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Dr Hon CHIANG Lai-wan, JP
Chair
Subcommittee to Study Issues Relating to Animal Rights
Legislative Council
Hong Kong

Dear Dr Chiang,

"The Promotion of Responsible Pet Ownership"

Thank you for the opportunity to give input on the topic of Responsible Pet Ownership. The Society for the Prevention of Cruelty to Animals (Hong Kong) looks forward to adding value to and informing the debate on different topics when the opportunity arises over the coming months – advocating for animals across the range of issues and species.

One of the most essential aspects of Responsible Pet Ownership (RPO) continues to be the education of owners on the importance thinking carefully before taking on any pet. Potential pet owners need to understand the biology of an animal (its lifespan and husbandry requirements), how a type of animal behaves and what it needs to have a good quality of life. Then they need to consider if they can be responsible and commit to caring for the animal for its life behaving in the way society expects and following related laws and obeying social norms.

The Society for the Prevention of Cruelty to Animals is very active in the field of education both in terms of understanding animals and their needs but also in terms of how owners need to act responsibly both in terms of the animal itself and society at large. We also have programmes that help owners practically fulfil their responsibilities and through our Community Development Programme we can help other parties such as management offices and district councils who are also interested in promoting RPO and community harmony.

However, an individual's attempts to act as a responsible pet owner can be restricted by outside factors and as such any RPO education campaigns need to be complemented by a framework of improved regulations and adoption of animal friendly policies ensure the pet owners can more easily achieve what is being asked of them as well as to reduce the risk of



triggering animal abandonment. So in addition to education, RPO can be further advanced by creating supportive legal frameworks, committing resources and removing barriers so that people can easily carry out expected behaviours.

In summary,

- When discussing the promotion of responsible pet ownership it is important to understand what responsible pet ownership means and could entail.
- More resources should be provided for RPO and related education
- Key messages about RPO should include animals' feelings, needs and wants, the consequences of abandonment, as well as legal responsibilities.
- RPO and Stray Management - The underlying strategy on stray management must primarily focus on prevention of pet abandonment and uncontrolled reproduction of unneutered pets.
- Education and engagement of the pet buying public is vital. Efforts to improve regulation of the pet trade can only succeed if the public is educated to understand what the trade should be doing.
- RPO education should be provided at point of source wherever a pet is acquired.
- Policy commitment to issues such as access to public open space, transport, traceability and housing are essential to supporting RPO.
- RPO needs to take into consideration increased number and types of pets, including their breeding, sale and traceability.
- A review of the species and volume of animals imported for the exotic and endangered pet trade to limit the number of abandoned exotic and invasive animals.
- Improved legislation and regulation is a necessary component for sustained RPO education.

Background and Discussion

General Education and defining Responsible Pet Ownership (RPO)

When discussing the promotion of responsible pet ownership it is important to understand what responsible pet ownership means and could entail.

Whilst there is no official definition of responsible pet ownership, it is generally accepted that a responsible pet owner is one who can meet the animal's needs across its lifetime, be committed to the pet for life, and can meet all legal responsibilities with regards to owning that type of pet.



The American Veterinary Medical Association for instance states the following about Responsible Pet Ownership in its guidelines:

"Owning a pet is a privilege and should result in a mutually beneficial relationship. However, the benefits of pet ownership come with obligations. Responsible pet ownership includes:

- *Committing to the relationship for the life of the pet(s).*
- *Avoiding impulsive decisions about obtaining pet(s), and carefully selecting pet(s) suited to your home and lifestyle.*
- *Recognizing that ownership of pet(s) requires an investment of time and money.*
- *Keeping only the type and number of pets for which an appropriate and safe environment can be provided, including appropriate food, water, shelter, health care and companionship.*
- *Ensuring pets are properly identified (i.e., tags, microchips, or tattoos) and that registration information in associated databases is kept up-to-date*
- *Adherence to local ordinances, including licensing and leash requirements.*
- *Controlling pet(s)' reproduction through managed breeding, containment, or spay/neuter thereby helping to address animal control and overpopulation problems.*
- *Establishing and maintaining a veterinarian-client-patient relationship.*
- *Providing preventive (e.g., vaccinations, parasite control) and therapeutic health care for the life of pet(s) in consultation with, and as recommended by, its veterinarian.*
- *Socialization and appropriate training for pet(s), which facilitates their well-being and the well-being of other animals and people.*
- *Preventing pet(s) from negatively impacting other people, animals and the environment, including proper waste disposal, noise control, and not allowing pet(s) to stray or become feral.*
- *Providing exercise and mental stimulation appropriate to the pet(s)' age, breed, and health status.*
- *Advance preparation to ensure the pet(s)' well-being in the case of an emergency or disaster, including assembling an evacuation kit.*
- *Making alternative arrangements if caring for the pet is no longer possible.*
- *Recognizing declines in the pet(s)' quality of life and making decisions in consultation with a veterinarian regarding appropriate end-of-life care (e.g., palliative care, hospice, euthanasia)."¹*

More resources should be provided for RPO and related education

The Government should continue to invest resources in education and training on understanding animals, animal welfare, animal care and responsible pet ownership.

- **Formal education**

Education about animals, animal welfare and responsibilities towards all owned animals should be included in the formal education programmes for school children in Hong Kong and more support should be provided. This could be done directly through

¹AVMA <https://www.avma.org/KB/Policies/Pages/Guidelines-for-Responsible-Pet-Ownership.aspx>



related departments or through funding special interest groups with expertise in the different areas to deliver such.

- **Other channels**

Such education should not only be targeted towards school children but should be available to all sectors of society either through formal adult learning programmes or other parties directly involved with pets should also be required to support and educate people on the principles of RPO.

Presently much RPO education is carried out by NGOs who utilise their local networks and expertise to educate but receive little government support. By supporting such efforts, the Government could further extend the reach of its RPO education efforts.

Key messages

- A key message should be that animals have feelings, needs and wants and that the commitment when you take on a pet (or any other type of animal) is a lifelong one.
- The consequences to animals should owners not fulfil their obligations focusing on individual animal suffering and potentially suffering caused to other animals where animals are abandoned on the streets, in parks or in the countryside.
- The legal ramifications of different actions should also be covered.

RPO and Stray Management

The underlying strategy on stray management must primarily focus on prevention of pet abandonment and uncontrolled reproduction of unneutered pets.

- Education of the public on their responsibilities towards animal – ensuring that they consider and understand the type of animal they are interested in having as a pet and also that they are committed for life.

Another of the most essential aspects of RPO continues to be the education of owners on the importance of spaying and neutering to eliminate strays and pet abandonment from uncontrolled breeding.

Education and engagement of the pet buying public is vital.

- Efforts to improve regulation of the pet trade can only succeed if the public is educated to understand what the trade should be doing.
- This will enable the public to ask questions regarding the needs and welfare of the pets they are thinking of acquiring when they visit premises, as well as the confidence to report issues to the authorities for follow-up. Potential owners should be encouraged to consider adoption.
- Should they no longer be able to keep their pet owners should be educated to act responsibly and not abandon the animal on the street. They should help to find it a new home themselves or place the animal with an agency who can help.



RPO education should be provided at point of source

- Any source of animals (breeder, trader or animal adoption / re-homing organization) should be required to provide information on the biology and needs of the animal they are offering for sale or adoption - along with advice on appropriate care and any related legal responsibilities.
- In addition to providing such information asking the new owner to sign a document that reinforces the principles of RPO should be considered. There are some voluntary schemes that could be used as a reference such as the buyer's declaration in the Puppy Information Pack produced by the RSPCA and the Animal Welfare Foundation in the UK.²

Policy and commitment - Companion Animal (Pet) Friendly Hong Kong

Presently, though the Administration has reiterated its commitment to Responsible Pet Ownership, there are few policies that recognise and accommodate the increasing importance of pets in Hong Kongers' lives.

Rather, current policies have been deemed "animal unfriendly" and have led to pet abandonment and social conflict.

In the 2010 Policy address, the Administration recognised that there are many dog lovers in Hong Kong and promised to make more Leisure and Cultural Services Department (LCSD) venues accessible to dog owners and their pets. In the five years between 2005 and 2010, research by the Census and Statistics Department showed that the number of pet dogs had increased by 25 %, whilst dog owning households increasing by 20% during the same period. Correspondingly, cat owning households increased by over 50% whilst the pet cat population increased by 68%.

With pet ownership increasing, the housing needs of pet owners and their need to access public facilities such as parks and public transport with their pets should be met.

To achieve a truly companion animal friendly Hong Kong, the SPCA believes that the needs of pet owners should be considered in all aspects of town planning, infrastructure development and management. Where legislation and policy positions are obstacles to supporting RPO and may even drive significant animal welfare problems such as animal abandonment there should be change.

There needs to be a truly "animal friendly" policy position that is adopted and adhered to across all bureaus and departments in the Government.

A holistic approach to animal welfare means that legislation and policies of different departments should take into consideration any impact (direct or indirect) these may have on the welfare of animals.

² RSPCA <https://puppycontract.rspca.org.uk/home>



Policies put in place in isolation by different departments may significantly impact animal welfare and conflict with policies and programmes put in place that attempt to safeguard it. Issues like Responsible Pet Ownership have many different factors that are under the control of many different departments and Bureaus and that can impact on owner's ability to comply with what is requested and expected of them.

Public Open Space Access

For instance, in terms of responsible dog ownership, regular exercise is a key factor for a dog's physical and mental health (as well as being beneficial to the owner's health and wellbeing). However, in principle, many parks under the management of the Leisure and Cultural Services Department LCSD bar dog owners from using the parks and controlled areas to exercise their dogs. A better approach would be inclusion adoption the approach that in principle all such parks should owners to enter with their dogs on a leash. If there are issue consideration may need to be given as to whether certain restrictions may need to be introduced and what such restrictions may be or whether in some special circumstances dogs may need to be exclude from certain areas. Similarly, it should be possible for some types of animal to be transported in some manner on more forms of public transport.

Transport

In order for a responsible pet owner to meet many of the standards expected of society, they may need to transport their animals around Hong Kong. They may need to travel to access pet friendly open spaces, to visit the vet, the groomer, dog trainers or boarding facilities. Currently, most pets have to travel by private transport often at considerable cost.

The SPCA believes that it should be possible for some types / sizes of animal to be transported in some manner (for instance on a leash, in a carrier or on their owners lap) on different forms of public transport as is allowed in various overseas countries.

Traceability

In addition, it should be noted that it is a requirement under law and in line with best practice for dog owners to license and microchip a dog. However in the unfortunate instance that should a dog escape and be involved in a traffic accident, the current legislation relating to traffic accidents involving animals does not require the driver who hits a dog to report the incident to the police. Furthermore, if the dog dies and is reported as a carcass, it is our understanding that collection and disposal of such is by the Food and Environmental Hygiene Department and that the animals are not routinely scanned for microchips.

Consequently, neither the Agricultural, Fisheries and Conservation Department nor the registered owners are informed. We would hope that in the interests of animal and human welfare these deficiencies and other deficiencies could be addressed through amendments to the Traffic Ordinance (particularly expanding the definition of "animal" under the terms of the Ordinance) and also changing policies and procedures relating to carcass collection.



Housing

Pet ownership in public housing – especially of dogs - has been a repeated social and animal welfare concern over the past 25 years. Pet ownership (including dogs) is increasing and it is the Government's policy to increase the amount of public and subsidised housing in Hong Kong. Good town planning (including public housing estate design) takes into account modern life and aims to meet the needs of society. The fact that some of the policies and rules regulating how current tenants in public housing should behave and are treated still date from the 1960's. This issue will likely remain a hot topic in coming years with increasing rates of dog and pet ownership and changing societal needs and expectations.

Every year, 1 in 3 dogs surrendered to the SPCA are surrendered due to housing issues.

Many of these surrenders are 'forced' abandonments where owners who already own dogs eventually get offered public housing. These owners would rather keep their animals but as they are moving into restricted housing they feel they have no choice to give up their animals as permission to keep a dog is only given by the Housing Authority (HA) estate managers in exceptional cases. In some cases owners may try to keep their dogs but are eventually forced to give them up when faced with threats of eviction. This policy fundamentally undermines a dog (pet) owner's ability to meet standards set, endorsed and expected by different government departments and society at large.

Recent crack downs targeting dog owners in public housing have resulted in calls for a better approach. A more humane and realistic approach to managing dog ownership will have great impact on animal management and improve the quality of lives of both pets and people in public housing and subsidised housing.

The SPCA believes that the Housing Authority's policy and the rules on pet keeping (including dogs) should be reviewed and adjusted to reflect a more positive approach to pet ownership, providing a framework for a fair and enlightened policy that permits all public housing tenants the option of keeping a dog.

Other subsidised housing with similar restrictive approaches to pet ownership such as subsidised flats and Housing Association accommodation, should also change policy and rules on pet keeping.

The current policy disenfranchises a significant proportion of Hong Kong's population – denying them the choice of being able to benefit from and enjoy the companionship of dogs should they wish to. The number of people wishing to own dogs is likely to follow the trend and continue to increase and when considered in alongside the Long Term Housing Strategy which proposes to accommodate 60% of Hong Kong people in public housing means it will be important to find ways to accommodate the inevitable growth of pet owners and meet their needs alongside those of non-pet owners.



Improved Legislation and Regulation

The numbers and type of pets has also exponentially increased since CAP. 169 was introduced in the 1930s. Hong Kong's standards of what is considered as acceptable animal welfare are over 80 years old.

In comparison, society's expectations of how animals should be treated and what animals can be kept as pets have changed dramatically.

Improved legislation and regulation are necessary to reflect society's demand for a higher standard of animal welfare.

Increase in numbers and types of pets

Today many species of animals outside the more traditional companion animals may be kept as pets. One hindrance to regulating the trade in some species is that the definition of animal under CAP 139 is deficient. Currently the definition is:

"animals" (動物) means cattle, sheep, goats, all other ruminating animals, swine, equines, and all other warm-blooded vertebrates except man and birds, and reptiles; (Replaced 24 of 1950 Schedule. Amended 25 of 1960 s. 2)³

Fish and amphibians are currently omitted from the definition of animals under CAP. 139 but the welfare of such animals used by the trade is problematic with the SPCA receiving calls on this matter. The number of 'new' species not covered by CAP. 139 being traded and kept as pets has also increased exponentially.

Further regulation of breeding and trading of all pet animals

Currently, pet shops selling these species do not have to be licensed, thus these animals have no proper protection from misuse or abuse by traders. One example of poor welfare that triggers repeated calls for concern to the SPCA (which is also not in line with the principles of RPO) is the use of fish or frogs for the 'scooping' game – where live fish or frogs are as used as elements in a game and may be won as prizes.

There should be tighter control and regulation overall of the pet trade in terms of selling and breeding under CAP. 139B. Currently only dog breeding is regulated under CAP 139B. Cat breeding and selling regulation should be increased / improved in a similar manner to that under the CAP. 139B amendments that come into effect on 20th March 2017. The commercial breeding of other species should also be regulated.

As such the SPCA believes that the definition of animals under CAP. 139 should more broadly match to that under CAP 169.

Improving traceability, regulation and enforcement of abandonment and related issues.

In many instances, stray animals are found without any identification. Even if the animal does have a microchip implanted, contact information for the owner may not be updated, making

³ Department of Justice: <http://www.legislation.gov.hk/eng/home.htm>



it difficult to reunite animal and owner. Equally, when animals have been wantonly abandoned such lack of information can make prosecution of abandonment difficult.

A comprehensive licensing system that tracks all cats and dogs from import/ birth to point of sale and ownership needs to be developed. Micro-chipping should be a requirement for other pet species besides dogs (and be linked to the comprehensive licensing system). The offence of animal abandonment should be reviewed and related regulations improved so that prosecutions are easier to bring. Regulations requiring owners to update ownership information in a timely manner should also be improved and enforcement increased.

Mandatory spay / neuter laws and a differential licensing fee system should be introduced.

A differential licensing fee system could complement mandatory spay /neuter laws such that there are significantly lower fees for neutered animals

Regulating the exotic and endangered animal trade

Hong Kong imports more than a million exotic animals, mostly reptiles, for the pet and food trade annually. The SPCA also receives abandoned exotic animals such as sugar gliders, hedgehogs and ferrets every year. According to the AFCD, these animals have never been permitted for import for the pet trade in Hong Kong.

A significant number of exotic animals traded are listed under CITES and whilst HK regulates the trade and possession of 'endangered species' under CAP 586 the current system could and should be improved. In addition there is little public awareness on matters related to CITES and CAP 586.

As such, the SPCA suggests that possession of all CITES listed animals of Appendix I or II should be properly regulated. Owners should require possession licenses and transfers be reported (irrespective as to whether they were captive bred or not) and where possible the animals should be uniquely identified and all animals should be traceable throughout the supply chain.

Many exotic pets are fundamentally wild animals and they should not be kept in captivity, as they are unsuited to lives as pets or companion animals. Many of these animals have complex needs and suffer at many stages during their life as an exotic pet.

The AFCD should conduct a review of the exotic pet trade on welfare grounds and change policy on this trade and thereby introduce 'positive lists' to determine species that reasonably could have their welfare needs met by an average responsible pet keeper and consequently, can be more safely kept and traded as pets.

Responsible Pet Ownership and the law

Most importantly, the Prevention of Cruelty to Animals Ordinance (CAP. 169) is over 80 years old and needs to be updated to accurately reflect the changing position animals have in our lives. Other legislation related to animals is piecemeal and many decades old.

New legislation is crucial as laws set the basic standards to what is acceptable and unacceptable behaviour towards animals. Under current legislation, the bar for what is



required of a "responsible" pet owner is set very low. Current legislation does little to prevent neglect till there is evidence of "unnecessary suffering" or outright cruelty.

A new, overarching piece of animal welfare legislation such as an Animal Welfare Ordinance that protects all animals and introduces a positive duty of care on the caretakers and people in charge of the animals needs to be developed and introduced.

This Animal Welfare Ordinance should have Codes of Practice for the pet owning public that would provide an additional source of guidance on how best to meet a pet's basic needs. Such an ordinance would then have mechanisms to encourage and guide better behaviour and care as well as having the element to punish cruel acts as needed.

Conclusion

The Society for the Prevention and Cruelty to Animals (Hong Kong) believes that there are many areas of Government policy, operation and responsibility that can be improved upon from an animal welfare perspective in support of promoting and achieving responsible pet ownership.

We would be delighted to assist in further improving the welfare of animals in Hong Kong. Should you have any enquiries in relation to this submission please do not hesitate to contact us on [REDACTED] or by email c/o: [REDACTED]

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