

**Subcommittee on
Resolution under section 3 of the
Dogs and Cats Ordinance (Cap 167) and
Dogs and Cats (Amendment) Ordinance 1997 (97 of 1997)
(Commencement) Notice 1999**

Introduction

At the Subcommittee meeting on 6 December 1999, Members requested further information to justify the proposal on control of fighting dogs. The requested information is set out below for Members' consideration.

Proposed control of fighting dogs

2. Under the draft Dangerous Dogs Regulation (the Regulation), the "fighting dogs" category include the Pit Bull Terrier, the Japanese Tosa, the Dogo Argentina and the Fila Brasileiro, as well as crosses of these breeds. It is proposed that: -

- (a) the keeping of fighting dogs should be phased out (over a period of seven to ten years) through the introduction of a prohibition on the importation and breeding of fighting dogs;
- (b) it will be an offence to keep a fighting dog for more than 120 days after commencement of the Regulation unless it is neutered;
- (c) the owner of such a dog should keep it on a leash of not more than 1.5 metres in length and muzzled while in a public place; and
- (d) the owner who does not wish to keep the dog under the Regulation after the 120-day period should be able to surrender it for destruction during the 120-day period and receive ex-gratia payment of \$3,000 for an existing fighting dog with a valid licence.

3. The proposed control of fighting dogs is strongly supported by the Society for the Prevention of Cruelty to Animals, the Hong Kong Kennel Association, the Puppywatch, the International Fund for Animal Welfare and

the Hong Kong Veterinary Association and a number of individuals. The Hong Kong and Kowloon Kennel Association Ltd has however objected to the proposal.

Members asked the Agriculture and Fisheries Department (AFD) to provide more information regarding the characteristics of Pit Bull Terriers.

4. AFD advises that Pit Bull Terriers were derived from bulldogs used in blood sports, such as bull and bear baiting in England. Later, these dogs were bred for dog fighting and were crossed with terriers to establish a line of dogs that eventually became known as the Pit Bull Terrier, an extremely game and tenacious dog. The characteristics found in these dogs include: -

- a strong fighting instinct and a low level of fighting inhibition.
- a tendency to attack which extends even to those who do not exhibit provocative behaviour.
- a diminished tendency to bark, growl or warn their prey of an intent to attack.
- a tendency to fight to the death and reluctance to quit a fight once engaged, which results in more severe injuries than those inflicted by other breeds.
- ability to withstand great pain, which makes it difficult for a person or animal to fight off a pit bull during an attack or to prevent an attack.
- powerful jaws and capacity of hanging on to victims, notwithstanding infliction of injury or pain to ward off an attack.
- a tendency to tear flesh, which can result in severe, even fatal, injuries to human and animal victims.
- a combination of agility, stamina and strength, together with a genetic predisposition to gameness, make Pit Bull Terriers dangerous, especially when improperly trained or raised.

Members queried why strict control was imposed on fighting dogs while AFD's statistics showed that none of the serious dog bite cases investigated by AFD between April 1997 and March 1999 were caused by Pit Bull Terrier.

5. Although there were no serious dog bite cases involving Pit Bull Terriers between April 1997 and March 1999, serious cases have occurred in Hong Kong. In 1996, a Pit Bull Terrier killed an infant in a private residence in Wong Tai Sin. After investigating the case, the coroner recommended that:

- (a) no dog of a breed known for its peculiarly aggressive nature should be kept in a domestic home;
- (b) no dog should be left unsupervised with an infant or small child; and
- (c) there should be legislative controls put into place at the earliest opportunity to regulate the keeping of breeds of dogs with known characteristics of aggression and aggressive behaviour.

The proposed control of fighting dogs would help meet the first and second recommendations. AFD are developing public education programmes to meet the second.

6. Apart from the fatal incident in Wong Tai Sin in March 1996, other incidents also revealed that fighting dogs could cause severe injuries to victims. Attacks by Pit Bull Terriers occurred in March 1995, October 1996, January 1997 and June 1999. All resulted in the hospitalisation of the victims.

7. The statistics of the Centres for Disease Control and Prevention of the United States of America (USA) also revealed that Pit Bull Terriers, among all dogs, caused the highest number of fatal dog bites, which was twice as many as any other single breed.

Members asked why there was a need to neuter fighting dogs, given that they would be required to be muzzled and on a leash while in public places. Members also queried whether the proposed control of fighting dogs was consistent with those in other parts of the world. The Hong Kong and Kowloon Kennel Association Ltd raised concerns that neutering would endanger the fighting dog breeds.

8. The proposed muzzling and leashing requirements for fighting dogs do not apply inside private dwellings. Unless AFD reduces the number of these dogs, it has no way of preventing bite cases caused by these dogs in private homes, such as the case in Wong Tai Sin in 1996. Neutering of all fighting dogs coupled with an import ban will lead to a phasing out of legally kept fighting dogs in Hong Kong over seven to ten years. According to published studies, neutered dogs are less likely to bite than unneutered dogs. It is noted that of the 20 recent fatal dog bite cases in USA investigated by the American Humane Society, none was caused by neutered dogs.

9. Owners and advocates of Pit Bull Terriers acknowledge that aggression towards other dogs is an innate feature of the breed. Even with proper socialisation and training, many Pit Bull Terriers cannot be kept safely with other dogs. This aggression, coupled with the incredible neck and jaw power and tenacity associated with this breed can be lethal. Given its unacceptable risk to public safety and the congested living environment in Hong Kong, AFD considers it appropriate to stop the breeding and, in the long-term, keeping of these dogs in Hong Kong. Nevertheless, owners of existing fighting dogs will be given the choice of keeping their dogs, provided they are neutered and kept under control while in a public place, as stipulated in the Regulation.

10. Fighting dogs are also subject to strict controls elsewhere in the world. Neutering is mandatory for Pit Bull Terriers and other fighting dogs in Singapore, United Kingdom, the Netherlands and some states of Australia.