

LCQ19: Regulation of veterinary surgeons and veterinary clinics

Following is a question by the Hon Adrian Ho and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (June 7):

Question:

The Veterinary Surgeons Board of Hong Kong (VSB) is a statutory body established under the Veterinary Surgeons Registration Ordinance (Cap. 529) which is responsible for the regulation of the practice of veterinary surgery in Hong Kong. Regarding the regulation of veterinary surgeons and veterinary clinics, will the Government inform this Council:

(1) of the number of veterinary surgeons registered under Cap. 529 in each of the past five years;

(2) of the number of complaints about veterinary surgeons and veterinary clinics received by VSB in each of the past five years, and the subject matters of such complaints; among such complaints, the respective numbers of those which required the conduct of disciplinary inquiries and those in which a conviction of a disciplinary offence was obtained; the orders made by the Inquiry Committee against the veterinary surgeons convicted of disciplinary offences;

(3) of the average time taken by VSB to complete the investigation of each case in the past five years; the longest time taken for investigating the cases and the reasons for that;

(4) whether the authorities have regularly deployed staff to conduct inspections on various veterinary clinics across the territory; if so, of the timetable of the inspections conducted by the authorities in the past five years; if not, the reasons for that; and

(5) as there are views that there is insufficient transparency in VSB's current practices of only publishing on its website the orders of the disciplinary inquiries made by the Inquiry Committee within one year and publishing on an anonymous basis the records of disciplinary inquiries held in the recent three years, whether the Government will recommend or request that VSB set out clearly the information of all non-compliant veterinary surgeons and the names of veterinary clinics involved, so as to ensure the public's right to know?

Reply:

President,

The Veterinary Surgeons Board (VSB) is a statutory body established under the Veterinary Surgeons Registration Ordinance (Cap. 529) (the Ordinance), and is responsible for the regulation, registration and disciplinary control of veterinary surgeons, to ensure a high standard of veterinary services in Hong Kong. All veterinary surgeons must obtain the qualifications for registration specified under the Ordinance before practising in Hong Kong. They should also comply with the Ordinance and Code of Practice for the Guidance of Registered Veterinary Surgeons (the Code) promulgated by the VSB. The Code provides veterinary surgeons with guidelines on conduct, in various aspects including professional ethics, clinic premises and equipment, advertising and other operational details etc. If a veterinary surgeon breaches the Code, the VSB may take disciplinary actions against the surgeon.

If a complaint is received, the VSB must conduct investigation and follow up on the case according to the procedures laid down in the Ordinance and Rules of the Veterinary Surgeons Board (Disciplinary Proceedings) (the Rules). Every case should first be investigated by a Preliminary Investigation Committee (PIC) of the VSB, to decide if it should be referred to an Inquiry Committee (IC) established under the Ordinance for disciplinary inquiries.

On the questions raised by the Hon Adrian Ho, we would like to reply as follows:

(1) In the past five years, the number of veterinary surgeons registered with the VSB under the Ordinance are as follows:

Year	Number of registered veterinary surgeons
2018	988
2019	1 049
2020	1 075
2021	1 090
2022	1 104

(2) In the past five years, the number of complaints received by the VSB, cases referred to IC for disciplinary inquiry after preliminary investigation and complaints found substantiated upon inquiry are tabulated as follows:

Year	Number of complaints received (Note 1)	Number of complaints not referred to IC after preliminary investigation	Number of complaints received that year that are still under preliminary investigation	Number of cases referred to IC after preliminary investigation	Number of inquiries completed (Note 2)	Number of complaints found substantiated

2018	51	44	2	5	8	7
2019 (Note 3)	41	36	2	3	2	1
2020 (Note 3)	42	33	7	2	2	2
2021	40	33	7	0	14	11
2022	59	33	26	0	8	6

Note 1: PICs are still investigating some of the complaints.

Note 2: Including cases received and referred for disciplinary inquiry before that year.

Note 3: To complement the holding of the first Election of VSB Members in 2020 in accordance with the Veterinary Surgeons Registration (Amendment) Ordinance 2015, disciplinary inquiry hearings were suspended from the second half of 2019 to the first half of 2020. Subsequent to the commencement of the amendments to the Ordinance on October 1, 2020, the VSB resumed disciplinary inquiry hearings in November 2020. In addition, inquiry hearings of some cases were repeatedly deferred due to the coronavirus disease 2019 pandemic.

In the past five years, the nature of complaint cases received by the VSB involving registered veterinary surgeons and veterinary clinics are as follows:

Nature of complaints	Percentage
Disregard of professional responsibility to animals	71%
Communication with clients	11%
Medical records	5%
Charges	5%
Others	8%

In the past five years, ICs completed 34 inquiries, 27 of which were found substantiated, involving 30 veterinary surgeons having committed a disciplinary offence. Orders made by ICs in respect of these veterinary surgeons are tabulated as follows:

Relevant Order	Number of persons
Removal of name(s) of relevant veterinary surgeon(s) from the register for three months, reprimand in writing and compulsory participation in continuing professional development programme or professional seminar	1

Reprimand in writing and compulsory participation in continuing professional development programme or professional seminar	18
Reprimand in writing	11
Total	30

(3) Amongst the inquiry cases received and completed in the past five years, the average processing time was around 10 months and the longest one was about 37 months. The investigation and collection of required information and supporting evidence often take time. Processing times of complaints also depend on a number of factors, including the time required by relevant parties (the complainant and the veterinary surgeon being complained of, etc.) to provide necessary information and the complexity of the cases (e.g. whether multiple veterinary surgeons or other law enforcement agencies are involved, etc.).

Upon the reconstitution of the VSB in 2020, the membership increased from 10 to 19 and a panel of 18 assessors was set up. These members and assessors can join PICs and ICs, thus helping expedite the processing of complaints.

(4) The VSB has clear requirements and guidelines on the conduct of registered veterinary surgeons in Hong Kong. The VSB publishes the Code, leaflet and complaint form on its website, to provide the public with information about lodging complaints against veterinary surgeons with suspected professional misconduct or negligence. In addition, veterinary surgeons must hold a valid practising certificate issued by the VSB in order to provide veterinary services. The certificate must be renewed annually, and when applying for renewal, the veterinary surgeon must declare whether he has been convicted of professional misconduct in Hong Kong or elsewhere.

Currently, the VSB mainly acts on complaints and does not conduct proactive inspections. If a registered veterinary surgeon is suspected of committing a disciplinary offence, the VSB will handle the complaint seriously in accordance with the complaint mechanism and disciplinary proceedings stipulated in the Ordinance and Rules.

(5) Such arrangement was decided by the VSB after its review on publications of disciplinary orders. The Government has earlier on recommended the VSB to review the current arrangement, with reference to practices of other professional bodies, to further enhance transparency.