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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,

"Stray Animal Management"

The SPCA HK is grateful for the opportunity to contribute to the discussion on stray animal management in Hong Kong. The SPCA HK has been active for over one hundred years and has played an integral part in advocating for the better treatment of animals and has been involved with the promotion and development of animal related legislation including elements that relating to managing 'stray animals'. In additional we are directly involved on a day to day basis in the handling, care and re-homing / management of stray animals in Hong Kong.

In our past submission to this committee on Responsible Pet Ownership¹, we emphasised the underlying strategy on stray management must primarily focus on prevention of pet abandonment and uncontrolled reproduction of unneutered pets. Promotion of RPO is a vital component of stray companion animal management.

In this submission, we would like to highlight some other issues related to stray animal management and would like to provide some suggestions to improve current stray management policies and programmes.

We are especially concerned about the following issues:

- The need to develop targeted action plans for different populations of stray animals, instead of a one size fits all approach

¹ http://www.legco.gov.hk/yr16-17/english/panels/fseh/fseh_ar/papers/fseh_ar20170221cb2-813-6-e.pdf



- That the enforcement process can be slow and cumbersome and requires a high burden of proof for some offences related to stray animal management
- Continued population management challenges from irresponsibly owned roaming dogs
- The changes in pet keeping habits including the trend to keep exotic pets
- Some undesirable human behaviours that cause community conflict and animal management issues
- The need for ongoing review current stray management strategies to ensure that all aspects are covered and strategies are effective (in light of the above and our following comments)

What is a “stray animal”?

Understanding what the term ‘stray animal’ means helps to define and manage related animal and human issues. The definition of “stray animal” usually relates to owned, domesticated animals that are habituated to living closely with humans and are kept by them but are found roaming freely (wandering at large) for whatever reason with no owner or keeper in attendance.

Some domesticated animals may be classified as feral (being unowned, unhabituated to living closely with humans and having reverted to a wild state).

Both stray and feral domesticated animals can be found roaming but these two groups will need different approaches in terms of management strategies.

Recognition that different populations of roaming domestic animals require different (but interrelated) management strategies

The example of dogs.

Of the companion animals in Hong Kong, the care, treatment and re-homing of stray (and unwanted) dogs is by far the most resource intensive and problematic for animal welfare groups. Feral animals present additional specific challenges in terms of welfare and management.

However, it is important to recognise that roaming dogs in Hong Kong have different characteristics and each group involves different owners/ stakeholders, requiring different stray management strategies to be effective.

There are 4 different sources and types of stray dogs in Hong Kong.

Namely:

- a) Individually owned dogs (and their offspring)
- b) Worksite owned dogs (and their offspring)
- c) Abandoned individuals from categories a and b (that have not yet become feral)
- d) Feral dogs (and their offspring)

Different areas for concern:

Individually owned dogs

These dogs are either kept primarily as companion animals or may fulfil a role as a guard dog. Standards of ownership vary. Efforts should be directed to continue with RPO education



aiming to improve dog owner's behaviour and compliance as well as investing and improving systems and infrastructure to support responsible pet ownership and reduce abandonment.

1. Housing related issues

Surrender - By far, the largest number of dogs that are surrendered to the SPCA are due to housing issues. In particular, when owners move into public housing and have to give up their dog. On average, 1 in 3 dogs are surrendered to the SPCA due to housing issues.

Not licensing and vaccinating dogs for fear of discovery - The SPCA is concerned that the continued ban on dogs in public housing encourages owners to not take basic steps such as licensing and vaccination against rabies, for fear that discovery of their dog will result in them losing their dog and also put their tenancy at risk.

Recommendation

The government should develop strategies to accommodate dog owners in public housing and avoid unnecessary abandonment that results from sudden crackdowns or when dog owners may be forced to give up their dogs when they move into public housing

2. Owned dogs that do not have updated owner contact information

Dogs that are micro-chipped with outdated contact information are still encountered on a regular basis. Those that are not claimed are subject to 'ownership clearance' until the AFCD can locate the owner (as per the last update of information) or show it has exhausted all avenues in contacting said owner. In our experience, this is a lengthy process that can take up to 2 months. Meanwhile, dogs cannot be re-homed till this process is completed.

Recommendations

The government should develop strategies (working in different media and with different partners) to improve dog owner awareness on anti-rabies vaccination and licensing and their related responsibilities.

Systems should be developed to assist with owner compliance and improving the licensing database.

An online platform to facilitate the tracking of ownership of microchipped dogs, licence issuing / renewal and updating of contact details should be developed.

Such a system should allow the following:

- Veterinary surgeons to input initial information at time of first rabies vaccination and to input updated vaccination information (in parallel to vaccination certification).
- Timely issuing of the rabies licence by AFCD
- Allow owners to update personal details
- Allow owners to report change of ownership, loss or death of their licensed dogs
- Send owners reminders via email or mobile phone to renew dog licences, get their dogs rabies vaccinated or update contact information etc



- Similar measures should be introduced for tracking the ownership of microchipped but non-licensed dogs (i.e. puppies in the pet trade or other puppies that are microchipped for identity before being vaccinated)

(Note: Similar online portals are already available to owners in places such as Australia (multiple states), Singapore (<https://pals.ava.gov.sg/>) , Taiwan (<http://www.pet.gov.tw/>) and Macau (<https://app.iacm.gov.mo/doglicense/login.do>..)

The government should improve legislation and related enforcement. 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. On the spot enforcement should be considered immediate fines could be issued if spot checks on the street reveal that if dogs are not micro-chipped and licensed in compliance with the legislation – a dog warden system should be considered.

Worksite owned dogs

Over the years, this group of dogs (particularly construction site dogs with their cycle of unabated reproduction and abandonment) continues to overwhelm animal welfare groups. These dogs are often allowed to roam freely, many are unlicensed and they are often not neutered and those on construction sites are often abandoned when the project ends.

In this scenario there is often lack of proactive enforcement and little support for additional measures that could assist with addressing dog management related issues. Consequently with the current system even if attempts are made at enforcement there is the difficulty in establishing ownership. Current official management strategy is catching and removal of dogs upon receiving public complaints. The current approach does not effectively reduce the overall population nor address related issues the source of dogs.

1. Code of Practice of Construction Site Dogs

In 2000, the AFCD (after discussion with the SPCA) introduced the Code of Practice (COP) for Construction Site dogs. However without being backed by measures to encourage compliance (or penalise non-compliance), the obligations of such de-facto dogs owners are easily bypassed as ownership is easy to deny. In 2006, the AFCD (alongside SPCA) worked to introduce the COP to construction industry related departments and groups to ensure wider dissemination of, and adherence to, the COP. However, it is unclear how effective this has been. Furthermore, the COP does not address dogs that may be kept on other worksite or on brown field sites.

Recommendations

The Code of Practice on construction site dogs should be further promulgated and integrated into regulation, guidelines and agreements related to the construction industry.

The Code of Practice on Construction site dogs should be expanded to give more guidance on how such dogs should be properly cared for to ensure their good welfare for life (in line with other welfare codes being developed).

Codes of Practice should be developed to cover dogs on other worksites.

These Codes of Practice should be made mandatory with penalties for non-compliance



2. Targeted Programmes

The SPCA has developed specific programmes that aim to target worksite dogs and their owners – assisting them with neutering and licensing their dogs. However raising awareness and encouraging worksite dog owners' participation of such programmes can be difficult.

Recommendation

These programmes should be promoted and supported across different Government departments and these Government departments should help to promote these to the worksite operators and other interested parties such as District Councillors.

Feral dogs

Feral dogs are part of the roaming dog population and their puppies may grow up to further contribute to the different roaming dog populations. Feral dogs whilst living as wild animals often rely on humans to provide some food (either by scavenging or by being deliberately fed) and as such live on the margins of habitations. The reproduction rate of this group becomes particularly problematic when feeding occurs as it is boosted.

Trap, neuter (vaccinate) and return methodology can help to humanely manage the feral dog population. Currently the SPCA and SAA are carrying out two pilot trial TNR programmes. The aim is to both assist with dog management but also to improve dog welfare. TNR programmes help to do this by controlling the population of the feral dogs - preventing the births of feral puppies. The welfare of the adult dogs is improved and, with an often high mortality rate, the suffering and death of offspring is avoided as births are prevented.

Recommendations

AFCD should make a policy decision to add Trap, Neuter and Return methodology to the official tools that can be used on a broader basis to assist with humane dog (and cat) management and expand their application accordingly.

More areas where feral dogs exist should be considered for the introduction of managed Trap, Neuter and Return Programmes to assist with dog population management.

General measures for assisting with stray companion animal management

Breeding control

Whilst regulation of the dog trade under CAP 139 has recently been tightened the breeding (and trading) of other species of animals is still under regulated. In addition such regulation under CAP 139 only applies to commercially related activities and does not help to control non-commercial breeding of companion animals.

Recommendations

CAP 139b should be further amended to better regulate of the breeding and trade of other species.



A differential licensing system should be introduced for dogs to incentivise neutering and deter breeding.

The introduction of mandatory spay and neuter legislation should be considered for both dogs and cats.

Ownership and traceability

Currently only dogs are required by law to be licensed and microchipped. However there are many different species of animals being kept as companions or pets in Hong Kong today and many end up being lost or abandoned. Systems need to be developed that assist with uniquely identify animals and identify ownership across the species. Related regulations need to be developed and enforced.

Recommendations

Other species should be considered for licensing and be required to be microchipped (as appropriate).

The current dog licensing database should be modified to become an animal management tool for all companion animal species. All species of companion animals that can be microchipped should be required to be registered

Where possible all companion animals should be tracked from import/ birth to ownership.

Legislation relating to animal abandonment across the species needs to be improved.

Adoption

Unclaimed stray companion animals may be suitable for adoption and need to be placed in new homes. Currently animals are re-homed through some animal welfare organisations that are carrying out re-homing activities. In some jurisdictions around the world people can adopt directly from the government animal control facilities - this has been shown to increase the overall adoption rate.

Recommendation

AFCD should explore the option of allowing direct adoptions from their animal management centres.

Promotion of adoption as a channel for sourcing pets (across the species) should continue and be enhanced.



Other stray animal management issues and related matters

Feral cattle

Located around Hong Kong there are different feral populations of cattle and buffalo who originated from animals used in farming many years ago. These feral animals generally survive well in the environments where they are found (and have done for many years) – using natural resources found in nature (food, water and shelter).

The SPCA has long been involved with the management of feral cattle across Hong Kong. Most often our direct involvement is when the SPCA Inspectors are called out to assist with injured or trapped cattle and (more rarely) buffalo. Road traffic accidents are commonly reported and sometimes animals have to be rescued from water catchments.

The SPCA has advocated for the non-lethal animal birth control methodology of Catch, Neuter and Return (CNR) to be applied to feral cattle and buffalo where population control is warranted. Enabling the population to be controlled as needed but allowing the cattle and buffalo to remain wild and free-roaming. The AFCD's current feral cattle management plan includes animal birth control programme elements.

Recommendations

Where possible the feral cattle and buffalo should be left in their free-roaming, wild state with minimal human interference or interaction.

Should population control be required then non-lethal, animal birth control based methodologies should be applied.

Cattle grids should be introduced to help manage cattle movement.

Traffic speed control and warning measures should be increased to reduce the risk of accidents where cattle are to be found on roads.

Water catchments should be designed with escape routes that any animal which may become trapped can use to escape

Exotic pets

In our last submission, we noted the rapid increase in the number of species of pet animals being kept in Hong Kong in the past decade. However, legislation and policy have not caught up.

The scale of the actual exotic pet population in Hong Kong is unclear. Since 2005, there has been no in-depth study on the ownership of pets that are not cats and dogs. However in 2014 alone over 800,000 pet reptiles were imported into Hong Kong for the pet trade. The trade of many species of animals that are kept today as pets is not regulated under CAP 139 as the species are not specified in the legal definition of animals for this ordinance (eg fish and amphibians).

Many of the exotic animals imported for the pet trade are fundamentally unsuited to home life, often growing very large, sometimes aggressive or are difficult or expensive to care for properly. Often those that do not die due to incorrect care have an increased risk of abandonment. Exotic animal abandonment rates are exacerbated by the practice of 'religious release' where large numbers of animals are purchased with the sole intent of abandoning



the animals when they are released into the wild. Currently such release activities are not covered by any specific legislation. As mentioned previously prosecuting for abandonment is currently problematic and as there is no legislative requirement for keeping such exotic pets under control so as such there is at present no legal mechanism to penalise and stop such behaviour.

Legislation against the release of animals without appropriate permits exist in Macau, Taiwan and Singapore.

Recommendations

The definition of animal under CAP 139 should be reviewed to more broadly match that of CAP 169. This will bring more exotic animals under the regulatory structure of CAP. 139. Ensuring there is oversight and control of the source and sale of such animals stray management strategies with regards these species can be properly developed.

The AFCD should conduct a review of the exotic pet trade on welfare grounds and change policy on this trade – introducing ‘positive lists’ to determine species that reasonably could have their welfare needs easily met by an average responsible pet keeper and consequently, can be more safely kept and traded as pets without increased risk of welfare issues and abandonment

The Government should introduce specific legislation that regulates the release / abandonment of any animals and addresses. “Religious release” as it is currently practiced in Hong Kong should be banned.

Emerging issues / Issues of growing concern

Feeding of animals

The SPCA HK is concerned with the growing number of incidents of unnecessary and irresponsible animal feeding. Both wild and free-roaming domestic animals are targeted for feeding activities.

Often there are multiple feeders who leave large amounts of food out in public areas. Sometimes the feeding targets one species but often a variety of species may be fed. It has been noted that people feeding macaques will also then inadvertently or deliberately feed wild boar and dogs and people feeding roaming dogs may also feed wild boar. Often, much food is leftover resulting in complaints about the animals whereas the problem is related to a hygiene issue that is caused by poor human behaviours. Animals are often drawn to feeders and feeding sites not because they are starving but simply because it is the easy (but often unhealthy) option. Littering is also commonly seen at feeding sites.

The feeding of wild animals and feral animals is of concern as these animals can have their behaviours changed such that they are at risk of being involved in a human conflict situation. Once habituated to associating humans with an additional food source they may lose their natural fear of humans and approach people directly or move into urban areas. When denied food or it placed in a situation where the wild animal feels threatened or overwhelmed by large numbers of people it may become aggressive either in attempt to take food by force or in self-defence.

Such irresponsible feeding contributes to an increase in animals in an area in two ways – it encourages animals to congregate together (often in numbers larger than would occur in



nature) and it also increases the reproduction rate of the animals and the survival rate of the offspring increasing overall the population. Both of these effects can cause problems for the animals being fed. Inter-animal conflict (fighting) can increase the risk of injury and an increasing population of animals also has a risk of triggering complaints and entering into a human-conflict scenario.

The effects of irresponsible feeding has already been seen with the macaque population in places such as Kam Shan Country Park. Rapid population growth due to large number of feeders and lack of regulation and enforcement led to rapid population growth and numerous issues for the communities living nearby, as well as animal welfare issues for the macaques such as increased road traffic accidents and injury due to human-animal conflict.

After many years of focused intervention by the AFC, including an animal birth control programme, public education and outreach, waste management and increased enforcement activity, the population has finally stabilised. However, this has required lengthy and expensive intervention. To date, irresponsible, unnecessary monkey feeding still continues.

Recommendations

This issue should be discussed with different stakeholder groups and educational programmes developed for the different animal feeding scenarios aiming to discourage unnecessary and irresponsible feeding

Stray animal management plans should address the issue of use of food / need for feeding i.e. stating the circumstances when feeding may be required and how it may be done etc.

People need to be educated on the negative impact of feeding wild and free-roaming domestic animals with the aim of deterring and changing this behaviour – resources need to be committed

Abdication of owner's responsibilities

In many areas (usually rural villages or worksites), owned, free-roaming dogs are neutered and given additional levels of care by volunteers who may bring the dog to be neutered for free by the SPCA. The real owners keep the dogs as watch dogs, rather than companions and often provide little care. They often take no responsibility for the puppies that are produced by their dogs. Many of these owners are happy for AFC to take away their dog and its puppies should it be caught as they are not invested in its welfare. The dogs are not seen or valued as an asset even though they provide a valuable service in protecting property. They are regarded as disposable and easily replaceable.

Volunteers may licence the dogs under their own names, rather than the true owner, so as to make sure the dog can be reclaimed, should it be caught by the AFC. However, this shifts the burden of ownership to the volunteers, rather than the true owner of the dog. The true owner of the dog thus benefits from the services of the dog, the volunteers and the SPCA, without taking much, if any, responsibility for the care or control of his dog.

Without addressing the root issue of irresponsible ownership, this population of dogs and the human behaviours it encourages will continue to remain a stray management challenge.

Recommendations

Targeted education programmes should be developed to address this group of owners in order to change their behaviour and approach to their working dog.



Animal Shelters

Over the years in Hong Kong the private / NGO animal sheltering sector has developed and has assisted dramatically with stray animal management in Hong Kong. However there are some related issues that need addressing to assist with strategy development, long term sustainability and ensuring the good welfare of animals in shelters.

In recent years the numbers of animal shelters in Hong Kong has increased significantly however the actual number, type and scale of operation of the shelters is unknown. The numbers being kept in shelters and the number of animals entering each year and the source of these animals is also unknown. This lack of data presents a challenge in properly understanding the effectiveness of AFCD's stray animal management strategies as it may not be appropriate to rely on the government animal management centre statistics alone.

Sheltering animals presents many challenges – some animals may spend very short periods in a shelter before they are found a new home. Some animals who enter a shelter that operates on a sanctuary basis may spend the rest of their life living in the shelter. Currently there is no oversight, regulation (setting of minimum standards) or official guidance in Hong Kong as to how shelters should operate. This can put animals at risk of poor welfare especially if a rescue hoarding scenario occurs – where a shelter takes on too many animals than they can care for – providing basic needs and the welfare of the animals deteriorates.

Often shelters are found in more rural environments usually in leased premises. They may be vulnerable to eviction for a variety of reasons and it is becoming increasingly more difficult for alternative sites to be identified. This puts the operation the individual shelter at risk alongside the welfare of the animals.

Recommendations

The Government should do research into the private / NGO sheltering sector to better understand its scale and also the impact on stray management (source of animals) to help with strategy development.

Codes of Practice should be developed to guide shelter operations and better protect sheltered animals.

The introduction of specific shelter legislation should be considered.

More government support should be given to the private / NGO sheltering to operate programmes in support of the Government's different stray animal management strategies.



Conclusion

To develop effective stray animal management strategies as a baseline you need to have data relating to different animal populations, and the impact of existing programmes. You also need to understand how the different populations of the same species are inter-related and understand the factors that may lead different groups of animals to fall into the stray or feral animal categories and become targets for active stray management programmes.

Fundamentally in terms of managing a 'problem' it is better to prevent the problem in the first instance. In terms of managing stray, companion animals investment in regulating the trade and breeding and better educating owners and potential owners to act responsibly would be the most effective measures. As mentioned earlier we made suggestions with regards to improving RPO in our previous submission.²

The Society for the Prevention and Cruelty to Animals (Hong Kong) believes that there are many areas that can be improved upon from a stray animal management perspective. In our submission we have suggested areas where more research should be undertaken to assist with understanding issues and developing strategies. We also highlighted some areas that we believe need further consideration and discussion with relevant stakeholders as well as suggesting some improvements that could be made.

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].

Yours sincerely,

Dr Fiona Woodhouse

(electronically)

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² http://www.legco.gov.hk/yr16-17/english/panels/fseh/fseh_ar/papers/fseh_ar20170221cb2-813-6-e.pdf