪で不当に逮捕せず、法の下での平等および国際法に反し、また、真実は在留資格取消の処分行為であるのに、嘘偽に、フィリピン人は、フィリピン大使館職員の運転手より嘘偽の雇用契約書の提供を受けたので在留資格を取得することができ在日できた、よって大使館職員（運転手）を幫助者として、不法就労できたとして、入管法違反（資格外活動）とした内容嘘偽の罪名で、逮捕状請求をする検察官の所為を情により適法と認め、勾留状を不法に発行し、意思決定の自由を圧迫し、逮捕・監禁を行なわせたものです。

以上、フィリピン人 3 名に対して、それぞれ 1 件の告発事実（犯罪事実）について、  
以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

勾留状を発行した目的は、フィリピン人 3 名を入管法違反犯（資格外活動）として法の下での公平、国際法に反して恣意的に恣意的に拘束をして捜査をさせるためです。

フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、入管法に反して不法就労させられたフィリピン人だけを不法逮捕し、不法な手段で意思決定の自由を圧迫しての、逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法194条 特別公務員職権濫用罪に該当するものです。

### Ⅲ. 公判裁判官 特別公務員職権乱用罪の犯罪事実

1. 被告発人の裁判官は、平成26年6月頃、フィリピン人は東京都内の造園会社で資格外活動で働いていたが、不法就労させた事業者を不法就労助長罪で逮捕せず、フィリピン人だけを不当に不法就労罪で逮捕し、持っている職権を不法に乱用して、真実は在留資格取消の行為であるのに、フィリピン人は、大使館職員（運転手）より内容虚偽の雇用契約書の提供を受けられたので、在留資格が得られた、在留資格を得られたので、日本に在留できた、それで不法就労をやってしまったとして、大使館職員（運転手）を幫助者とする、入管法違反（資格外活動）とした内容虚偽の罪名である検察官の起訴を情により適法と認め、フィリピン人を入国収容所（または神奈川県内の警察署）に収監したまま釈放せず、そして不法に公判を開廷し、意思決定の自由を圧迫し、フィリピン人には何の義務もない、不法な逮捕・監禁を行なわせ公判を行ったものです。

以上、フィリピン人3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。



公判開廷を行った目的は、入管法違反犯（資格外活動）として法の下での公平、国際法に反して、公判を行うためです。

フィリピン人3名は、入管法の趣旨、法の下での平等、国際法に反しないためには、不法就労させた雇用者を注意程度で入管法で刑事処分しないのなら、不法就労させられたフィリピン人も注意処分としなければならないが、入管法に反して不法就労させられたフィリピン人だけを内容虚偽の罪名で不法に収監して公判し、不法な手段で意思決定の自由を圧迫しての、逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法194条 特別公務員職権濫用罪に該当するものです。

## **第2部 フィリピン大使館職員（運転手）に関する被告発人**

### **第2章 第2部－1. 警察官**

#### **I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実**

1. 被告発人の警察官らは、平成26年6月頃、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消22条の4-4の幫助行為を指して、虚偽に、内容虚偽の雇用契約書を不法就労した正犯に提供したことは、犯罪が思科されるとして、神奈川県内においてフィリピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪の容疑で、事前に横浜地方裁判所に逮捕令状を虚偽請求し、被告発人は持っている職権を乱用し内容虚偽の不法な逮捕令状で、意思決定の自由を圧迫し、フィリピン大使館職員（運転手）には何の義務もない、不法な逮捕・監禁を行ない取調べを行ったものです。

以上 1 件の告発事実（犯罪事実）について、以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

捜査の目的は、フィリピン大使館職員（運転手）を幫助罪とするので、在留資格取消の幫助行為における嘘偽の雇用契約書を作成し提供したとして、横浜地方検察庁へ送検するための無理のある捜査をして調書を取ることに、自白を強要するためであるが、嘘偽の雇用契約書を作成し提供した幫助行為が罪にならないので、故意を立証する行為は違法です。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに、卑劣な手口で犯罪者にし、不法な手段で意思決定の自由を圧迫しての、被告発人の不法な逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 194 条 特別公務員職権濫用罪に該当するものです。

## II. 警察官らの 虚偽告発罪の犯罪事実

1. 被告発人の警察官らは、平成 26 年 6 月頃、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消 22 条の 4 - 4 の幫助行為を指して、嘘偽に、手柄を得たい被告発人は、不法就労した正犯を通常のとおりと異なり、入管法違反（資格外活動）で厳しく懲役刑にすることを画策し、それには国際法に反しないためには、入管法の幫助者である雇用者を不法就労助長罪で処罰せねばならないが、情により処罰したくないので、フィリピン大使館職員（運転手）らを代わりの幫助者としてでっち上げ刑法で処罰させることを画策し、内容虚偽の雇用契約書を不法就労した正犯に提

供したことは、犯罪であるとして、神奈川県内の警察署に逮捕監禁中のフィリピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪の容疑などで、横浜地方検察庁に内容虚偽の罪名で違法に虚偽告発（送検）したものです。

以上 1 件の告発事実（犯罪事実）について、以下は虚偽告発の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

送検は、フィリピン大使館職員（運転手）を入管法違反幫助犯として刑事処罰を求めるものです。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに卑劣な手口で犯罪者にされたので、被告発人らの不法な虚偽告発は、単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 172 条 虚偽告発罪に該当するものです。

## **第 2 章 第 2 部－ 2. 検察官**

### **I. 取調べ検察官のなした、特別公務員職権乱用罪の犯罪事実**

1. 被告発人の検察官は、平成 26 年 6 月頃、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消 22 条の 4-4 の幫助行為を指して、虚偽に、内容虚偽の雇用契約書を不法就労した正犯に提供したことは、犯罪が思科されるとして、神奈川県内の警察署に逮捕・監禁中のフィリピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪の容疑などで、不法に勾留請求を

行ない、勾留状を不法に取得して、職権を乱用し内容虚偽の不法な勾留状で、意思決定の自由を圧迫し、フィリピン大使館職員（運転手）には何の義務もない、不法な逮捕監禁を行ない取調べを行ったものです。

以上 1 件の告発事実（犯罪事実）について、以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

勾留状請求の目的は、フィリピン大使館職員（運転手）を幫助罪とするので、在留資格取消の幫助行為における虚偽の雇用契約書を作成し提供したとして、横浜地方裁判所へ起訴するための捜査をして被告発人のシナリオで調書を取ることと、自白を強要するためであるが、虚偽の雇用契約書を作成し提供した幫助行為が罪にならないので、故意を立証する行為は違法です。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに、卑劣な手口で犯罪者にし、不法な手段で意思決定の自由を圧迫しての、被告発人の不法な逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 194 条 特別公務員職権濫用罪に該当するものです。

## II. 取調べ検察官のなした 虚偽告発罪（172 条）の犯罪事実

1. 被告発人の検察官は、平成 26 年 6 月頃、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消 22 条の 4-4 の幫助行為を指して、虚偽に、手柄を得たい被告発人は、不法就労した正犯を通常の対処と異なり、入管法違反（資格外活動）で厳しく懲役刑にすることを画策し、

それには国際法に反しないためには、入管法の幫助者である雇用者を不法就労助長罪で処罰せねばならないが、情により処罰したくないので、フィリピン大使館職員（運転手）を代わりの幫助者としてでっち上げ刑法で処罰させることを画策し、内容虚偽の雇用契約書を不法就労した正犯に提供したことは犯罪として、神奈川県内の警察署に逮捕・監禁中のフィリピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪で、横浜地方裁判所に虚偽告発（起訴）をしたものです。

以上 1 件の告発事実（犯罪事実）について、以下は虚偽告発の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

起訴は、フィリピン大使館職員（運転手）を入管法違反幫助犯として刑事処罰を求めるものです。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに卑劣な手口で犯罪者にしたので、被告発人の不法な虚偽告発は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 172 条 虚偽告発罪に該当するものです。

### Ⅲ. 公判の検察官 のなした、特別公務員職権乱用罪の犯罪事実

1. 被告発人の検察官は、取調べの検察官より引き継ぎを受け、平成 26 年 6 月頃より、平成 26 年 6 月頃まで、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消 22 条の 4-4 の幫助行為を指して、虚偽に、内容虚偽の雇用契約書を不法就労した正犯に提供したことは、犯罪であるとして、入国者収容所（又は神奈川県内の警察署）に収監中のフィリピン大使館職員（運転

手)を入管法違反(資格外活動)の幫助罪の被告として釈放せず、そして同年6月頃、公判において不法な内容虚偽の起訴状を読み上げ公判を開始し、意思決定の自由を圧迫し、フィリピン大使館職員(運転手)には何の義務もない、不法な逮捕監禁をして公判を行ったものです。

以上1件の告発事実(犯罪事実)について、以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

公判の目的は、フィリピン大使館職員(運転手)を幫助罪とするので、在留資格取消の幫助行為における虚偽の雇用契約書を作成し提供したとして、公判を行うためです。

したがって、フィリピン大使館職員(運転手)は何ら犯罪行為をしていないのに、卑劣な手口で犯罪者にし、不法な手段で意思決定の自由を圧迫しての、被告発人の不法な逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為(後述)です。

よって、被告発人の所為は、刑法194条 特別公務員職権濫用罪に該当するものです。

#### **IV. 公判の検察官 のなした、虚偽告発罪(172条)の犯罪事実**

1. 被告発人の検察官は、平成26年6月頃、持っている職権を不法に乱用して、フィリピン大使館職員(運転手)は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消22条の4-4の幫助行為を指して、虚偽に、取調べの検察官に同調し手柄を得たい被告発人は、不法就労した正犯を通常の対処と異なり、入管法違反(資格外活動)で厳しく懲役刑にしたので、それには国際法に反しないためには、入管法の幫助者である雇用者を不法就労助長罪で処罰せねばならないが、情により処罰したくないので、画策通り、フィリピン大使館職員(運転

手)を代わりの幫助者としてでっち上げ刑法で処罰させるため、内容虚偽の雇用契約書を不法就労した正犯に提供したことは犯罪であるとして、入国者収容所(又は神奈川県内の警察署)に収監中のフィリピン大使館職員(運転手)を入管法違反(資格外活動)の幫助罪で、横浜地方裁判所に虚偽告発(論告求刑)をしたものです。

以上1件の告発事実(犯罪事実)について、以下は虚偽告発の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

論告・求刑は、フィリピン大使館職員(運転手)を入管法違反幫助犯として刑事処罰を求めるものです。

したがって、フィリピン大使館職員(運転手)は何ら犯罪行為をしていないのに卑劣な手口で犯罪者にしたので、被告発人の不法な虚偽告発は単なる過失ではなく悪質な故意のある犯罪行為(後述)です。

よって、被告発人の所為は、刑法172条 虚偽告発罪に該当するものです。

## **第2章 第2部－3. 裁判官の告発事実**

### **I. 逮捕状を発行した裁判官の 特別公務員職権濫用罪の犯罪事実**

1. 被告発人の裁判官は、平成26年6月頃、持っている職権を不法に乱用して、フィリピン大使館職員(運転手)は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消22条の4-4の幫助行為を指して、虚偽に、内容虚偽の雇用契約書を不法就労し

た正犯に提供したことは、犯罪が思科されるとして、フィリピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪などの容疑による、警察官の不法な逮捕状請求を、情により適法と認め、逮捕状を不法に発行し、意思決定の自由を圧迫し、フィリピン大使館職員（運転手）には何の義務もない、不法な逮捕・監禁を行なわせたものです。

以上 1 件の告発事実（犯罪事実）について、以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

逮捕状を発行した目的は、フィリピン大使館職員（運転手）を幫助罪とするので、在留資格取消の幫助行為における嘘偽の雇用契約書を作成し提供したとして、東京地方検察所へ送検するための捜査をして調書を取ることと、自白を強要するためであるが、嘘偽の雇用契約書を作成し提供した幫助行為が罪にならないので、故意を立証する行為は違法です。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに、卑劣な手口で犯罪者にし、不法な手段で意思決定の自由を圧迫しての、被告発人の不法な逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 194 条 特別公務員職権濫用罪に該当するものです。

## II. 拘留請求を承認した裁判官の 特別公務員職権濫用罪の犯罪事実

1. 被告発人の裁判官は、平成 26 年 6 月頃、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消 22 条の 4-4 の幫助行為を指して、嘘偽に、内容虚偽の雇用契約書を不法就労し



た正犯に提供したことは、犯罪が思科されるとして、神奈川県内の警察署に逮捕・監禁中のフィリピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪の容疑などによる、検察官の不法な勾留状請求を、情により適法と認め、勾留状を不法に発行し、意思決定の自由を圧迫し、フィリピン大使館職員（運転手）には何の義務もない、不法な逮捕・監禁を行なわせたものです。

以上 1 件の告発事実（犯罪事実）について、以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

勾留状を発行した目的は、フィリピン大使館職員（運転手）を幫助罪とするので、在留資格取消の幫助行為における嘘偽の雇用契約書を作成し提供したとして、横浜地方裁判所へ起訴するための捜査をして調書を取ることと、自白を強要するためであるが、嘘偽の雇用契約書を作成し提供した幫助行為が罪にならないので、故意を立証する行為は違法です。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに、卑劣な手口で犯罪者にし、不法な手段で意思決定の自由を圧迫しての、被告発人の不法な逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 194 条 特別公務員職権濫用罪に該当するものです。

### **Ⅲ. 公判の裁判官の 特別公務員職権乱用罪の犯罪事実**

1. 被告発人の裁判官は、平成 26 年 6 月頃頃、持っている職権を不法に乱用して、フィリピン大使館職員（運転手）は何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、真実は入管法の在留資格取消 22 条の 4-4 の幫助行為を指して、嘘偽に、内容虚偽の雇用契約書を不法就労した正犯に提供したことは犯罪として、入国者収容所（又は神奈川県内の警察署）に収監中のフィ

リピン大使館職員（運転手）を入管法違反（資格外活動）の幫助罪による、検察官の不法な内容虚偽の起訴を、情により適法と認め、釈放せず、公判を開廷し、意思決定の自由を圧迫し、フィリピン大使館職員（運転手）には何の義務もない、不法な逮捕・監禁を行なわせ公判を行ったものです。

以上 1 件の告発事実（犯罪事実）について、以下は逮捕監禁の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

公判開廷を行った目的は、フィリピン大使館職員（運転手）を幫助罪とするので、在留資格取消の幫助行為における虚偽の雇用契約書を作成し提供したとして、公判を行うためです。

したがって、フィリピン大使館職員（運転手）は何ら犯罪行為をしていないのに、卑劣な手口で犯罪者にし、不法な手段で意思決定の自由を圧迫しての、被告発人の不法な逮捕・監禁行為は単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 194 条 特別公務員職権濫用罪に該当するものです。

### **第 3 部 書類送検の外交官等 3 名に関する被告発人**

#### **第 2 章 第 3 部－ 1. 警察官**

##### **I. 警察官らの 虚偽告発罪の犯罪事実**

1. 被告発人の警察官らは、先に平成 26 年 6 月頃、真実は入管法の在留資格取消行為およびその幫助行為であるにも関わらず、

フィリピン大使館職員（運転手）より内容虚偽の雇用契約書の提供を受け在留資格を取得して不法就労したフィリピン人3名を入管法違反（資格外活動）として、刑事処分したことは不法であるので、前第1部で記載しました。

内容虚偽の雇用契約書を提供したフィリピン大使館職員（運転手）を入管法違反（資格外活動）幫助罪として内容虚偽の罪名で刑事処分したことは不法であるので、前第2部で記載しました。

前記の犯罪に味をしめた被告発人の警察官らは、平成26年11月頃、先に不法就労したフィリピン人の話からフィリピン国外交官1名及びフィリピン大使館職員3名の4名も内容虚偽の雇用契約書を不法就労したフィリピン人に提供して在留資格取得の幫助をしていたと聞き、フィリピン大使館に面会を申し込んだが1名は既に帰国済で3名は申し込み直後に帰国したとの回答を受けた。

よって警察官らは、平成27年2月頃、持っている職権を不法に乱用して、フィリピン国外交官1名及びフィリピン大使館職員2名の3名のした行為は、入管法の在留資格取消（第22条の4-4）の幫助行為であり、何ら犯罪が思科されないし、犯罪行為をしていないにもかかわらず、よってなんら刑事処罰を受けないにもかかわらず、外交官らのクビをとって手柄を得たい被告発人は、フィリピン大使館職員（運転手）と同様に、真実は入管法の在留資格取消の幫助行為であるにも関わらず、雇用契約書を先に不法就労したフィリピン人3名に提供した行為は、入管法違反（資格外活動）に対する刑法幫助罪だとして内容虚偽の罪名で、横浜地方検察庁に虚偽告訴（書類送検）したものです。

以上、3名に対して、それぞれ1件の告発事実（犯罪事実）について、  
以下は虚偽告発の目的を補充

要旨は 前記 I. 警察官らの 特別公務員職権乱用罪刑法の犯罪事実 に同じ。

送検は、フィリピン国外交官 1 名及びフィリピン大使館職員 2 名を入管法違反幫助犯として刑事処罰を求めるものです。

したがって、フィリピン国外交官 1 名及びフィリピン大使館職員 2 名は何ら犯罪行為をしていないのに卑劣な手口で犯罪者にされたので、被告発人らの不法な虚偽告発は、単なる過失ではなく悪質な故意のある犯罪行為（後述）です。

よって、被告発人の所為は、刑法 172 条 虚偽告発罪に該当するものです。

## **第 2 章 第 3 部－ 2. 検察官**

新聞記事では不明です。

## **第 2 章 第 3 部－ 3. 裁判官の告発事実**

新聞記事では不明です。

## **第 2 章 第 4 部 悪質な故意のある犯罪行為 （告発事実の故意について）**

### **I. 被告発人の犯罪の悪質性**

## **1. 風が吹けば桶屋が儲かる式の結論ありきの強引な因果関係による幫助論はぞっとします。**

被告発人の嘘偽告訴・逮捕監禁の犯罪趣旨は、告発人が共犯者の金軍学と共謀し、内容虚偽の雇用契約書を不法就労した正犯に提供することで、正犯は在留資格を取得できた。正犯は在留資格が得られたので日本に在留できた。在留できたので不法就労することが出来た。

よって、入管法違反（資格外活動による不法就労）の幫助行為をした犯罪であるとしたのです。

理由とした因果関係は、入管法の趣旨を大きく逸脱し、また幫助罪論理さえ逸脱した、明らかに適用法を違法にこじつけた明らかに故意のある犯罪です。

こういう「風が吹けば桶屋が儲かる」論法が許されるのであれば、在留できたので不法就労することが出来た。の部分、在留できたので殺人ができたとして、殺人罪の幫助罪にも出来るのです。

もちろん、幫助罪ですから、故意がなければなりません、結論が決まっていますから、故意はいくらでもでっち上げることができます。

当事件は、前記しましたように、在留資格の付与は法務大臣が裁量で与えていますので、在留資格の取得を容易にしたとは言えません。省令で規定する卒業証書と違い、雇用契約書の提出は課長通達ごときで提供するものであり、刑罰を課される法的根拠は全くありません。明らかにでっち上げの犯罪といえます。

## **2. 入管法が主として外国人の処遇を扱う法律であり一般に知られていないことを悪用**

### **（虚偽告訴の目的を追加補充）**

不法就労の助長行為対策として入管法の趣旨では、不法就労の直接的因果関係は、不法就労助長

罪に規定する事項です。

仮に内容虚偽の雇用契約書で法務大臣より、技術や人文国際などの在留資格を得たとしても、在留資格の範囲内で就労すれば、不法就労にはなりません。

不法就労になるのは、在留資格外で働いたので資格外活動の不法就労になるのです。しかし、外国人が、いくら不法就労したくとも、働かせる事業者がいなければ不法就労者になりえません。

それは、事業者が働く資格のない外国人を雇用した不法就労させたからです。雇用されなければ、100%不法就労者にはなりえないのです。それで不法就労助長罪が創設されているのです。

在留資格の付与条件は未公開であり、在留資格は法務大臣が裁量で与えたものですから、法務大臣には、在留資格の取消権限を与えています。

もし在留資格取消を受けたとしても、退去強制の行政処分であり、告発人を刑法の幫助罪で国外退去の刑事処分をさせることは出来ません。

このため、起訴直前の平成22年7月1日施行の入管法改正で、他の外国人に虚偽の書類を提供、幫助して在留資格を得させた外国人は、国外退去の行政処分となった（以前は処分なし）ことから、虚偽の雇用契約書の提供がなんら犯罪にならないことは充分承知の上で、入管法という主として、外国人の処遇を扱う法律が、一般に知られていないことを悪用し計算された故意の犯行であることは明白です。

### **3. マスコミを使って、虚偽の情報操作で、犯罪を正当化した**

このフィリピンの外交官および大使館職員2名の書類送検にあたっては、添付の新聞記事のとおり、あたかも正当であるように、虚偽の情報捜査をしております。

2010年の、告発人の入管法違反幫助事件とまったく同じパターンです。

虚偽情報であることは、当告発状に記載のとおりです。

新聞を見て、すぐに、読売新聞と毎日新聞には、訂正記事を出すようにメールをして、フィリピン大使館には、嘘偽なので日本政府に抗議するように手紙を出していますので、刑が確定していない事を願っています。

この虚偽情報により、裁判官に与件を与えることは、否定出来ないと思います。

3名について書類送検ですが、間に合えばと思って、告発状を書いております。

## **Ⅱ．特別公務員職権濫用罪の故意**

### **1. 特別公務員職権濫用罪の犯罪構成要件該当性**

「特別公務員職権濫用罪」は、その職権を濫用して、他人を逮捕、監禁することによって成立する罪です。特別公務員職権濫用罪の犯罪構成要件該当性については、

- ①主体が特別公務員であること、・・・事実 警察官、検察官、裁判官です。
- ②人を逮捕・監禁したこと、・・・事実として逮捕・監禁されました。
- ③職権を濫用したこと、によって成立します。

**職権を濫用したか否かですが、濫用とは、**

**職務上の権限を不法に行使すること**で、その手段や方法は、暴行・脅迫だけでなく、**法律上・事実上**、被害者に対してその結果を受け入れざるえない程度に意思決定の自由を圧迫するものであれば足りるとされています。

告訴事実に記載のとおり、内容虚偽の逮捕状等を裁判所に申請し、不法な内容虚偽の逮捕状を提示するなどして意思決定の自由を圧迫し職務上の権限を行使しています。

特別公務員職権濫用罪は故意を必要としていませんので、この明らかな不法な行為は、職権乱用であるので、犯罪は成立します。

## **2. 特別公務員職権濫用罪の裏にある、（虚偽告訴の）重大な故意**

警察官、検察官らは、不法な逮捕・監禁をなすにあたって、正当な逮捕理由を装い、虚偽に、犯罪が思科される内容で逮捕令状を請求し（虚偽告訴）、逮捕令状を取得し、逮捕・監禁を巧妙に正当化していますので、虚偽告訴罪成立にも必要な、重大な故意のあることを、  
前記 被告発人の犯罪の悪質性に加え更に述べます。

**入管法違反（資格外活動による不法就労）事件は珍しい事件ではありません。**  
**日常的に発生している事件です。**

事実として、告訴人が収監された警察の留置所は、不法就労の逮捕者で溢れかえっていました。不法滞在10年以上も珍しくありません。多くの場合、情により雇用者を不法就労助長罪で逮捕さえせず処分しませんので、不法就労した外国人の内、不法滞在者は、通常は刑事処分はせずに入管送りで国外強制退去です。



正規の滞在資格は、多くの場合、不法にも法の下での平等に反し罰金刑などで刑事処分をして恣意的に国外退去をさせているのです。しかし、この事件では正規の滞在資格であるため、罰金刑で国外退去とするところを、懲役刑にして手柄を得るため、在留資格の付与条件は法律の定めがなく法務大臣が未公開の付与条件で裁量により付与するものであるにも関わらず、内容虚偽の雇用契約書の提供が在留資格の取得を容易にしたとして虚偽の幫助者をでっちあげて不法就労罪を適用した、極めて悪質な犯罪です。

余談ですが、大阪の中国人女子留学生がホステスとして働いていて、資格外活動の不法就労罪で逮捕され、国外退去のになりましたが、この留学生は珍しく裁判をしました。

裁判の結果、無罪になっています。留学ビザでは資格外活動として風俗で働いてはいけないとか、週に28時間の就業時間を「決めているのは本則（入管法）でなく省令だからです。

在留資格の付与条件は法律で規定されておらず非公開で法務大臣の裁量であり在留資格を容易にしたとも言えず、虚偽の書類提出は国外退去の行政処分であることも知っており、正犯を逮捕理由とした、犯罪事実が「在留資格取消」の幫助理由であることは100も承知しており、入管法事件を扱う正犯の職権濫用の犯意は 明らかな故意（認識有る過失） です。

さらに、逮捕され（平成22年6月14日）後、起訴される月の平成22年7月1日より施行された、入管法改正では、「在留資格取消」に、他の外国人に対し虚偽の書類の提出を幫助したりした外国人は、国外退去とする条項が追加され施行されたことでもわかるように、

入管法の虚偽の書類提出の幫助が刑事処分の対象でないことは明白であり、  
入管法事件を扱う警察官らの職権濫用の犯意は 故意（認識有る過失） であると言えるのです。

不法就労に対しては、法の下での平等及び国際法に反しないように、入管法違反（不法就労）では、不法就労した外国人を不法就労罪とする時は、不法就労させた事業者を、不法就労助長罪で、平等に刑事処分することが、入管法の趣旨であることから、不法就労の幫助罪に、不法就労助長罪以外を適用することが相当でないことを、入管法違反（不法就労）事件を扱う司法警察官は、当然、熟知していたので、不法就労罪に対して、在留資格取消の幫助理由を刑法幫助罪の幫助理由とすることは、計画された故意（認識有る過失）であると言えます。

事実として、多くの入管法違反（資格外活動の不法就労）では、不法就労した外国人を逮捕しますが、雇用者を不法就労助長罪で処罰せず、不法就労させられた外国人を、法の下での公平や恣意的な処分で国際法に反するのを承知で、少額罰金で刑事処分し、入管送りとして国外退去させていたことも職務上、充分に知っていたのです。

従って、入管法の不法就労に関係する不法就労罪、不法就労助長罪、在留資格取消などの法律は充分理解しての犯行ですから、職権濫用の犯意は 故意（認識有る過失） であると言えるのです。

取調べの際、不起訴で釈放されると思った司法警察官（賀来）は、こう言ったのです。  
これからは、入管法でわからなければ、警察に聞いてくださいよ。  
私でわからないところは、専門の人がいるので聞いて教えますよ。  
このことから警察は入管法に熟知しており計算された明らかな故意です。

捜査指揮をした若い検察官徳永は、  
取調べの際、告発人が、罪刑法定主義では何の罪にもならないと言うと、  
「私は偉いのです。誰があなたのことを信じますか、誰もあなたの言うことを信じませんよ」  
「私は偉いのです。認めれば罰金、認めなければ懲役刑にでも出来るのです」

「私は偉いのです。多くの中国人は不起訴または少額罰金で入管送りになります。貴方も認めれば罰金刑にします」と言ったのです。

誰も信じなかったのは確かですが、このことから計算された故意です。

### 3. 未必の故意

在留資格の付与条件、入管法の在留資格取消（22条の4）や不法就労助長罪（73条の2）の存在を知らなかった、失念していたので、単なる過失だと言い訳するのであれば、不法就労に関わる入管法事件を扱う司法警察官として、入管法の趣旨、関連条項の創設、改定趣旨やその内容などの法令調査を怠らって、職務を行うことは、適用法誤りにより、取り返しがつかない人権侵害をおこし、被害者を社会のどん底に引きずり落とす悲惨な結果になることは、職務の性格上、充分認識していたとされるので、「未必の故意」といえま

す。

また、入管法違反事件を扱う警察官が、入管法を知らなかったと言うのであれば、法治国家としての体をなしていないので、許されることではありません。

警察官、検察官、裁判官らの特別公務員が、法律を知らなかったので、適用法を誤ったと平然とするのでは、国民は安心して生活できません。

よってこうした適用法誤りによる人権侵害がおきないように、警察組織、検察組織、裁判所の組織は法の下での統治を行う、罪刑法定主義によるチェック機能がついた司法行政になっていますが、事実、この事件では、なんら機能せず適用法誤りにより実刑を受けております。さらに告訴状・告発状を受理せず握りつぶしていますので、国際社会の力をかりて、毅然として関係者を処罰しなければ、法の下での統治が実現しないのは明白です。

この問題は根が深いので、日本人の私だけでは解決できません。日本政府（司法行政）は、一部の日本人や多くの外国人に対して、法の下で統治せず、深刻かつ組織的な人権侵害を引き起こしています。助けてください。として、国際連合人権理事会に救援を求めています。

### **Ⅲ. 虚偽告発罪の故意**

入管法違反事件においては、警察官、検察官は、特別公務員職権乱用罪に加え虚偽告発罪で告発しています。

虚偽告発罪は、他人に刑罰や懲戒を受けさせる目的で、虚偽の告発をする行為を内容とする。故意犯、目的犯であり、「人に刑事又は懲戒の処分を受けさせる目的」が必要であるので、しっかり記載しました。

虚偽告発罪の「故意」についても、特別公務員職権乱用罪で記載した内容と同じです。

以下の記載は、当告発に関する関連事項です。

## **第3章. 注釈的説明**

### **1. 警察官の職務権限**

#### **刑事訴訟法**

（昭和二十三年七月十日法律第百三十一号）

#### **第一章 捜査**

第百八十九条 警察官は、それぞれ、

他の法律又は国家公安委員会若しくは都道府県公安委員会の定めるところにより、

司法警察職員として職務を行う。

○2 司法警察職員は、犯罪があると思料するときは、

**犯人及び証拠を捜査するものとする。**

司法警察員は、司法巡査が有する捜査に関する権限を全て有する。

司法警察員が有する特別の権限としては、以下のようなものがある。

逮捕に関して

通常逮捕状の請求（刑事訴訟法 199 条 2 項）。

逮捕した被疑者の受け取り（同法 202 条、215 条 1 項）。

被疑者逮捕時の犯罪事実の要旨・弁護人選任の告知、弁解録取、釈放・送致の決定(同法 203 条 1 項、211 条、216 条)

差押、搜索、検証令状の請求（刑事訴訟法 218 条 3 項）

証拠品の売却・還付（同法 222 条 1 項但書）

鑑定留置処分 of 請求(同 224 条 1 項)、鑑定処分許可の請求(同 225 条 2 項)

代行検視（同法 229 条 2 項）

告発・告発、自首の受理・調書作成（同法 241 条 1 項 2 項、243 条、245 条）

検察官への事件送致（同法 246 条本文、242 条、245 条）

捜査機関

捜査は、捜査機関によってなされる。

刑事訴訟法が規定する捜査機関としては以下が挙げられる。

一般司法警察職員（＝警察官）（刑事訴訟法 189 条 2 項）

特別司法警察職員（警察官以外の司法警察職員）（刑事訴訟法 190 条）

検察官（刑事訴訟法 191 条 1 項）

検察事務官（刑事訴訟法 191 条 2 項）

## 2. 検察官の職務権限

検察官の職務

検察庁法

（昭和二十二年四月十六日法律第六十一号）

第四条 検察官は、刑事について、公訴を行い、

裁判所に法の正当な適用を請求し、且つ、裁判の執行を監督し、

又、裁判所の権限に属するその他の事項についても職務上必要と認めるときは、

裁判所に、通知を求め、又は意見を述べ、

又、公益の代表者として他の法令がその権限に属させた事務を行う。

第六条 検察官は、いかなる犯罪についても捜査をすることができる。

○2 検察官と他の法令により捜査の職権を有する者との関係は、

刑事訴訟法の定めるところによる。

捜査機関

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検察官（刑事訴訟法 191 条 1 項）

検察事務官（刑事訴訟法 191 条 2 項）

## 3. 裁判官の職務権限

裁判官の職務および権限 憲法 76 条 3 項

「すべて裁判官は、その良心に従ひ独立してその職権を行ひ、この憲法及び法律にのみ拘束される。」

第七六条 すべて司法権は、最高裁判所及び法律の定めるところにより設置する下級裁判所に属する。

（2）特別裁判所は、これを設置することができない。

行政機関は、終審として裁判を行ふことができない。

（3）すべて裁判官は、その良心に従ひ独立してその職権を行ひ、

この憲法及び法律にのみ拘束される。

## 第4章 フィリピン人の被害

被告発人らの、日本国憲法および入管法に違反し、さらに日本政府の法の下での統治や、国際ルールを侮辱する、悪質な職権濫用により、フィリピン人4名（その後外交官1名職員2名が加わると思われる）は、肉体的苦痛や精神的苦痛、社会的信用を失いました。

逮捕、監禁そして裁判により、生活の基盤である日本から、犯罪者として強制退去をさせられ、すべての信用、敷金や家財などの財産や収入、生活の基盤などを失うことになったのです。

フィリピン人4名のうけた懲役刑は、フィリピン国での人生にも大きく負担になります。早急に、検察側が再審請求して起訴を取り下げ、賠償をすべきです。

裁判のやり直しが必要です。（検察が再審を申し出て、起訴を取り下げる）そして損害賠償をすることです。国際的には恥ずかしいことです。

## 第5章 其の他

### I. 立証方法

1. 起訴状
2. 日本国憲法、出入国管理及び難民認定法並びに刑法等
3. 入管法改正にかかる国会議事録（本会議および委員会等）  
（法の創設および改正趣旨）



#### 4. 横浜地裁判決

## Ⅱ. 添付書類

フィリッピン大使館入管法違反 読売新聞記事コピー 1枚

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