

16 January 2015

To: BILLS COMMITTEE ON VETERINARY SURGEONS REGISTRATION
(AMENDMENT) BILL 2014

SUBJECT:

Support of Proposals to Veterinary Surgeons Registration Ordinance (Chapter 529)
Veterinary Surgeons Registration (Amendment) Bill 2014

1. On behalf of the Veterinary Surgeons Board of Hong Kong (the “**Board**”), this is to express our strong support to the current proposed amendment to the Veterinary Surgeons Registration Ordinance (Cap 529) (the “**Ordinance**”) which includes, inter alia, the expansion and modification of the membership of the Board and its Preliminary Investigation Committee (**PIC**)¹ as follows.

Expansion and modification of the Board’s membership

2. The Board currently consists of a Chairman (who is not a registered veterinary surgeon), six registered veterinary surgeons and three lay persons (ratio of veterinary members to non-veterinary members at 2:1). In our proposal to amend the Ordinance, three lay persons and six veterinary surgeons are proposed to be added to the Board so as to expand its size from 10 to 19 persons while maintaining the ratio of veterinary members to non-veterinary members at 2:1.

3. The main functions of the Board, as defined by the Ordinance, are to establish and maintain a register of registered veterinary surgeons; to set the qualification standards for registration as a veterinary surgeon; to receive, examine, accept or reject applications for registration; and to make rules for the professional conduct and discipline of registered veterinary surgeons and deal with disciplinary offences.

4. Given the above statutory functions, a number of committees are established under the Board to help it discharge the functions, namely the Registration Committee, Accreditation Committee, Ethics Committee, Committee on Applications for Authorization to Advertise as and Profess to be a Veterinary Specialist, Committee on Veterinary Professional Standards, Committee on Continuing Professional Development in the Veterinary Profession and Committee on Lay Involvement in

¹ The Preliminary Investigation Committee is established by the Board to carry out preliminary investigation on complaints against registered veterinary surgeons in order to decide if the complaint should be referred to the Board for consideration of holding disciplinary inquiry.

Veterinary Practices in addition to Preliminary Investigation Committee and Inquiry Committees. The Board and the committees carry the responsibilities to set professional standards for the profession, deal with registration matters, devise measures to encourage the continued professional development of the registered veterinary surgeons, as well as deal with disciplinary matters of registered veterinary surgeons. In this connection, while it is important in having lay person in representing the needs and interest of veterinary services users, it is vital to maintain sufficient representation of the veterinary profession in the composition of the Board in carrying out the duty of all the committees in order to offer advice in a professional respect for regulating the profession.

5. The current ratio of veterinary members to non-veterinary members at the Board is at 2:1 (excluding the Chairman). Under the proposal, this ratio will remain the same while expanding the membership. This is similar to the practice of a number of established local and overseas relevant regulatory bodies, such as the Dental Council of Hong Kong, the Nursing Council of Hong Kong, the Royal College of Veterinary Surgeons (**RCVS**) of the United Kingdom, the North Carolina Veterinary Medical Board of the United States and most of the Veterinary Surgeons Boards in Australia.

Expansion and modification of the membership of the PIC

6. Since the Ordinance was enacted in 1997, there have been significant changes in circumstances. The number of registered veterinary surgeons has grown from around 150 to around 750 nowadays (fivefold in 17 years). Not only the number of complaints received by the Board in recent years has grown markedly, the complaints have become more complex with the advancement of new clinical diagnostic and treatment options over the past decade.

7. The PIC currently consists of two members (one veterinary and one non-veterinary member). In case of diverging views between the two members, that is hardly conducive to efficient decision-making. Therefore, it is proposed to increase the number of persons sitting on the PIC from two to three by adding another registered veterinary surgeon. Apart from easing the decision-making process, this proposal has the advantage of allowing the PIC to tap wider expertise when deciding whether a certain complaint should be referred to an Inquiry Committee.

8. Processing a complaint case necessarily takes time. It may take one or even two to three years (if the case is to be heard in an inquiry) to complete, hence causing a lot of stress and inconvenience to the defendant veterinary surgeon and complainant as well. It is therefore important that the complaint handling process be carried out fairly and efficiently. While we appreciate the indispensable role of the non-veterinary member in an PIC to ensure the process is fairly and impartially conducted, it is hardly conducive to increasing its efficiency (if not decreasing it as the size of the PIC is getting larger and more time is required to line up a meeting or to come to a consensus). We also do not believe that the complainant would be disadvantaged as a result, bearing in mind that there is always a legal adviser to assist the PIC throughout their discussion to ensure the parties concerned are treated equally. On the other hand, we heavily rely on the veterinary member of the PIC to provide expertise and insight into the case from a professional point of view as after all, misconduct in a professional respect is judged to have occurred when a veterinary surgeon's conduct has fallen short of the standard expected amongst veterinary surgeons. Thus, we strongly support the proposal that one veterinary member be added to the PIC to strengthen its capability.

Support from the public and stakeholders

9. The proposal has been subjected to a two-month extensive public consultation in October 2012. During the consultation period, about 700 letters/emails together with links to the consultation documents were sent to relevant stakeholders, including all registered veterinary surgeons in Hong Kong, Hong Kong Veterinary Association, the China (Hong Kong) Veterinary Association, Hong Kong Veterinary Nurse Association, universities running animal-related courses and animal welfare organisations and related boards, kennel clubs and pet associations. In addition, three public consultation forums were held. Constructive views from different sectors were received through various channels. The comments received have indicated that the vast majority of respondents are in support of the proposals as set out in the consultation document.

10. In particular, the public and various stakeholders, especially the veterinary community, expressed strong support for the proposal to increase the membership and representativeness of the Board. The Board believed that the current proposal of maintaining the ratio of veterinary members to non-veterinary members at 2:1 has struck a reasonable balance after taking into account of different views of various stakeholders and the public.

11. The Board also believed that the current proposals have carefully balanced the veterinary profession's practical needs, the interests of persons who utilise veterinary services and those of the general public, which has met the interests of the community as a whole.