

LCQ15: Veterinary and pet shop services

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (March 18):

Question:

Regarding veterinary and pet shop services, will the Government inform this Council:

(1) of (i) the number of veterinary surgeons registered under the Veterinary Surgeons Registration Ordinance (Cap 529), (ii) the ratio of registered veterinary surgeons to pets, and (iii) the number of veterinary surgeons convicted of contravening Cap 529 and the punishments imposed on them, in the past five years;

(2) whether the authorities currently deploy officials to conduct inspections on veterinary clinics on a regular basis; if so, of the details; if not, the reasons for that; of the reasons why the authorities do not keep, on a routine basis, records on the number of veterinary clinics and related information; whether the authorities will change such practice; if so, of the details; if not, the reasons for that;

(3) whether it knows the following information in each of the past five years:

(i) the numbers of complaints against veterinary surgeons and veterinary clinics received by the Veterinary Surgeons Board (VSB), and the major subject matters of such complaints;

(ii) the respective numbers of complaints referred to the Preliminary Investigation Committee and the Inquiry Committee of the VSB for follow up actions;

(iii) regarding those complaints for which investigations were completed, of the average, longest and shortest time taken by the VSB to conclude the investigations; and

(iv) the number of veterinary surgeons found guilty of professional misconduct or neglect, and the punishments imposed on them;

(4) given that while some veterinary surgeons have been complained for several times and found guilty of professional misconduct or neglect, the VSB currently only publishes on its website the orders made within one year and the findings of disciplinary inquiries made within three years by the Inquiry Committee, whether the authorities will suggest VSB to modify such practice and publish on its website the names of all non-compliant veterinary surgeons and the veterinary clinics concerned for public inspection; if so, of the details; if not, the reasons for that;

(5) as some members of the public have pointed out that the complainants have to provide substantive supporting evidence when lodging complaints with the VSB, but the veterinary clinics do not provide the medical records and X-ray films of animals to their owners and, in some cases, even do not return the dead bodies of the animals to their owners, whether the authorities know if the VSB has required veterinary surgeons and veterinary clinics to provide the medical records of animals to their owners upon their requests; if the VSB has, of the details; if the VSB has not, the reasons for that; among the complaints received by VSB in the past three years, of the respective numbers of those (i) having problems of the provision of supporting evidence and (ii) which could not be followed up due to such problems;

(6) as some members of the public have relayed that the operation of veterinary clinics (including the procedures on operations, the care given to animals staying overnight at the clinics and treatment of the dead bodies of animals) lacks transparency, of the authorities' respective improvement measures;

(7) as many members of the public have relayed that the fees for veterinary services are high and not clearly set out, whether the authorities know if the VSB will require veterinary clinics to provide their customers with a schedule of fees and charges, so that animal owners can make informed choices in the selection of services; if the VSB will, of the details; if not, whether the VSB will consider making public the standard fees and charges for various types of medical consultation and treatments, laboratory tests and operations for reference of members of the public;

(8) as some members of the public have relayed that some animal owners cannot afford private veterinary services which are expensive, whether the authorities will consider afresh (i) offering subsidies to non-profit-making bodies for the provision of inexpensive veterinary services, or (ii) introducing medical vouchers for animals; if so, of the details; if not, the reasons for that;

(9) given that this Council has passed amendments to Cap 529, one of which is to enlarge the membership of the VSB from 10 to 19 members (with six of the seats to be filled by registered veterinary surgeons elected by members of the profession), and that the authorities have made subsidiary legislation on the election of the six members, of the confirmed date of the election and, with the increase in the number of members, the anticipated reduction in the time taken on average by the VSB in handling a complaint; and

(10) as it has been reported that an incident occurred in Tai Po earlier on in which a groomer of a pet shop was alleged to have abused dogs, of the measures put in place by the authorities to step up the monitoring of such type of practitioners in the trade; the number of complaints against pet shops received by the Agriculture, Fisheries and Conservation Department in the past five years and the follow-up actions taken?

Reply:

President,

My reply to the question is as follows:

(1) According to the information of the Veterinary Surgeons Board of Hong Kong (VSB), the number of registered veterinary surgeons in Hong Kong in the past five years (as at the end of each year) is as follows:

| Year | Number of registered veterinary surgeons |
|------|--|
| 2015 | 823 |
| 2016 | 861 |
| 2017 | 920 |
| 2018 | 988 |
| 2019 | 1,049 |

According to the Thematic Household Survey Report No. 66 of the Census and Statistics Department, a total of around 221,100 dogs and 184,100 cats were being kept by households in Hong Kong in 2018. According to the VSB's number of registered veterinary surgeons in 2018, the veterinarian-to-pet (dog and cat) ratio of that year is around 1:410.

According to section 16(1) of the Veterinary Surgeons Registration Ordinance (Cap. 529) (the Ordinance), no person shall practise veterinary surgery or provide a veterinary service in Hong Kong unless the person is registered with the VSB and a holder of a practising certificate which is currently in force. According to the VSB Secretariat's information, there were two convicted cases for contravening the relevant provision in the past five years, sentenced to 100 hours' community service order and six weeks of imprisonment respectively.

(2) The VSB is a statutory authority established under the Ordinance and is responsible for the regulation of the practice of veterinary surgery, the registration of veterinary surgeons, and the disciplinary control of the professional activities of registered veterinary surgeons in Hong Kong. All registered veterinary surgeons have received professional training before practising in Hong Kong, and obtained the qualifications for registration specified under the Ordinance, and are required to comply with the Ordinance and the Code of Practice for the Guidance of Registered Veterinary Surgeons (CoP) promulgated by the VSB. Although the VSB does not keep the number of veterinary clinics or inspect them regularly, the CoP includes operational requirements of the relevant clinics. For instance, Part E of the CoP stipulates the professional relationships between veterinary surgeons and clients, and paragraph 25 also sets out the requirements of professional premises and equipment, etc. The Ordinance and the Rules of the Veterinary Surgeons Board (Disciplinary Proceedings) (Rules) have also provided for the complaint mechanism and the disciplinary proceedings relating to the disciplinary offences of registered veterinary surgeons. Please refer to part

(3) of the reply below for details.

Moreover, in order to promote the message of responsible pet ownership, the Agriculture, Fisheries and Conservation Department (AFCD) also provides a list of veterinary clinics on its thematic website (pets.gov.hk) for public reference (See Note 1).

(3) All complaints received by the VSB will be referred to the Preliminary Investigation Committee (PIC) for investigation and decision on whether to advise the VSB to conduct disciplinary inquiries. The VSB will then consider whether to refer the complaints to the Inquiry Committee (IC) for conducting disciplinary inquiries.

In the past five years, the numbers of complaints about registered veterinary surgeons received by the VSB, cases referred to the IC (as at end-February 2020), and cases found substantiated upon inquiry hearings are tabulated as follows:

| Year | Number of complaints received | Number of cases referred to IC | Number of inquiry hearings completed # | Number of cases found substantiated upon inquiry hearings # |
|------|-------------------------------|--------------------------------|--|---|
| 2015 | 57 | 14 | 3 | 3 |
| 2016 | 54 | 13 | 12 | 12 |
| 2017 | 56 | 5 | 8 | 4 |
| 2018 | 51 | 0 | 8 | 7 |
| 2019 | 41 | 0 | 2 | 1 |

The number includes those uncompleted cases in the past.

Majority of the complaints received were against the result or process of diagnosis and treatment or surgery by registered veterinary surgeons. Amongst all the cases received and completed in the past five years, the shortest processing time was about one month, the longest one was about three years and the average processing time was around nine months.

Over the past five years, a total of 27 complaint cases in relation to the conviction of disciplinary offences of misconduct or neglect in a professional respect of veterinary surgeons were found substantiated by the IC after conducting inquiry hearings with the following orders made:

| Relevant Order | Number of cases involved |
|---|--------------------------|
| Removal of name(s) of relevant veterinary surgeon(s) from the register for three months | 2 |

| | |
|---|----|
| Reprimand and compulsory participation in continuing professional development programme or professional seminar | 23 |
| Reprimand | 1 |
| Compulsory participation in continuing professional development programme | 1 |
| Total | 27 |

(4) The relevant arrangement was decided by the VSB when reviewing the matter of publishing disciplinary orders in 2017. Later on, the VSB discussed such arrangement again in 2019, and decided to add a hyperlink onto its website that links to the website of the Government Gazette, so as to facilitate members of public to search disciplinary orders made by the VSB. The relevant hyperlink has already been added onto the webpage of "Disciplinary Inquiries of the VSB".

(5) The VSB has established the CoP as the general guidelines of conduct for the registered veterinary surgeons. Members of the public could make complaints to VSB if there is suspected professional misconduct or neglect by veterinary surgeons. Relevant requirements have been stipulated in the CoP (See Note 2) in regard to the matters of provision of medical records to owners.

Over the past three years, a total of 14 complaints in relation to the refusal of registered veterinary surgeons to provide the complainants with medical records were received by the VSB. If complainants fail to obtain the medical records of the relevant animals for their cases, the VSB will request the relevant information from the veterinary surgeons or veterinary clinics concerned. If the veterinary surgeon concerned does not provide the relevant medical records as requested by VSB, thus adversely affecting the progress of processing the complaint case, VSB may issue charges against the veterinary surgeon concerned for failing to provide the relevant information to VSB in accordance with paragraph 18.2 of the CoP (See Note 3). Of the inquiry hearings conducted in the past three years, there was no registered veterinary surgeon being charged for refusal to provide medical records to VSB or owners.

(6) and (7) Paragraph 17.4 of the CoP has stipulated the guidelines on communication between veterinary surgeons and clients, the relevant details are as follows:

"A client should always be offered the best option available for treatment or surgery, but lesser options may meet the client's needs. Anticipated outcomes of the various options available must always be fully discussed with the client before treatment, with cost estimates. It is essential that the client is kept fully briefed about changes to both prognosis and costs by regular communication with the attending veterinary

surgeon."

Furthermore, paragraph 17.5 of the CoP has stipulated the guidelines on providing a schedule of fees and charges by the veterinary clinics:

"Veterinary surgeons shall make available to their clients or prospective clients a schedule of their normal fees and charges for consultations, routine tests and routine procedures, which may be done by way of a notice displayed at the veterinary surgeon's clinic containing the schedule or stating that the schedule is available on request."

(8) The number of registered veterinary surgeons continues to rise in recent years, currently there are more than 1,000 registered veterinary surgeons and over 140 veterinary clinics. As mentioned in part (1) of the reply above, the veterinarian-to-pet (dog and cat) ratio in Hong Kong is around 1:410 in 2018, which is far below the ratios of other places (i.e. Singapore (1:2 543), the United Kingdom (1:2 374) and the United States (1:3 072)) included in the report of consultancy study on veterinary profession in Hong Kong published by the VSB in 2017. The veterinarian-to-pet ratio is a common indicator for assessing the overall situation of veterinary services: the lower the ratio, the greater the number of veterinary surgeons. As such, animal owners should be able to find suitable veterinary services in Hong Kong for their pets. Also, AFCD has been subventing Animal Welfare Organisations (such as the Society for Prevention of Cruelty to Animals) in support of their work on safeguarding animal welfare, including the provision of veterinary services.

(9) The Secretary for Food and Health has made the Veterinary Surgeons Board (Election of Members) Regulation (the Election Regulation) under section 28(1A) of the Ordinance as amended by the Veterinary Surgeons Registration (Amendment) Ordinance 2015 (the Amendment Ordinance). The Election Regulation was tabled at the Legislative Council on November 13, 2019 and the negative vetting process had been completed. According to the current timetable, we plan to commence the election procedures starting from the second quarter of this year, and expect that the newly constituted the VSB comprising appointed and elected members will come into operation in the fourth quarter; however, due to the current development of the COVID-19 situation, the relevant timetable might be affected.

According to the amended Ordinance, the composition of the VSB will be expanded from 10 to 19 members, and an Assessment Panel will be formed by not more than 12 registered veterinary surgeons and not more than six other persons. The PIC and IC will be formed by members of VSB and Assessment Panel, therefore there will be more candidates to become members of the PIC and IC handling the complaints received. We will review the progress of complaint processing by VSB in due course after the commencement of the Ordinance.

(10) Although operating pet grooming business does not require any licence from AFCD, AFCD conducts regular inspections to relevant shops to monitor any illegal animal trading or suspected cases of cruelty to animals. Upon the receipt of relevant complaints or detection of the aforementioned situation during inspections, AFCD will conduct investigations and take corresponding

actions, which include conducting joint operations with the Police and initiating prosecution where appropriate.

The number of complaints in relation to pet shops received by AFCD over the past five years is as follows:

| Year | Number of complaints |
|------|----------------------|
| 2015 | 111 |
| 2016 | 88 |
| 2017 | 133 |
| 2018 | 52 |
| 2019 | 79 |

Notes:

1. The list of veterinary clinics includes those agreed to be listed for public access on the Internet.
2. Paragraph 17.7 of the CoP states "In the event the owner or agent of the owner of an animal in respect of which a registered veterinary surgeon is in possession or control of medical records, including (without limitation) clinical notes, radiological films and/or test results, requests to be provided with a copy of those records or a particular item thereof, the veterinary surgeon should comply with the request in a timely manner. Notwithstanding the foregoing, a veterinary surgeon may make compliance with such a request contingent upon the payment of a fee to cover the reasonable administration and copying costs incurred or to be incurred in complying with the request."
3. Paragraph 18.2 of the CoP states "A registered veterinary surgeon has an obligation to assist the VSB in carrying out its statutory duty of determining whether to refer a complaint alleging a disciplinary offence to an inquiry committee for decision by providing to the VSB on request information and documents, including medical records, and test results, radiographs, ultrasound films and Magnetic Resonance Imaging images, of relevance to the complaint."