

LCQ19: Prevention of cruelty to animals

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 (December 9):

Question:

Regarding the prevention of cruelty to animals, will the Government inform this Council:

(1) whether the Police have conducted investigations into the following cases of suspected animal cruelty that occurred in recent months:

- (i) in October, 10-odd free-roaming cats in Peng Chau went missing after having allegedly been captured,
- (ii) on October 1, a rabbit with grease dirt all over the body was found abandoned in a car park in Shek O Beach,
- (iii) on October 25, five dogs, allegedly not being taken proper care of, were found in a flat in Hung Hom persistently emitting odour,
- (iv) on October 28, a dog carcass, wrapped in a plastic bag, was found in the sea off Hung Hom,
- (v) at the end of October, a number of carcasses of stray cats, allegedly died of food poisoning, were found in Tung Chung,
- (vi) in early November, a number of stray dogs in Hung Shui Kiu went missing after having allegedly been captured,
- (vii) on November 3, a pigeon in Tai Po was shot and injured by a man with an air gun,
- (viii) on November 3, a pet cage containing carcasses of cats and dogs was found on a shingle beach on Lantau Island,
- (ix) on November 5, a carcass of a cat with its stomach cut open was found in Kwai Chung,
- (x) on November 6, a dog, which had sustained serious injuries after having allegedly been attacked, was found in Yuen Long,
- (xi) on November 7, a carcass of a beheaded wild pig with its stomach cut open was found in Wong Chuk Hang,
- (xii) on November 16, two home-raised lambs were killed and buried in a banana forest in Yuen Long, and
- (xiii) on November 21, a cat was allegedly burnt by corrosive fluid or hot water in Sheung Shui;

if so, of the details, including whether such cases have been referred to the investigation teams dedicated to handling cases of animal cruelty for investigation, and the number of those cases which the Police are investigating in the direction of animal cruelty;

(2) given that the Government received 150 reports of suspected animal

cruelty in the first half of this year, but as at October 21 of this year, the Government instituted prosecutions against the persons concerned in only five of such cases, whether it has reviewed if the number of prosecutions is on the low side; if it has reviewed and the outcome is in the affirmative, whether it has assessed if it is due to the presence of deficiencies in the existing law enforcement procedure;

(3) whether it will set up a dedicated hotline for reporting animal cruelty cases, with a view to expediting the handling of such cases; if so, of the details; if not, the reasons for that;

(4) whether it will instil the concept of caring for animals in students starting from kindergarten; if so, of the details; if not, the reasons for that;

(5) whether it has studied the reasons for people committing acts of cruelty to animals, and the measures to curb such acts; if not, of the reasons for that;

(6) as the Government plans to amend the Road Traffic Ordinance (Cap. 374) to enlarge the scope of "animal" under section 56 of that Ordinance, with a view to imposing a duty on the driver to stop his/her vehicle in case the vehicle is involved in a traffic incident which has caused damage to a dog and cat, of the relevant legislative timetable; and

(7) as the Government plans to amend the Prevention of Cruelty to Animals Ordinance (Cap. 169) to further safeguard animal welfare, whether the Government will introduce the relevant bill into this Council within this legislative session?

Reply:

President,

Having consulted the Department of Justice, Security Bureau and Education Bureau, my reply to the question is as follows:

(1) to (3) Regarding the suspected animal cruelty incidents mentioned in the question, the Police have followed up and conducted investigations on the cases which had been reported. Upon investigation, some of the cases were found not to involve animal cruelty or criminal elements, whilst the Police conducted arrest operation for some of the other cases. The Police will not comment on individual cases.

If the public come across any suspected case of animal cruelty, they can immediately telephone and report to the 999 Report Centre. The Government currently has no plan to set up a dedicated hotline for reporting animal cruelty cases. Upon receipt of an animal cruelty report, uniformed police officers will be deployed to the scene to look into the matter. If the case is found to involve animal cruelty, the dedicated criminal investigation team of the police district concerned will follow up. Where necessary, the Police

will request the Agriculture, Fisheries and Conservation Department (AFCD) or the Society for the Prevention of Cruelty to Animals to send their officers to the scene to provide professional advice and assist in investigation.

Upon receiving reports of suspected animal cruelty cases, the Police and/or AFCD will conduct investigation. Prosecution will be initiated if there is sufficient evidence. Regardless of the case type, in making a decision whether or not to prosecute in each case, prosecutors must make an objective and professional assessment of the available evidence from law enforcement agencies and applicable law, and act in accordance with the Prosecution Code. If there is no reasonable prospect of conviction, the prosecuting department will not commence a prosecution. The above principles also apply to animal cruelty cases.

In the first half of 2020 (as at June 30), the Police and AFCD received 150 suspected animal cruelty reports. Law enforcement agents have all along been handling suspected animal cruelty cases in a professional manner. Prosecution will be initiated if there is sufficient evidence. Regarding the aforementioned cases, upon investigations, most of the cases were found to be related to nuisance and not animal cruelty.

(4) and (5) Since animal cruelty cases may be caused by a variety of factors, the Government considers public education on responsible pet ownership to be most important for safeguarding and promoting animal welfare. To this end, AFCD established a dedicated team to devise, implement and fortify public education and publicity programmes, for disseminating messages on caring for animals and responsible pet ownership.

In the past year, AFCD launched a series of educational and publicity activities, including producing and broadcasting Announcements in the Public Interest on television and radio; placing advertisements at cinemas, public transport, bus stops, magazines and websites; organising promotional events in shopping arcades; regularly conducting village and community campaigns; holding talks in schools and housing estates; as well as conducting surveys on pet care. The Government will continue such work in the future.

On school education, the Government has all along attached great importance to nurturing students' positive values and attitudes. The Education Bureau strives to facilitate schools in implementing values education, which includes life education, to promote whole-person development among students. Learning content related to life education, such as understanding, cherishing, respecting and exploring life, have already been incorporated into the curriculum of kindergartens and relevant subjects in primary and secondary schools. The topic of caring for animals is also covered. "To respect, appreciate and care for nature" is one of the learning objectives of the learning area "Nature and Living" in the kindergarten curriculum. As for the secondary and primary curricula, students learn to care for animals in General Studies at the primary level; learn about how humans can live in harmony with animals and show respect for all living things and the environment in Science at the junior secondary level and Biology at the senior secondary level; examine the arguments on using animals

for food and experimentation in Ethics and Religious Studies at the senior secondary level; and learn about the principles of animal welfare and related regulations in the Applied Learning course "Animal Care". Under the moral and civic education curriculum of primary and secondary schools, "Care for Others" is one of the priority values to be nurtured among students, and "caring for animals is my duty" is one of the "life event" exemplars adopted to help students learn about respecting life and caring for animals.

In addition, schools are advised to select life events related to students' development and everyday life, and use a variety of approaches, such as morning assemblies, life education lessons, seminars and life-wide learning activities (e.g. visits), to deepen their understanding of the relevant topics and encourage them to actively explore and consider the preciousness of life, hence develop their positive values and attitudes, learning how to respect and cherish life.

(6) and (7) The Government understands the public's concerns about animal welfare. There have been suggestions for the Government to amend the Road Traffic Ordinance (Cap. 374), requiring a driver, in case of a traffic incident involving injuries to a cat or dog, to stop and report the incident to the Police as soon as practicable, so that these injured animals can receive timely care or treatment. The Government earlier consulted the public and are now studying the results of the consultation, with a view to submitting the amendment bill to the Legislative Council in due course. In addition, regarding amendments to the Prevention of Cruelty to Animals Ordinance (Cap. 169) to further safeguard animal welfare, after completing consultation, the Government is now pressing ahead with drafting the legislation. The amendments concerned are wide-ranging and complex. Once the bill is completed, the Government will submit it to the Legislative Council for deliberation as soon as possible.