

香港愛護動物協會的信頭
Letterhead of Society for the Prevention of Cruelty to Animals

Ref: CH/L036/07/99

22nd July 1999

Dr. Hon TANG Siu tong, JP
Chairman, Subcommittee
The Peoples Republic of China
Hong Kong Special Administrative Region
Legislative Council
Legislative Council Building
8 Jackson Road
Central Hong Kong

Dear Chairman,

**Re: 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**

Reference is made to your letter of the 7th July regarding the above captioned resolution, reference CB1/SS/10/98. I thank you for your invitation to the **Society for the Prevention of Cruelty to Animals Hong Kong (SPCA)** to express its views on the Dangerous Dogs Regulation.

We are in general agreement with the proposed amendments to the Ordinance, in that they are a step in the right direction in the move to reduce animal attacks and to promote more responsible ownership of animals in Hong Kong. This is a start, and a basis that should be built on in the future.

The proposed legislation in respect of fighting dogs and known dangerous dogs would appear to be sufficient. However although attacks by fighting dogs have been highlighted, we believe that it would be fair to say the majority of dog bites are from companion animals in the home and from strays, of which there is an abundance in Hong Kong.

The proposed regulatory changes to the Dogs and Cat Ordinance as they stand, raise two areas of concern for the SPCA. The first pertains to the weight of 20kg proposed to identify a "large dog". As previously stated we do not believe that a 20kg dog is a large dog by anyone's standards and we would like the Government to provide the rationale behind this apparently arbitrary figure. The Society's main concern is that 'labelling' all dogs over 20kg as potentially dangerous will further exacerbate the public's fear of dogs in general. To discriminate against dogs and label them as aggressive based purely on their size does little to educate the public and in itself is not the solution to preventing the problem of dog bites. Children especially must not be brainwashed into thinking that all dogs are dangerous and thus grow up with an irrational fear of them.

The SPCA believes that implementation of the Controls on Fighting Dogs and Known Dangerous Dogs with much higher penalties imposed on those who fail to control their dogs and an aggressive public education programme will together be a responsible and sufficient amendment to the current ordinance. Including the Large Breed category is potentially damaging to the work being done to show the value of dogs in the community (through schools, public education and the popular Dr. Dog programme which promotes therapy in hospitals and disabled centres throughout Hong Kong) because this will portray dogs as being dangerous unless muzzled and projects a bad image of dogs in general, and we respectfully request that its inclusion be reconsidered.

It would appear that attacks stem from a lack of understanding by owners on the attention and training that these animals need in the home. Again it is a matter of responsible ownership. As regards the strays, their quantities stem from a general lack of responsibility by the community towards animal ownership. Dogs are commonly abandoned; left to fend for themselves, breed and subsequently cause problems that are often highlighted in the media. Ineffective action by Government enforcement agencies, in the main the Agriculture and Fisheries Department, mean that their numbers are not radically controlled and reduced.

The second area of concern is Section 20 of the proposal which provides that a licensed fighting dog could be surrendered to Government within 120 days of the legislation being enacted, with the payment of HK\$ 3,000 in compensation being made. The Society has a concern regarding this amount, in that it might encourage people to breed and illegally import these animals in the interim with a view to claiming the money. This in turn would mean more animals surrendered and ultimately 'put to sleep'. The amount of compensation should be significantly lower than the \$3000 suggested and there would have to be strict guidelines drawn up regarding the implementation of this, with veterinary checks been conducted with regards to the birth/ import, with possible punitive action under Sections 4,5 and 6 of the Ordinance acting as a deterrent.

The initiatives taken through the proposals for amendments to the legislation in question need to be supported by education by the Government towards responsible pet ownership, which should include a specific spay/ neuter campaign; as well as effective enforcement action by the Agriculture and Fisheries Department. This is something that the **SPCA** is presently working on and we would welcome the opportunity to proceed further with Government bodies to effect such programmes.

Some statistics from the **SPCA** for June 1999, emphasise the problem of strays and lack of responsible pet ownership in the community. In the month of June, some 520 animals were found abandoned and collected by the **SPCA**, a further 988 were surrendered to the Society's centres, making a total of 1,508. Of these, after animals identified as strays were sent to the Agriculture and Fisheries Department and those sent for fostering, the Society was able to keep 191 for adoption whilst 1,255 were humanely destroyed. The **SPCA** was therefore in a position to keep for homing about 15% of all animals that were brought to us, finding homes for 10%. These homing figures are extremely low and we need every assistance to find homes and reduce the numbers coming to our centres.

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It is the view of the **SPCA** that these horrendous figures are caused by the continued breeding of animals; possible illegal importation from China; and in the main, irresponsible pet ownership and the decreasing number of homes in Hong Kong available for animals to be adopted into. It is exacerbated by Government policy, where people in public housing are no longer allowed to keep animals, a policy now endorsed by the great majority of property developers, and made worse by the lack of public education. This housing policy, when initially enforced in 1996, resulted in some 16,000 animals being surrendered by members of the public, the great majority being 'put to sleep'. As stated previously, the only way these figures can be reversed is through a change in government perceptions and policy towards animal welfare issues; and community education, something the **SPCA** is actively pursuing

We therefore ask the Legislature to consider carefully the concerns of the **SPCA** and put the whole concept of the proposed amendments in the broader context of an initial step in the education of the community at large. If the legislation is passed, in whatever form, the Government should then initiate a definitive course of supportive action.

This should initially entail embarking on a comprehensive education campaign with regards the content of the ordinance, which is already being misinterpreted by the press and general public alike. There should also be sufficient resources allocated to the enforcement of the ordinance and the attainment of the broad goals of companion animals being kept and maintained in an appropriate manner, basically the promulgation of responsible ownership. This should entail the initiation of effective stray control through proactive policing and a general spay neuter programme; and the introduction of animal welfare issues through to the community, especially the youth, through inclusion in educational syllabi and in education teaching methodology. Finally, a comprehensive review of further action necessary should then be initiated to deal with the problems that now face Hong Kong in the animal welfare arena.

Yours faithfully,

Chris Hanselman
Executive Director
Society for the Prevention of
Cruelty to Animals

c.c. Ms. LEUNG Siu Kum
Clerk to Subcommittee