

Breeders, animal traders, in fact anyone seeking to exploit animals in some way, are flocking to Shiga Prefecture. The reason? Apart from its location, half way between the Kansai and Nagoya and with the highway to Tokyo running through its centre, more than anything it is regarded as a 'soft touch.' As shown by Shiga Prefecture Kanri Centre's handling of the Omi-Hachiman breeder's case, the authorities leave breeders a free run beyond the law, with token inspections, no warnings and no closures.

When we asked the Kanri Centre officials what they thought about this breeder, they said they thought he was a 'nice guy', trying to cooperate with them. Who isn't 'nice' to the authorities when they stand to gain millions of yen from a business? Why did the authorities believe his story about 28 dogs in all, dying of parvo. When the first batch of 16 died in August 2003, why didn't the Kanri Centre insist on post-mortems to establish the cause of death? Why did they neglect to tell us about these earlier cases when we discovered 12 more corpses in February 2004? We have to believe it was either a deliberate cover-up or pure apathy on the part of the officials who neglected to do their duty.

The police will only proceed with the prosecution if enough proof of neglect or abuse is submitted. Although we had what we thought was a water-tight case; neighbours' reports, photographs, TV and newspaper coverage, veterinary report on rescued dogs, the crucial evidence which the Kanri Centre failed to get; a post-mortem revealing cause of death on the dead dogs, may result in this case never getting to court. It is a step backwards for animal welfare in this country. It is a let-down to all of us who had hoped the new Animal Welfare Law would bring justice for all the thousands of abused animals in need of help.

ブリーダーであれ、取引業者であれ、実際、何らかの方法で動物を食いものにしようと狙う者は皆、滋賀県に集まって来ます。そのわけは？ 関西と名古屋の間に位置し、東京に通じる高速道路が県の中心を走っているなど、地理的条件は別にして、根本的理由は、行政当局が「くみしやすい」と思われていることでしょう。近江八幡のブリーダー事件を扱った滋賀県管理センターの対応が示すように、当局は、ブリーダーが法律を無視して好き勝手に振舞うのを許しています——検査といっても名ばかりで、警告も営業停止処分もないのですから。

この件のブリーダーについてどう思いますか？——私どもが管理センター職員に尋ねたところ、返ってきたのは「協力的で“いい奴”ですよ」という答え。何百万円も儲かる取引のためなら、誰だって、当局の気に入られるように装うでしょう。計 28 頭もの犬がすべてパルボウイルス感染症で死んだという業者の話を、なぜ信用したのですか？ 2003 年 8 月に最初の 16 頭が死んだとき、管理センターは、死因を特定するためにどうして検死を主張しなかったのでしょうか。2004 年に我々がさらに 12 頭の死体を発見したとき、先のケースのことをなぜ教えてくれなかったのか。意図的な隠ぺいか、それとも、職務を怠った職員らが単に冷淡だったのか……どちらかだと疑わざるを得ません。

世話の放棄や虐待を裏付ける十分な証拠があつてはじめて、警察は訴追手続きに踏み切ります。私どもは、隣人の証言、写真、テレビと新聞の取材、救出した犬についての獣医の報告書など、事件を立証するに足る確拠を揃えました。管理センターが、決定的証拠となる検死を怠り、犬の死因を解明しようとしなかったことが、事件を不起訴に終わらせてしまったのではありませんか。これは、この国の動物福祉を後退させるものです。改正動物愛護法が、虐待に苦しみながら助けを待つ何千もの動物に正義をもたらすのではないか——そう願った多くの者の期待を裏切る結果に終わったのは残念です。

On the Abuse of Dogs by a Breeder in Omi-Hachiman, Shiga

Hideko Iwai

This is a follow-up report on the case of the abusive dog breeder in Omi-Hachiman city, Shiga prefecture, introduced in ARK's newsletter #54.

Over six months had passed with no progress whatsoever since ARK brought charges against M., the dog breeder, at Omi-Hachiman police station. However, after this case was featured in a November 30, 2004 broadcast of an evening programme called "Voice" on MBS, many viewers called the Omi-Hachiman police station to voice their outrage. As a result, the police were forced to take action and on December 24 an officer from Omi-Hachiman visited ARK to question Liz Oliver and draw up a report. Unfortunately, however, the police's view seemed to be that under the present law, the definition of abuse is too vague to say definitely that this case constituted abuse. Consequently, their position was that filing suit without hard evidence would be difficult.

As for the authorities concerned, we met with the Shiga Prefecture Animal Protection & Control Centre on December 14, and with the Shiga Prefecture Sanitation Department on the 21st, and submitted to them a questionnaire. To our question about what they had determined to be the cause of death for the 12 dogs whose bodies we found on February 19, the Animal Control Center responded that "M. had 16 dogs die of Parvo in August of the previous year, so we determined that these dogs also had died of Parvo."

In other words, there was no scientific basis for their decision, which was nothing but an assumption. (The Parvo virus can be detected from corpses with a PCR test, even a considerable amount of time after death.) Moreover, even though this breeder had not vaccinated his dogs or treated them once they had fallen ill, leaving 28 of them to die suffering, their response was that this case "did not constitute abuse as the dogs died of disease and he did not kill them deliberately."

We simply could not accept this reasoning, so we then submitted a "Statement of Views" to the Omi-Hachiman police station and to the Shiga prefectural governor, requesting that they file suit against M. for violating the "Law concerning animal welfare and control."

This year, the Animal Welfare Law will be reviewed. This case is a valuable illustration of the present reality that, because the definition of abuse is vague, neither the police nor the authorities will take legally grounded measures against cases that quite clearly do constitute animal abuse. For this reason, we have submitted a report on this case to Diet members of every political party, as well as to the Environment Ministry, along with a demand that they expand the definition of animal abuse in their review of the Animal Welfare Law, so as to make it a truly enforceable law in cases of this kind.