



PALS

大嶼山動物保護協會

Protection of Animals Lantau South

Registered Society (Founded 1998)

www.pals.org.hk

The Original and Only Local Lantau Animal Welfare Group

Lantau Pets for Lantau People

Jacqui Green . . . 2984-1626

Clerk to the Panel,
Legislative Council Secretariat,
Legislative Council Complex,
1, Legislative Council Road,
Central, Hong Kong

Attention:- Ms. Camy Yoong

Submission in response to the Food Safety and Environmental Hygiene Panel Hearing on 14th January, 2014 re Item V "Trap-Neuter-Return" trial scheme for stray dogs and "Handling of Animal Cases"

Trap-Neuter-Return Trial Scheme

Protection of Animals Lantau South (PALS) would like to state clearly and emphatically that, while we wholeheartedly agree with the concept and implementation of the Trap-Neuter-Return (TNR) scheme as a more humane method of bringing certain areas of Hong Kong's stray dog population under partial control, we by no means believe that it will ever serve as a tool to solve the very serious stray dog crisis that exists throughout Hong Kong without a thorough and comprehensive change in the mindset of those responsible for animal management and animal welfare in this government.

That we have arrived at this point of discussion would never have been necessary if it were not for the intransigent attitude towards a change in policy, and therefore law, from that of CAP 169 (enacted in 1935) The Prevention of Cruelty to Animals Ordinance, to a far more compassionate "Duty of Care" legislation.

In its initial stages the scope of the proposed TNR scheme is very limited and the trial period too long. It will not impact on the pressing problem of stray dogs in the rest of Hong Kong. Other effective and humane strategies must be sought and set in motion immediately to make any

meaningful difference.

PALS considers that the TNR scheme is to be strongly supported and, since the current Agriculture, Fisheries and Conservation Department's "Catch and Kill" policy

- does NOT prevent stray dogs
- does NOT reduce stray dogs
- does NOT resolve the problem of stray dogs

much more must be done!

"Handling of Animal Cases"

While we do believe there have been improvements in awareness of animal welfare in Hong Kong, together with a groundswell against acts of animal cruelty, we still feel that there is a very long way to go in terms of ensuring an animal's right to an acceptable quality of life.

The current legislation (CAP 169) The Prevention of Cruelty to Animals Ordinance is outdated and therefore woefully inadequate. It is designed to primarily punish proven acts of cruelty while doing nothing to guide or encourage a far more comprehensive view of animal abuse:- that is a basic "Duty of Care"

It is also fundamentally vague leaving, in our opinion, a vast "grey" area encompassing non provision of adequate shelter and sustenance, general neglect and lack of care regarding comfort and the withholding of medical treatment when necessary! All of these scenarios, if not made provision for under the law by the relevant officials, will result in animals suffering equating actual cruelty.

We are concerned that the Administration may be somewhat complacent in their attitude towards animal abuse and the need to address the issue rigorously. We base this on a number of statements made in the material providing a background brief to this meeting

Namely that the AFCD attaches importance to animal welfare and management and employs a multi-pronged approach, including fostering a close partnership with AWO's - PALS has yet to experience this!

Also that recently they have implemented an enhanced educational and publicity programme to promote animal welfare and responsible pet ownership - again PALS has seen no evidence of this in South Lantau!

It is interesting that they are strengthening collaboration with AWO's by provision of technical and financial support = PALS looks forward to receiving such assistance as well as observing AFCD conduct activities relating to animal management and welfare in our backwater other than "catch and kill". As for the claim that the number of stray dogs euthanised has dropped between 2008 and 2012, we do not believe that this is a result of the efforts made by AFCD but rather the

sterling and dedicated work of the various AWO's throughout Hong Kong, many of whom have been set up and registered as societies and charities within this very time span

We note the stated introduction of The Animal Watch Scheme by the Police in 2011 - this comes as a considerable surprise to PALS since it appears that no such scheme exists in South Lantau! In fact we consistently face hurdles in Police cooperation and coordination regarding animal related issues and only recently were compelled to file a CAPO complaint of cruelty to animals against the Police largely due to their seeming indifference towards animal welfare.

While we agree that public education is of importance we dispute the suggestion that it is the "key" to safeguarding animals and promoting their welfare. Human beings (i.e. the public) are, generally speaking, selfish regarding their own wishes and wants. The majority are unlikely to ever consider animal rights as paramount to their own, thus it is the duty of the authorities to formulate strategies to better protect animals and ensure their well being without blindly deferring to flimsy objections from a public that has been allowed to consider their pets their property rather than individual sentient creatures.

It cannot be denied that Hong Kong's laws are lagging far behind those of other developed countries in terms of consideration for animal's well-being. We look forward to an Administration that has the courage and conviction to push through legislation that will bring us into the 21st century and therefore protect, nurture and, above all, respect Hong Kong's animals.

At the end of the day "Animals have rights too"

SUMMARY STATEMENT ON BEHALF OF PALS

Protection of Animals Lantau South (PALS) is grateful for this opportunity to present our views regarding the proposed "Trap-Neuter-Return" Scheme and the "Handling of Animal Cases" under discussion today.

We have already provided our complete Submission which covers our points more fully and is a matter of public record.

However, we would like to state clearly that, without a very fundamental and far reaching change in the mindset of the Administrative Officials tasked with the authority to deal with animal welfare issues in Hong Kong, a TNR Program could well prove "too little too late"

On Lantau Island, where we are in the front line, there is so much that could, and indeed should, be done to control and/or eradicate indiscriminate breeding among the Island's dog population and enhance the mechanism, as it stands today, which allows both animal abuse and abandonment.

Many claims are advanced from the Agriculture, Fisheries and Conservation Department (AFCD) as to the varied and extensive initiatives being undertaken to "improve" the overall animal management and welfare situation throughout Hong Kong but unfortunately PALS has yet to experience any of these and are unaware of any changes in either the AFCD's policies, procedures or practices over the last 2 decades!

It is actually true that there IS legislation presently in place which, if only applied in a strong and diligent manner, would in effect make something of a difference were it not for the fact that the current fines for abuse of animals handed down by our Magistrates are staggeringly low and even meager prison sentences a rarity!

Any "multi-pronged approach in the field of animal management and welfare MUST comprise a dedicated and proactive program of change from passive acceptance to aggressive determination to really bring about a positive improvement.

And this MUST go well beyond the scope of the TNR Scheme itself and include close scrutiny of Pet Shops, (PALS believes that these should eventually be phased out) commercial and hobby Breeders {one license for all, a cap on the number of breeders and a cap on how many litters born} and finally the emphasis put firmly on the SOURCE of stray dogs and the PREVENTION of unwanted litters of puppies from construction sites, building yards, storage yards and Island and New Territories villagers with an entrenched aversion to the sterilisation of their "loosely owned" packs!!!

PALS believes that both the money and the manpower should be made available - as with TNR - to render all the TALK that has gone on for far too many years academic and that the time to take concrete ACTION is NOW!

A PALS Case History!

Early 2011 - Mui Wo, Lantau Island.

A single elderly man was living in a portacabin in a construction yard with between 10-12 intact dogs, mainly female. Litters of puppies were constantly born on a regular basis.

And, just as regularly, this old man would set out to hawk these puppies around Mui Wo, on the seafront, outside the shops, in the market! The asking price was generally from \$30-50 and the puppies were displayed on a trolley, like vegetables, with no food or water and frequently under the blazing sun!!!

Many complaints were received by PALS of shock, horror and disgust and these were routinely passed onto the Agriculture, Fisheries and Conservation Department (AFCD) and many calls were made to both the Police and AFCD for assistance in ending this practice.

PALS offered to desex all of the old man's dogs free of charge as well as treat those suffering from various ailments requiring medical attention. All this was rejected and since the dogs and

puppies were considered the old man's "property" it appeared that nothing could - or would - be done.

However, complaints continued to be made regarding abuse and neglect in addition to hygiene issues, noise nuisance and aggressive behaviour on the part of some of the dogs as they roamed at will around the village. It should be noted that, of course, none of the dogs were licensed and rabies vaccinated.

Evidence was collected by PALS in the form of photographs, witnesses were spoken to and statements were given to AFCD staff and while 2011 turned into 2012 the puppies continued to be born!

And nothing proactive took place!

Finally in mid 2012 the old man fell ill and was eventually removed from Mui Wo by his family to a nursing home. The portacabin burnt down, other workers occupied the construction yard and the entire pack of the old man's dogs - by now 17 strong - were displaced! No food, no water, no shelter, no nothing!

As a direct result of inaction on the part of AFCD for so long they were then called upon to "spend" the taxpayers money by carrying out their "catch and kill" operations. Between September 2011 and December 2013 approximately 21 dogs and 10 puppies were caught and removed to the AFCD's Animal Management Centre in Pokfulam from the Mui Wo area, the bulk of which had come from the old man's pack!

During the same period of time PALS themselves rescued 13 puppies from the same area for potential re-homing!

Now in January 2014 there remain just 4 dogs from the original offspring - 1 male and 3 females! Unhappily all 3 females have recently given birth to puppies and so it can be surmised that the AFCD's "catch and kill" policy has failed miserably to resolve the problem long term (unlike that of PALS which would have been to employ TNR) and we are about to start the whole sorry saga again should even 3/4 of each litter survive to maturity.

This pitiful scenario is depressing in the extreme to the volunteers of PALS and is no doubt replicated throughout Hong Kong!!!!

Yours Truly,
Jacqueline Green
Protection of Animals Lantau South

