

Chiikawa Goods Swiped by Staff? Lawyer Says It's a Crime

人気キャラクターとのコラボグッズは、期間限定や数量限定ということもあり、多くの人にとって特別な価値があります。そんな中、飲食店で客向けに用意されたグッズを、従業員が店外へ持ち出す事案が相次いでいます。人気が高まるほど、商品をきちんと管理し、不正を防ぐ仕組みも重要になります。あなたは、従業員が店の商品を勝手に持ち出すことについて、どのように考えますか。



1. Article

Read the following article aloud.

Restaurant employees have been caught taking home or removing from the premises merchandise produced for collaborations with popular characters such as Chiikawa. But could they face criminal charges for taking items intended for customers?

According to attorney Kunitaka Kasai of Rei Law Office, even if the merchandise is later returned, an employee entrusted with managing the goods, such as a store manager, would likely face charges of occupational embezzlement. An employee without such authority, meanwhile, would likely be charged with theft.

Kasai also pointed out that "to avoid public criticism that the company is being lenient toward its own employees, the company may also seek damages from the employee in question."

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Japan Forward

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1. Article

There has also been considerable criticism on social media of online marketplace Mercari for providing a [platform](#) for the sale of these goods. Some users have argued that the company should have detected that the items may have been stolen.

However, according to Kasai, it is virtually impossible for a platform operator to verify the source of every item listed for sale, making it difficult to hold Mercari liable for negligence.

At conveyor-belt sushi chain Kura Sushi, promotional merchandise is generally stored in a locked warehouse. The company said it manages the goods in accordance with internal regulations, including requiring multiple employees to be present when shipments are opened and stock is replenished, as well as clearly assigning [responsibility](#) for managing the merchandise.

Nevertheless, these measures were unable to prevent the merchandise from being taken out of the store.

Kasai said, "Given the recent boom in the character merchandise market, simply tightening management procedures can no longer be considered sufficient. Companies should strengthen their governance so that, if an incident involving misconduct occurs, they can promptly conduct internal investigations and take appropriate legal action."

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2. Key phrases and vocabulary

First repeat after your tutor and then read aloud by yourself.

1. employee 従業員

The hardworking employees at the family-style restaurant are popular with the customers.

2. merchandise 商品

The bicycle company has sold over a million dollars' worth of merchandise in the last three months.

3. charge 罪状

The official charge in the case was destruction of public property.

4. platform 基盤

The website provides a platform for graphic artists to share their work.

5. responsibility 責任

Taking care of the vegetable garden is my responsibility.

3. Questions

Read the questions aloud and answer them.

1. What kinds of merchandise had employees been taking from restaurants?
2. According to the lawyer, what charge might a store manager face for taking merchandise? What charge might an employee without management authority face?
3. How does Kura Sushi manage its promotional merchandise?
4. Why do you think some employees sometimes take things?
5. What should online marketplaces do when sellers offer goods that may have been stolen?

4. 従業員には窃盗罪、損害賠償請求も コラボグッズ持ち出し

飲食店が企画した人気キャラクターとのコラボレーショングッズを、店の従業員が持ち出す事案が相次ぐが、客向けのグッズを不正に持ち出したりネットに出品したりすると、どんな罪に問われるのか。

レイ法律事務所の河西邦剛弁護士によると、グッズを返却したとしても、店長などグッズを管理する権限を与えられていた場合は業務上横領罪に、権限のない従業員であれば窃盗罪に問われる可能性が高いという。

また、「『身内に甘いのでは』という世間の批判を回避するため、企業が当該従業員に損害賠償を請求することもあり得る」と指摘する。

SNS上では、盗難などの疑いがあるグッズであることを見抜けず、売買の場を提供したとして、メルカリを批判する声も少なくない。だが、河西氏によると、すべての出品物の入手経路を運営側が確認するのはほぼ不可能で、過失を問うのは困難という。

くら寿司では、特典のグッズを原則鍵付きの倉庫内で保管。複数人での開封や補充、担当者の明確化など、社内規定に基づいて管理していたが、持ち出しを防げなかった。

河西氏は「昨今のキャラクター市場の盛況もあり、管理を徹底するだけではもはや不十分といえる。企業側は、不正事案が起きた場合に備え、社内調査や法的措置を滞りなく実施できるようにガバナンスを強化しておくべきだ」としている。

出典：従業員には窃盗罪、損害賠償請求も コラボグッズ持ち出し

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