

# LCQ20: Prevention of cruelty to animals

Following is a question by the Hon Doreen Kong and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (February 26):

Question:

In December last year, The Ombudsman announced the launch of a direct investigation operation to probe the Government's work on animal management and protection of animal rights and welfare. It has been reported that multiple incidents of dog poisoning have occurred one after another in Hong Kong since the beginning of this year, causing concern and panic among dog owners. In this connection, will the Government inform this Council:

- (1) given the dog poisoning incidents that have occurred in recent months, whether the relevant departments have set up a dedicated interdepartmental co-operation team to expedite source tracking, improve investigation efficiency, and enhance related detection work as well as publicity and education efforts;
- (2) given that the authorities indicated last year that they were preparing for legislative amendments to the Prevention of Cruelty to Animals Ordinance (Cap. 169), and whereas the Government stated in a paper submitted to the Panel on Food Safety and Environmental Hygiene of this Council in May 2022 that public consultation on the proposed amendments to the Ordinance had been conducted in 2019, and as there are views that the proposed amendments have not yet been included in this year's legislative programme so far and that the progress has been rather unsatisfactory, whether there have been any delay in the relevant work, and what the specific timetable is for the authorities to amend the Ordinance;
- (3) given that in reply to a question from a Member of this Council on December 9, 2020, the Government indicated that it currently had no plan to set up a dedicated hotline for reporting animal cruelty cases, whether the Government will reconsider such proposal in light of the latest trends that have emerged in recent days; if so, of the details; if not, the reasons for that; and
- (4) as there are views that the Agriculture, Fisheries and Conservation Department has failed to properly handle reports of animal cruelty, whether the authorities will improve the Department's complaint handling mechanism in this regard in order to curb such an undesirable trend in animal cruelty as soon as possible; if so, of the details; if not, the reasons for that?

Reply:

President,

The Government adopts a multi-pronged approach to curb acts of cruelty to animals. This includes exploring raising penalties for offences under the Prevention of Cruelty to Animals Ordinance (Cap. 169) (the Ordinance) to enhance deterrence, taking stringent enforcement actions against illegal acts, and continuing to enhance relevant public awareness through education and promotion activities.

Having consulted the Security Bureau, the reply to the question from the Hon Doreen Kong is as follows:

(1) The Hong Kong Police Force (HKPF), the Agriculture, Fisheries and Conservation Department (AFCD) and the Society for the Prevention of Cruelty to Animals (SPCA) jointly implement the Animal Watch Scheme to proactively prevent and detect suspected cases of animal cruelty through multi-agency collaboration. For example, the HKPF would invite the AFCD and SPCA officers to provide professional advice at the scene of an animal cruelty case and assist thereafter where necessary.

Through various channels including the Animal Watchers Programme, the "Be a Responsible Pet Owner" thematic website and roving exhibitions, the HKPF and the AFCD are respectively promoting the message of preventing cruelty to animals at the community level and online platforms; encouraging the public to report cases timely and to provide information that aids investigations; as well as raising public awareness of animal welfare.

(2) The Government has been studying amendments to the Ordinance. In preparing the Bill, it is necessary to consult the relevant stakeholders again on some of the proposals, and after collating the views, we will finalise the proposals and complete the law drafting work promptly. Once the work is completed, we will introduce the proposed legislative amendments into the Legislative Council.

One of the directions being explored in the legislative amendment is to impose a positive "Duty of Care" on persons responsible for animals, requiring them to take proper care of the welfare of animals (including diet, environment, health, and behaviour). In this connection, the AFCD continues to promote information on the fulfilment of the "Duty of Care" through various channels such as thematic website, social media and roving exhibitions.

(3) Members of the public may report suspected animal cruelty cases immediately by calling the 999 Report Centre or 1823 to report to the AFCD. The existing channels for reporting crime are well known to the public, easy to remember and has worked well. The Government will continue to review the operational details to see if there is room for improvement.

(4) Upon receipt of report of suspected animal cruelty cases, the AFCD officers will visit the scene promptly to conduct investigation, including taking photographs of the animals and the environment of the scene, examining the health conditions of the animals and collecting evidence, etc. The AFCD

will arrange for a veterinarian to give professional advice at the scene if necessary. If animal cruelty is suspected to be involved in the case, the AFCD will decide whether to seize the animals concerned according to its health condition and hand over the injured animals to the SPCA for further treatment.

According to the information of the Department, over 90 per cent of the reports were found to be not related to animal cruelty after investigation, but nuisance or other situations, such as frequent noise from animals or odour from the premises where the animals were kept, and this misled the reporters into thinking that the animals suffered from acts of cruelty. There are also cases involving neglect of animals but does not involve cruelty, such as the failure to provide adequate space. For these cases, the AFCD officers would give verbal advice on responsible pet ownership and improvement suggestions to the owners concerned after inspecting the scene.