

流浪貓屋
STRAY CAT'S HOME

August 17, 2006

Members, The Legislative Council
Bills Committee on Prevention of Cruelty to Animals (Amendment) Bill 2006

Dear Sir or Madam,

Re "Prevention of Cruelty to Animals (Amendment) Bill – Proposal to Increase the Penalties for Cruelty to Animals"

We applaud the government's efforts to increase the maximum penalty for offences relating to cruelty to animals as stated in background brief prepared by the Legislative Council Secretariat [LC Paper No. CB(2)2802/05-06(02)] dated July 20, 2006, on the Proposal to increase the penalties for cruelty to animals ("The Proposal").

However, we would like to raise the following concerns & suggestions:

1. With reference to standards in other developed countries, as well as considering local situations, the Proposal's amendment to a maximum fine of HK\$100,000 and imprisonment for 12 months is insufficient to enhance the deterrent effect against acts of cruelty to animals.
2. In keeping with international standards while addressing the specific situation in Hong Kong, we propose to increase the penalty to a maximum fine of HK\$100,000 and imprisonment of 5 years under the existing Ordinance (Cap. 169).
3. Recent convictions of animal cruelty show that penalties imposed by the court for such offences are extremely low. According to the aforementioned background brief [LC Paper No. CB(2)2802/05-06(02) Appendix 1] dated July 20, 2006, among the 36 convictions from January 2003 to September 2005 where a fine was imposed, the overall average amount of fine is only HK\$1,292. Throughout the same period of time, only 2 defendants were sentenced with immediate imprisonment of less than 1 month. Such lenient sentencing does not serve the purpose of deterring persons from committing acts of cruelty towards animals. From October 2005 to the present day, many more heinous acts of cruelty were committed towards animals. The defendant of one such case, although convicted of viscerously beating a cocker spaniel and fracturing its skull, was only fined HK\$500 with no prison sentence. Therefore, we propose to impose a minimum penalty of HK\$5,000 and imprisonment of 6 months (in addition to the maximum penalty) under the existing Ordinance (Cap. 169).
4. Domestic animals and pet animals adapted to indoor life under the care of humans cannot survive on their own. As the number of abandoned homeless animals increase, it creates friction between humans & animals in the society. Thus, we strongly urge the Administration to include the abandonment of animals as one of the prohibited acts under section 3(1) of the Ordinance (Cap. 169).

We hope the Committee members and the Council can take our concerns and suggestions into account in its coming deliberation. Thank you!



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