

CHAPTER 4

**Environment Bureau
Food and Health Bureau
Agriculture, Fisheries and
Conservation Department**

Control of wild and stray animal nuisances

**Audit Commission
Hong Kong
28 October 2019**

This audit review was carried out under a set of guidelines tabled in the Provisional Legislative Council by the Chairman of the Public Accounts Committee on 11 February 1998. The guidelines were agreed between the Public Accounts Committee and the Director of Audit and accepted by the Government of the Hong Kong Special Administrative Region.

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CONTROL OF WILD AND STRAY ANIMAL NUISANCES

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CONTROL OF WILD AND STRAY ANIMAL NUISANCES

Executive Summary

1. Wild animals may occasionally leave their natural habitats and enter urban areas. Domestic animals which have been abandoned or gone astray may also stray on the streets. The presence of wild animals and straying domestic animals in urban areas can cause nuisances (e.g. noise, hygiene and safety issues). It is the Government's aim to contain such nuisances.

2. The Agriculture, Fisheries and Conservation Department (AFCD) is responsible for the control of wild and stray animal nuisances. From time to time, AFCD received complaints about animal nuisances. Most of these complaints involved nuisances relating to noise, hygiene and safety issues. Other complaints involved, for example, sighting of wild animals, wild bird nests found and requesting AFCD to catch stray animals. In 2018-19, AFCD received 2,012 nuisance complaints about wild animals and 6,024 nuisance complaints about stray animals. In the year, the expenditure incurred in the control of wild and stray animals (including the control of wild and stray animal nuisances) was \$61.9 million. The Audit Commission (Audit) has recently conducted a review of the control of wild and stray animal nuisances by AFCD.

Control of wild animal nuisances

3. *Addressing complaints about wild animal nuisances.* In the past five years from 2014-15 to 2018-19, the number of complaints lodged with AFCD about wild animal nuisances increased by 75%, from 1,147 complaints in 2014-15 to 2,012 complaints in 2018-19. The vast majority (95%) of the complaints were related to wild pigs (43%), monkeys (29%) and wild birds (23%) (para. 2.2). Audit noted the following issues:

- (a) *Need to ensure that on-site visits are conducted where necessary.* According to AFCD guidelines, where complainants are requesting assistance (e.g. rescue of injured animals), and/or animals are causing

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nuisances (e.g. monkeys grabbing people's belongings), AFCD staff need to either visit the sites to handle the cases or take actions on the cases. Audit noted that, of the 2,012 nuisance complaints about wild animals received in 2018-19, AFCD staff would need to conduct on-site visits in 1,553 cases. However, in a large proportion (65% or 1,005 cases) of the cases, AFCD staff did not conduct any on-site visits. In Audit's view, on-site visits facilitate the effective handling of complaint cases. Documenting the reasons for not conducting any on-site visits, while not presently required under AFCD guidelines, would help enhance accountability (paras. 2.4, 2.6 and 2.9);

- (b) ***Need to improve timeliness in responding to complaints.*** According to AFCD guidelines, upon receiving a complaint about wild animal nuisances, AFCD needs to give an interim reply to the complainant within 10 calendar days, and a substantive reply within 30 calendar days. Audit analysed 1,917 complaints and noted that in 49 (3%) cases, the interim reply was delayed (ranging from 1 to 47 days, averaging 9 days), and in 398 (21%) cases, the substantive reply was delayed (ranging from 1 to 63 days, averaging 8 days) (paras. 2.10 and 2.12); and
- (c) ***Need to follow guidelines on sterilisation of nuisance monkeys.*** In handling monkey nuisance complaints, according to AFCD guidelines, nuisance monkeys captured would be sterilised before releasing back to the wild. Audit noted that, of the 360 nuisance monkeys captured in the period 2014-15 to 2018-19, 29 (8%) had not been sterilised before releasing, contrary to AFCD guidelines. Records did not indicate the reasons for not sterilising them (paras. 2.14 and 2.15).

4. ***Population control programmes for wild animals.*** AFCD has implemented population control programmes for monkeys and wild pigs (para. 2.21). Audit noted the following issues:

- (a) ***Need to review sterilisation targets for monkey contraceptive programme.*** Since 2007, contractors have been engaged to capture monkeys on trapping sites and sterilise them in the field. AFCD specified in the service contract the minimum number of monkeys to be sterilised every year. In 2014 to 2019, the actual number of monkeys sterilised under the contracts exceeded the specified minimum number by 15% to 63% every year. AFCD informed Audit that the number of monkeys to be sterilised was not used to

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evaluate the contractor's performance. In Audit's view, there might be a risk that the number of monkeys sterilised might substantially exceed the specified minimum, thus overly reducing the monkey population, which might be contrary to AFCD's intent (paras. 2.21 to 2.25);

- (b) ***Need to address difficulties in locating and capturing monkeys.*** From 2014 to 2019, the number of monkeys trapped by the contractor (see (a) above) decreased by 59% from 499 (for the contract period 2014 to 2015) to 205 (for the contract period 2018 to 2019). Of the 32 troops of monkeys identified, for 17 troops, no monkey had been trapped since January 2014. In August 2019, the contractor remarked that monkeys were highly familiarised with the trap cages, and that trapping monkeys would become more difficult in the future (paras. 2.28 and 2.29);
- (c) ***Need for the “wild pig capture and contraception/relocation programme” (CCRP) to cover more nuisance blackspots.*** Since 2017, under CCRP, a contractor has been engaged to capture nuisance-causing wild pigs on selected sites and sterilise them in the field. AFCD records indicated that there were 77 wild pig nuisance blackspots as at 31 May 2019. However, only 19 (25%) blackspots had been covered by past CCRP operations. While AFCD had planned to cover another 22 (28%) blackspots in future CCRP operations, AFCD had not yet planned to conduct CCRP operations in the remaining 36 (47%) blackspots (paras. 2.21 and 2.34);
- (d) ***Need to expedite evaluation of the contraceptive vaccine used.*** Under CCRP, a multi-year immune-contraceptive vaccine has been used as one of the means to sterilise female wild pigs. To evaluate the effectiveness of the vaccine, AFCD has required the contractor (see (c) above) to recapture wild pigs that were administered with the vaccine during past CCRP operations. Pregnancy tests will be conducted on the recaptured wild pigs. However, as at 31 May 2019, of the 64 wild pigs administered with the vaccine and released back to the wild, only 6 (9%) wild pigs had been recaptured for pregnancy tests. Moreover, while the study on the vaccine had been scheduled for completion in October 2019, due to the limited number of wild pigs recaptured, the contractor had not yet obtained enough samples as at 31 July 2019 to evaluate the effectiveness of the vaccine (paras. 2.37 to 2.39); and
- (e) ***Need to expedite conducting population surveys of wild pigs.*** While a population control programme (i.e. CCRP) has been implemented for wild

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pigs, AFCD has not regularly conducted population surveys of wild pigs. Upon enquiry, in June and September 2019, AFCD informed Audit that a pilot study for wild pig population had been commenced in April 2019 and the first batch of data had been collected for studying the effectiveness of the techniques used in the population survey. In September 2019, AFCD was still figuring out the techniques on precise estimation of the total wild pig population (paras. 2.42 to 2.44).

5. ***Need to take into account wild pig nuisances in imposing feeding bans.*** AFCD has specified Feeding Ban Area under the Wild Animals Protection Ordinance (Cap. 170), at which the feeding of any wild animal is prohibited. Audit noted that, as at 31 May 2019, there were 61 nuisance blackspots caused by feeding (i.e. 5 blackspots for monkeys and 56 blackspots for wild pigs). While all the nuisance blackspots for monkeys were located within Feeding Ban Area, none of the 56 nuisance blackspots for wild pigs was covered by Feeding Ban Area (paras. 1.8 and 2.49).

Control of stray animal nuisances

6. ***Need to improve complaint records.*** According to its guidelines, upon receiving a complaint about stray animal nuisances, AFCD needs to give an interim reply to the complainant within 10 calendar days, and a substantive reply within 30 calendar days. Since January 2018, using a computer system, AFCD has recorded the details of individual complaints (e.g. the date of receipt of a complaint and the follow-up actions taken). However, the date of interim reply and the date of substantive reply to the complainant have not been recorded in the computer system. In Audit's view, there is a lack of management information for monitoring the timeliness of replies to complainants (paras. 3.3, 3.4 and 3.6).

7. ***Handling of stray animals.*** The vast majority (91%) of stray animal nuisance complaints lodged in the period 2014-15 to 2018-19 were related to dogs (63%) and cats (28%). AFCD operates four Animal Management Centres (AMCs) which are responsible for catching and handling stray dogs and cats as well as animals from other sources. Stray dogs and cats received at AMCs which are left unclaimed, but assessed to be in good health and having a gentle temperament would be transferred to animal welfare organisations (AWOs — i.e. rehoming partners) for adoption by the public (paras. 3.9 to 3.11). Audit noted the following issues:

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- (a) ***Need to improve guidelines on handling stray dogs and cats.*** According to AFCD guidelines, stray dogs and cats not reclaimed after 4 days and failing either health or temperament assessment would be euthanised. According to AFCD, the 4-day period was the minimum time for which a dog/cat had to be kept before euthanasia, and that AFCD would conduct re-assessments for the dog/cat to determine whether it became more suitable for rehoming over time. However, AFCD guidelines did not adequately cover the matter (e.g. for how long a dog/cat should be observed). Some dogs/cats had been observed for a short period (e.g. 4 days) and some others for a much longer period (e.g. 93 days) before euthanasia (paras. 3.12, 3.14 and 3.15); and
- (b) ***Need to enhance monitoring of rehoming partners.*** AWOs interested in becoming AFCD's rehoming partners need to submit applications to AFCD. As at 11 July 2019, AFCD had 16 rehoming partners (i.e. 16 AWOs) (para. 3.17). Audit noted the following issues:
- (i) ***Rehoming partners not frequently visited.*** AFCD visited AWOs when assessing their applications for rehoming partnership. Thereafter, AFCD would only visit them where necessary (e.g. AWO changing its management). Of the 16 AWOs, 7 had become rehoming partners for more than 10 years. There was a risk that some rehoming partners had not been visited for a considerable period of time (para. 3.17(a)); and
- (ii) ***Rehoming records not submitted.*** In 2018-19, 10 AWOs collected dogs and cats from AFCD for rehoming. Audit noted that only 2 (20%) of them had submitted "rehoming records" (showing relevant information about the dogs and cats such as adoption status) as required (para. 3.17(b)).
8. ***Population control programmes for stray animals.*** AFCD has implemented population control programmes for stray animals, and has assisted AWOs to implement a programme for neutering stray dogs (para. 3.21). Audit noted the following issues:
- (a) ***Need to ensure that sterilisation requirement of rehomed dogs and cats is followed.*** According to the undertakings signed by rehoming partners, rehomed animals (i.e. dogs and cats transferred to AWOs for adoption by

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the public) shall be “neutered” (i.e. sterilised) by a registered veterinary surgeon. Rehoming partners, as well as people adopting dogs and cats from the rehoming partners, could take the rehomed dogs and cats to the veterinary clinics engaged by AFCD for free sterilisation (paras. 3.11 and 3.22). Audit found that:

- (i) in 2018-19, only 27% of rehomed dogs and 49% of rehomed cats were sterilised at AFCD-engaged veterinary clinics (para. 3.23); and
 - (ii) for the rehomed dogs and cats which had not been sterilised at AFCD-engaged clinics, it was unclear as to whether they were sterilised elsewhere (e.g. at the adopters’ own expenses). There was a risk that some rehomed dogs and cats might not be sterilised, contrary to the requirement set out in the undertakings (para. 3.24);
- (b) ***Need to keep in view implementation of Trap-Neuter-Return (TNR) trial programme.*** Under the TNR trial programme, two AWOs recruited carers to feed and catch stray dogs within specific sites. Captured dogs were neutered at AWOs’ designated veterinary clinic where suitable. Captured dogs not suitable for rehoming were returned to the specific sites. In May 2018, the Legislative Council was informed that the TNR concept might not be effective in reducing the stray dog population and nuisances within a short period. As at 31 July 2019, the two AWOs were still running the TNR trial programme. This warrants AFCD’s attention because the TNR concept is different from AFCD’s established practice for handling stray dogs (i.e. catch and removal approach), and the effectiveness of the TNR trial programme is still unknown (paras. 3.26, 3.28 and 3.29); and
- (c) ***Need to ensure timely implementation of management plan for cattle.*** From time to time, AFCD received nuisance complaints about stray cattle and buffalo (hereinafter collectively referred to as stray cattle). In 2011, AFCD set up the Cattle Management Team with the aim of conducting long-term management of stray cattle. In August 2019, AFCD devised a stray cattle management plan, setting out short to long-term goals relating to the control of cattle populations. According to AFCD, it would brief relevant AWOs and stakeholders before implementing the stray cattle management plan. Audit noted that as at mid-September 2019, AFCD had not yet started briefing relevant AWOs and stakeholders (paras. 3.21, 3.31 to 3.33).

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9. ***Need to devise effective measures to control pigeon population in a timely manner.*** For pigeons, the number of nuisance complaints lodged with AFCD increased by 65% from 328 in 2014-15 to 540 in 2018-19. In September 2018, AFCD set up the Feral Pigeon Population Control Unit to tackle problems relating to pigeons. In February 2019, AFCD engaged a contractor to conduct a territory-wide pigeon population survey. The objective of the survey was to investigate the possible reasons for pigeon congregation with a view to devising a plan to control pigeon population. In April 2019, the survey commenced. It was scheduled for completion in March 2020 (paras. 3.39 and 3.40).

Publicity, prosecution and other administrative issues

10. ***Publicity and educational programmes.*** AFCD conducts various publicity and educational programmes to increase public awareness of matters relating to animal control (para. 4.2). Audit noted the following issues:

- (a) ***Need to improve the provision of school talks and public seminars.*** From 2014-15 to 2018-19, for school talks, the number of participants, having reached its peak of 21,288 participants in 2015-16, decreased by 8,515 (40%) to 12,773 participants in 2018-19. For public seminars, the average number of participants in each seminar was on the low side. For example, in 2018-19, on average, there were fewer than 10 participants per seminar. The decreasing/limited number of participants is not conducive to publicity of animal control (paras. 4.4 and 4.7); and
- (b) ***Need to ensure display of banners at blackspots and congregation spots.*** It has been AFCD's practice to put up banners at animal nuisance blackspots and pigeon congregation spots, reminding people not to feed the animals there and advising them of the precautions to be taken when encountering wild animals. However, as at 31 May 2019, only 66 (86%) of the 77 wild pig nuisance blackspots and only 71 (43%) of the 166 pigeon congregation spots had banners put up (paras. 4.9 and 4.10).

11. ***Need for timely prosecution action.*** In the course of controlling wild and stray animal nuisances, AFCD may find people violating laws (e.g. relating to abandoning animals). According to the Magistrates Ordinance (Cap. 227), prosecution action should be taken within 6 months from the date of offence (i.e. time-barred after 6 months). Audit examined the 31 prosecution cases which

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AFCD withdrew in 2014-15 to 2018-19 and found that in 2 cases, prosecutions were time-barred and hence AFCD had not instigated any prosecutions (paras. 4.19 and 4.20).

12. *Need to enhance practices on surveillance of African Swine Fever (ASF).* Wild pigs are susceptible to ASF. According to AFCD's surveillance plan on ASF, upon receiving the report of unexplained death of a wild pig (excluding death caused by road-kill) or a sick wild pig, AFCD officers will inspect the wild pig on site and determine if there are suspected signs of ASF infection. Upon enquiry, AFCD informed Audit in May and June 2019 that up to June 2019, no live or dead wild pigs had been tested for ASF by AFCD. In September and October 2019, AFCD informed Audit that a pilot programme for further enhancing the surveillance of ASF in local wild pigs (i.e. in local wild pig carcasses) would run between November 2019 and January 2020. Subject to reviews and modifications, AFCD would roll out a surveillance programme for ASF in local wild pigs later (paras. 4.27 to 4.30).

Audit recommendations

13. **Audit recommendations are made in the respective sections of this Audit Report. Only the key ones are highlighted in this Executive Summary. Audit has recommended that the Director of Agriculture, Fisheries and Conservation should:**

Control of wild animal nuisances

- (a) **review the adequacy of guidelines on the conduct of on-site visits for complaints about wild animal nuisances (para. 2.19(a));**
- (b) **ensure that the reasons for not conducting any on-site visits suggested under the guidelines are documented (para. 2.19(b));**
- (c) **improve the timeliness in responding to complaints about wild animal nuisances (para. 2.19(c));**
- (d) **take measures to ensure that AFCD guidelines on sterilising nuisance monkeys are followed (para. 2.19(e));**

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- (e) **document the reasons for not sterilising any nuisance monkeys captured in the future (para. 2.19(f));**
- (f) **review the sterilisation targets under the monkey contraceptive programme and reconsider the need for specifying a target range/optimum number of monkeys to be sterilised (para. 2.45(a));**
- (g) **look into any difficulties in locating and capturing monkeys under the contraceptive programme, and keep in view the need for enhancing the monkey trapping strategy (para. 2.45(c));**
- (h) **take measures to ensure that nuisance blackspots for wild pigs are adequately covered by CCRP operations (para. 2.45(e));**
- (i) **ensure that effective and timely measures are taken to secure adequate samples for evaluating the effectiveness of the immune-contraceptive vaccine on wild pigs (para. 2.45(f));**
- (j) **expedite conducting population surveys of wild pigs (para. 2.45(g));**
- (k) **keep in view the need to extend Feeding Ban Area under the Wild Animals Protection Ordinance to cover nuisance blackspots for wild pigs (para. 2.52);**

Control of stray animal nuisances

- (l) **take measures to improve the complaint recording system for stray animal nuisances (para. 3.7);**
- (m) **ensure that adequate guidelines are provided on handling stray dogs and cats (para. 3.19(a));**
- (n) **consider visiting rehoming partners regularly and ensure that they submit rehoming records as required (para. 3.19(c));**
- (o) **look into the reasons for the low percentage of rehomed dogs and cats sterilised at AFCD-engaged veterinary clinics, and take measures to**

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ensure that rehoming partners follow the requirement of sterilising rehomed dogs and cats (para. 3.35(a) and (b));

- (p) keep in view the implementation of the TNR trial programme, and take timely actions to rectify the situation where necessary (para. 3.35(c));
- (q) take prompt actions to brief relevant AWOs and stakeholders on the stray cattle management plan (para. 3.35(d));
- (r) closely monitor the conduct of the territory-wide pigeon population survey (para. 3.41(b));

Publicity, prosecution and other administrative issues

- (s) take appropriate measures to step up AFCD's effort in the provision of school talks and public seminars (para. 4.17(a));
- (t) ensure that banners are displayed at animal nuisance blackspots and animal congregation spots in a timely manner to publicise information about control of animal nuisances (para. 4.17(b));
- (u) ensure that timely actions are taken to instigate prosecutions of offences relating to the control of animal nuisances at the court (para. 4.22(a));
and
- (v) keep under review the implementation of the pilot programme for enhancing surveillance of ASF in local wild pigs, and ensure that the surveillance programme for ASF in local wild pigs is updated with enhancements in a timely manner where appropriate (para. 4.32(c)).

Response from the Government

14. The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

PART 1: INTRODUCTION

1.1 This PART describes the background to the audit and outlines the audit objectives and scope.

Background

1.2 According to the Wild Animals Protection Ordinance (Cap. 170), which is administered by the Agriculture, Fisheries and Conservation Department (AFCD), wild animals refer to any animals, other than those classed at common law as domestic (including those so classed which have gone astray or have been abandoned). According to AFCD, domestic animals refer to animals that have been kept as pets or produce food, which include, for example, cats, cattle, chinchillas, dogs, hamsters, pigeons and rabbits (Note 1).

1.3 Wild animals (e.g. monkeys and wild pigs) may occasionally leave their natural habitats and enter urban areas. Domestic animals (e.g. cats and dogs — Note 2) which have been abandoned or gone astray may also stray on the streets. The presence of wild animals and straying domestic animals in urban areas can cause nuisances (e.g. noise, hygiene and safety issues). It is the Government's aim to contain such nuisances in order that:

- (a) animals and people co-exist in a harmonious way;
- (b) possible nuisances caused by animals are properly dealt with, and public hygiene and safety are safeguarded; and
- (c) outbreaks of animal transmitted diseases are effectively prevented.

Note 1: *Domestic animals which are no longer looked after by people may become feral (i.e. being unowned, unhabituated to living closely with humans and having reverted to a wild state). For simplicity, stray animals referred to in this Audit Report also include feral animals.*

Note 2: *In 2010, the Audit Commission completed a review entitled "Control of pet animals" (Chapter 4 of Director of Audit's Report No. 54 of March 2010).*

Introduction

1.4 AFCD is responsible for the control of wild and stray animal nuisances. Over the years, for various reasons (e.g. misunderstanding that animals would starve if not being fed), people have fed wild and stray animals (see Photograph 1). According to AFCD, while animals can feed on foods from nature (e.g. leaves, fruits, roots and flowers) in their habitats, they can be attracted to urban areas by the easier food sources there. Feeding of wild and stray animals may create problems such as animals:

- (a) becoming dependent on humans for food and losing their foraging instincts;
- (b) losing fear of humans, and becoming more habituated to searching for food in urban areas (see Photograph 2);
- (c) becoming overpopulated, causing unbalanced ecosystems;
- (d) becoming overweight and vulnerable to various health issues; and
- (e) falling ill due to consuming unsuitable foods (e.g. garbage and plastic).

Photograph 1

People feeding monkeys



Source: Photograph taken by Audit Commission in May 2019

Photograph 2

A wild pig searching for food



Source: AFCD records

Animals which cause nuisances

1.5 From time to time, AFCD received complaints about animal nuisances. According to AFCD records, most of these complaints were on wild pigs, wild birds, monkeys, dogs, cats and pigeons (Note 3). Table 1 shows the number of complaints received from 2014-15 to 2018-19.

Note 3: *Stray pigeons referred to in this Audit Report include feral pigeons (see also Note 1 to para. 1.2).*

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Table 1
Complaints about wild and stray animal nuisances received by AFCD
(2014-15 to 2018-19)

Animal	No. of complaints				
	2014-15	2015-16	2016-17	2017-18	2018-19
<i>Wild animals</i>					
Wild pigs	396	510	643	787	1,008
Wild birds	253	284	306	435	509
Monkeys	423	513	527	399	409
Others (Note 1)	75	95	58	42	86
Sub-total (a)	1,147	1,402	1,534	1,663	2,012
<i>Stray animals</i>					
Dogs	6,773	5,663	5,060	3,805	4,203
Cats	3,689	2,824	2,342	1,568	1,133
Pigeons (Note 2)	328	375	404	469	540
Cattle/buffalo	119	104	96	62	79
Others (Note 3)	288	219	229	196	69
Sub-total (b)	11,197	9,185	8,131	6,100	6,024
Total (c)=(a)+(b)	12,344	10,587	9,665	7,763	8,036

Source: AFCD records

Note 1: Other wild animals included frogs, bats, civets and porcupines.

Note 2: Stray pigeons referred to in this Audit Report include feral pigeons (see also Note 1 to para. 1.2).

Note 3: Other stray animals included rabbits, hamsters and chinchillas.

Remarks: Most of these complaints involved nuisances relating to noise, hygiene and safety issues. Other complaints involved, for example, sighting of wild animals, wild bird nests found and requesting AFCD to catch stray animals.

Measures for controlling animal nuisances

1.6 AFCD takes various measures to control nuisances caused by wild and stray animals. Key measures are described in paragraphs 1.7 to 1.11.

1.7 ***Handling complaints about animal nuisances.*** Upon receiving a complaint from the public, it is AFCD's target to give an interim reply and a substantive reply to the complainant within 10 and 30 calendar days respectively. AFCD also adopts the following procedures:

- (a) ***Wild pigs, monkeys and cattle/buffalo.*** For nuisances caused by wild pigs, monkeys and cattle/buffalo:
 - (i) for urgent cases (e.g. the animal is in an urban area or public area and is unable to return to the natural habitat), AFCD staff will attend the scene immediately to guide the animal back to its habitat in the countryside. In case the animal cannot be guided (e.g. the animal is injured), AFCD staff will solicit necessary help (e.g. veterinarian's assistance) and capture the animal for examination/treatment. The captured animal will later be released back to the countryside; and
 - (ii) for non-urgent cases (e.g. the animal has already left the scene), AFCD will monitor the case and take necessary actions (e.g. giving advice to the complainant); and
- (b) ***Stray dogs and cats.*** AFCD adopts a catch and removal approach to handle stray dogs and cats. Upon receiving a public complaint, AFCD staff will attend the scene to locate and catch the animal. The caught animal needs to be kept for at least 4 days (Note 4). If it is not reclaimed by its keeper,

Note 4: *According to the Rabies Ordinance (Cap. 421), where the keeper of an animal which is detained under the Ordinance cannot after reasonable inquiry be found or ascertained within 4 days after the commencement of such detention, the Director of Agriculture, Fisheries and Conservation (or his Deputy Director/Assistant Director) may order the forfeiture of the animal, in which case he may either retain it or cause it to be sold, destroyed or otherwise disposed of as he considers appropriate.*

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arrangements will be made for it to be rehomed (i.e. adopted) where possible. Animals which are not suitable for rehoming or cannot be rehomed will be euthanised.

For complaints about other animals, AFCD will take necessary actions as the case warrants (e.g. providing advice on the application of bird repellents to places where pigeons are causing nuisances).

1.8 ***Imposing feeding bans.*** Under the Wild Animals Protection Ordinance, the Director of Agriculture, Fisheries and Conservation (or his Deputy Director/Assistant Director) may, for the purpose of the conservation of wild animals and by notice published in the Gazette, specify any place at which the feeding of any wild animal shall be prohibited (Note 5). As at September 2019, the area as shown in Figure 1 had accordingly been specified, at which the feeding of any wild animal is prohibited (hereinafter referred to as “Feeding Ban Area” — Note 6). AFCD conducts regular patrols at Feeding Ban Area, and may take prosecution actions against anyone who has fed wild animals therein (Note 7). Photograph 3 shows a location within Feeding Ban Area.

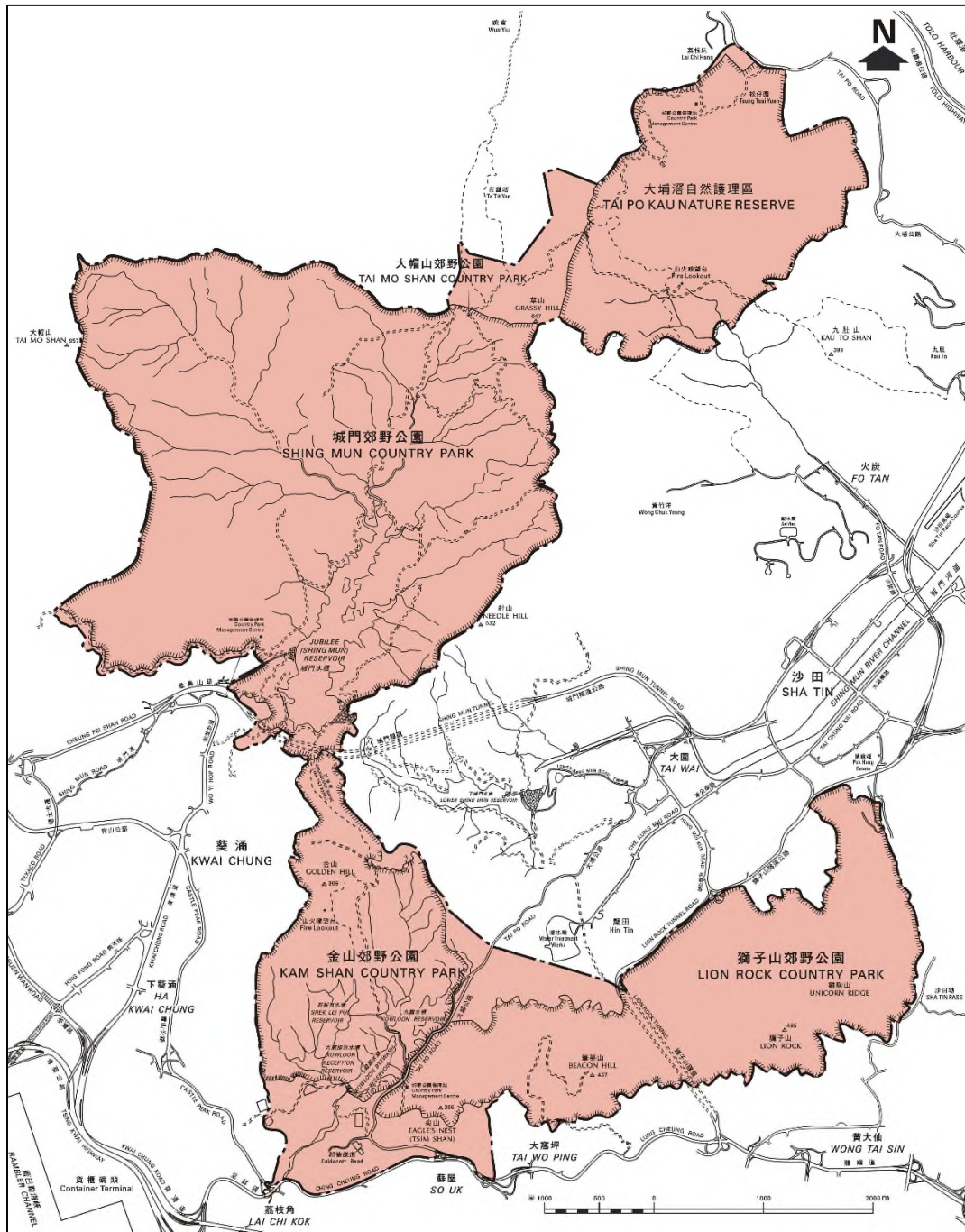
Note 5: *According to the Wild Animals Protection Ordinance, the Director of Agriculture, Fisheries and Conservation (or his Deputy Director/Assistant Director) may, upon application, grant a special permit to any person for feeding of wild animals in such specified places. As at 31 March 2019, there were 7 valid permits.*

Note 6: *Feeding Ban Area comprised: (a) the areas known as Lion Rock Country Park, Kam Shan Country Park, Shing Mun Country Park and Tai Po Kau Nature Reserve; (b) the area comprising that part of Tai Mo Shan Country Park which adjoins Shing Mun Country Park and Tai Po Kau Nature Reserve; (c) the area to the northeast of Kowloon Reservoir; (d) the area to the south of Kowloon Byewash Reservoir; (e) the area to the south of Shing Mun Country Park; (f) the area to the northeast of Tai Po Kau Nature Reserve known as Tsung Tsai Yuen; and (g) two areas which do not form part of but are completely enclosed by Tai Po Kau Nature Reserve.*

Note 7: *Anyone contravening the feeding restriction without the required permission is liable to a fine of \$10,000 upon conviction.*

Figure 1

**Feeding Ban Area designated
under the Wild Animals Protection Ordinance
(September 2019)**



Legend: Places at which the feeding of any wild animal is prohibited

Source: AFCD records

Photograph 3

A location within Feeding Ban Area



Source: Photograph taken by Audit Commission in May 2019

1.9 **Controlling animal populations.** AFCD has implemented population control programmes for animals. Table 2 shows the key programmes of AFCD.

Table 2

**Population control programmes for animals
(31 March 2019)**

Animal	Key programme	Detail
Monkeys	Monkey contraceptive programme (introduced in 2007)	— Monkeys are captured and then sterilised (i.e. undergoing medical operations for contraception) (Note) in the field and then released at the capturing sites.
Wild pigs	Wild pig capture and contraception/relocation programme (CCRP) (introduced in 2017)	— Wild pigs causing nuisances and habituated to obtaining food from feeding are captured and then sterilised (Note) in the field. — They are then relocated to remote countryside.
Cattle/buffalo	Cattle/buffalo capture-sterilisation-relocation programme (introduced in 2011)	— Cattle/buffalo are captured and then sterilised (Note) at treatment centres or in the field. — They are then relocated to suitable habitats in countryside.
Dogs and cats	Free sterilisation of rehomed dogs and cats (introduced in 2011)	— AFCD engages veterinary clinics to provide free sterilisation services (Note) to stray dogs and cats which have been rehomed.

Source: AFCD records

Note: According to AFCD, animals assessed as physically unfit, pregnant or baby animals would not be sterilised.

Remarks: Programmes in the table are those implemented by AFCD. Besides these programmes, AFCD has also assisted animal welfare organisations to implement a programme for neutering stray dogs (see para. 1.11(c)).

Introduction

1.10 *Publicising information about animal control.* AFCD conducts publicity and educational programmes to increase public awareness of matters relating to animal control, such as refraining from feeding wild and stray animals, being a responsible pet owner, and refraining from abandoning pets. AFCD advertises the relevant information through mass media and public transport, visits the community (e.g. organising fun days, pet adoption days/carnivals, roving exhibitions and public lectures), and puts up banners or posters at public places. Figure 2 shows a poster which promotes responsible pet ownership.

Figure 2

Poster to promote responsible pet ownership



Source: AFCD records

1.11 ***Other initiatives.*** AFCD liaises with other government bureaux and departments, and animal welfare organisations (AWOs — Note 8) to facilitate the control of animal nuisances as follows:

- (a) ***Feeding activities outside Feeding Ban Area.*** AFCD refers cases of animal feeding outside Feeding Ban Area to other government departments for taking follow-up actions, as follows:
 - (i) cases of animal feeding in public pleasure grounds noted by AFCD are referred to the Leisure and Cultural Services Department (LCSD) for follow-up actions (Note 9); and
 - (ii) feeding activities in public places (e.g. streets) noted by AFCD are referred to the Food and Environmental Hygiene Department (FEHD) for follow-up actions (Note 10);
- (b) ***Wildlife resistant designs of refuse collection facilities.*** AFCD has commissioned a study to improve the design of refuse collection facilities managed by the Government against the raids of wild pigs or monkeys. The consultant has devised three wildlife resistant designs of rubbish bins and litter containers. The first field trial was conducted in the second half of 2019 at over 40 nuisance blackspots in 8 districts; and

Note 8: *Since 2011, AFCD has been providing subventions to AWOs in support of their work on a project basis. AWOs that are exempted from tax under section 88 of the Inland Revenue Ordinance (Cap. 112) could apply for subventions from AFCD on project-based work directly relating to the promotion of animal welfare and proper animal management. In 2018-19, 11 projects were approved and the total subvention involved was \$0.6 million.*

Note 9: *Authorised officers of LCSD may take prosecution actions against a person feeding any animal, bird or fish kept or found in LCSD venues under the Pleasure Grounds Regulation (Cap. 132BC), and/or may issue fixed penalty notices of \$1,500 under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570) if the feeding activities lead to hygiene problems.*

Note 10: *Persons who dirty public places while feeding animals, e.g. leaving residual feed on the ground, will contravene section 4(1) of the Public Cleansing and Prevention of Nuisances Regulation (Cap. 132BK). FEHD may take enforcement actions against the offenders under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance.*

Introduction

- (c) *Trap-Neuter-Return (TNR) trial programme for stray dogs.* AFCD has assisted two AWOs to implement a TNR trial programme for stray dogs between January 2015 and January 2018 (Note 11). Under the trial programme, stray dogs found within two specific sites (i.e. located in Cheung Chau, and in Tai Tong in Yuen Long) were caught, neutered and then returned to the sites. According to AFCD, it would assist and facilitate interested AWOs to implement similar TNR programmes in other locations.

Responsible branches of AFCD

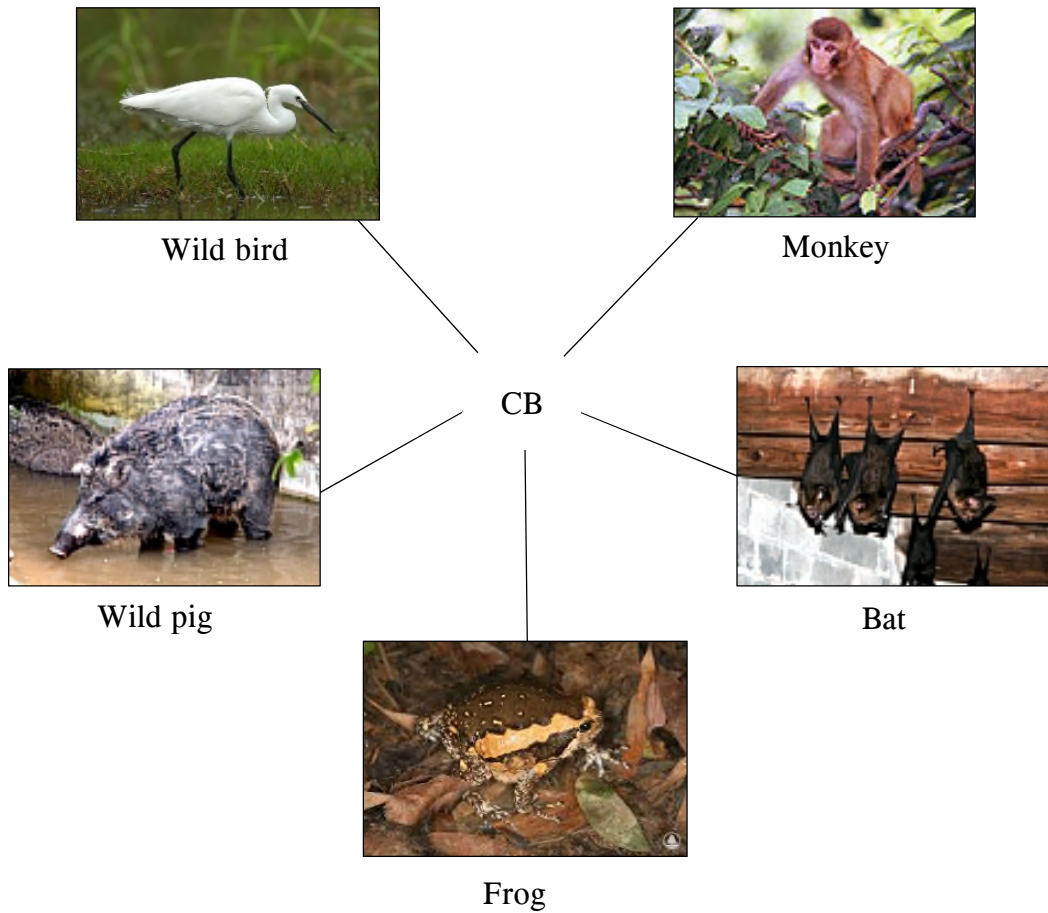
1.12 The measures for controlling animal nuisances are implemented through the Conservation Branch (CB) and the Inspection and Quarantine Branch (IQB) of AFCD. CB is responsible for the control of wild animal nuisances, while IQB is responsible for the control of stray animal nuisances (Note 12). Figures 3 and 4 show examples of animals which have been handled by CB and IQB respectively in the course of handling complaints about animal nuisances.

Note 11: *The Government has not provided financial support to the two AWOs for conducting the TNR trial programme. AFCD has provided various assistances to the two AWOs, for example in identifying suitable trial sites and soliciting support from the local communities. AFCD has commissioned a consultant to monitor and assess the effectiveness of the programme at a cost of \$1.5 million. Besides, AFCD also engaged 2 contract staff during the period 2012-13 to 2017-18 for additional administrative support at a cost of \$5.5 million.*

Note 12: *The Environment Bureau is the policy bureau for the work of CB (according to AFCD, control of wild animals is a matter of conservation). The Food and Health Bureau is the policy bureau for the work of IQB (according to AFCD, control of stray animals is a matter of environmental hygiene).*

Figure 3

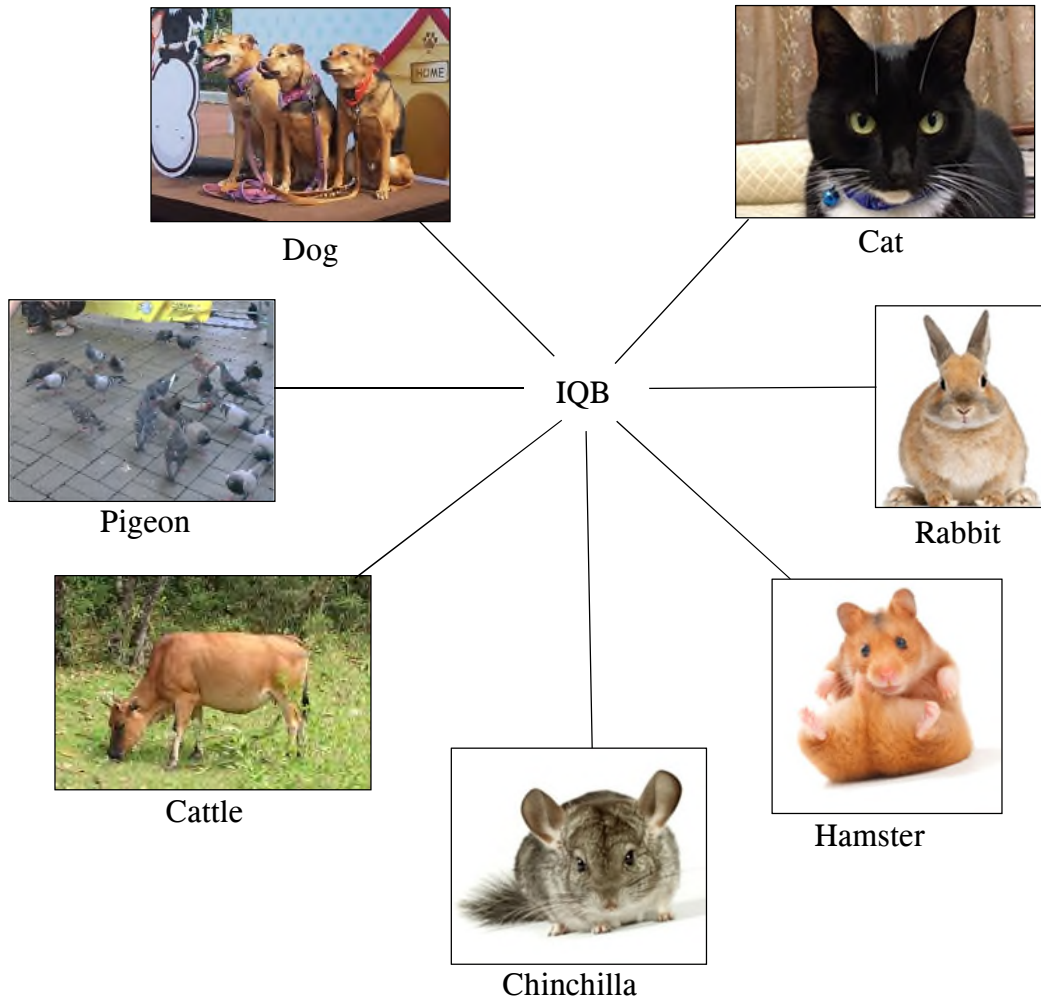
Examples of wild animals handled by CB
in the course of handling complaints about animal nuisances



Source: AFCD records

Figure 4

**Examples of stray animals handled by IQB
in the course of handling complaints about animal nuisances**



Source: AFCD records

1.13 An extract of the organisation chart of AFCD (as at 31 March 2019) is at Appendix A. As at 31 March 2019, the control of wild and stray animals (including control of wild and stray animal nuisances) involved 30 staff under CB (Note 13) and 211 staff under IQB (Note 14). In 2018-19, the expenditure incurred in the control of wild and stray animals (including the control of wild and stray animal nuisances) was \$61.9 million, comprising \$17.6 million for wild animals and \$44.3 million for stray animals.

Audit review

1.14 In April 2019, Audit Commission (Audit) commenced a review of the control of wild and stray animal nuisances by AFCD. The audit review has focused on the following areas:

- (a) control of wild animal nuisances (PART 2);
- (b) control of stray animal nuisances (PART 3); and
- (c) publicity, prosecution and other administrative issues (PART 4).

Audit has found room for improvement in the above areas and has made a number of recommendations to address the issues.

Note 13: *According to AFCD, apart from control of wild animal nuisances, the 30 staff under CB are also responsible for wildlife rescue and conservation, enforcement of the Wild Animals Protection Ordinance, conservation and management of the Mai Po and Inner Deep Bay Ramsar Site, the implementation of the Ramsar Convention, and wise-use of wetlands, etc.*

Note 14: *According to AFCD, apart from control of stray animal nuisances, the 211 staff under IQB are also responsible for control of pet animals, promoting animal welfare, enforcement of relevant legislation including the Rabies Ordinance and Pounds Ordinance (Cap. 168), detaining biter dogs for observation, and quarantining import dogs and cats against rabies.*

Introduction

General response from the Government

1.15 The Director of Agriculture, Fisheries and Conservation thanks Audit for conducting this audit review. He has said that AFCD is following up the recommendations made in this Audit Report and has already implemented some of them.

Acknowledgement

1.16 Audit would like to acknowledge with gratitude the full cooperation of the staff of AFCD, FEHD and LCSD during the course of the audit review.

PART 2: CONTROL OF WILD ANIMAL NUISANCES

2.1 This PART examines AFCD's control of nuisances caused by wild animals, focusing on the following areas:

- (a) addressing complaints about wild animal nuisances (paras. 2.2 to 2.20);
- (b) population control programmes for wild animals (paras. 2.21 to 2.46); and
- (c) administering Feeding Ban Area (paras. 2.47 to 2.53).

Addressing complaints about wild animal nuisances

2.2 In the past five years from 2014-15 to 2018-19, the number of complaints lodged with AFCD about wild animal nuisances increased by 75%, from 1,147 complaints in 2014-15 to 2,012 complaints in 2018-19 (see Table 1 in para. 1.5). According to AFCD records, the vast majority (95%) of wild animal nuisance complaints lodged in the period were related to wild pigs (43%), monkeys (29%) and wild birds (23%).

2.3 AFCD has laid down guidelines on handling complaints about wild animal nuisances. AFCD also maintains in its computer system a register of complaints about wild animal nuisances (hereinafter referred to as register of wild animal nuisances). The register records details of individual complaints (e.g. date of receiving the complaint, follow-up actions conducted, and dates of giving replies to the complainant).

Need to ensure that on-site visits are conducted where necessary

2.4 According to AFCD guidelines (see para. 2.3), where complainants are requesting assistance (e.g. rescue of injured animals), and/or animals are causing nuisances (e.g. monkeys grabbing people's belongings), AFCD staff need to either:

- (a) visit the sites to handle the cases; or

Control of wild animal nuisances

- (b) take actions on the cases.

During on-site visits (see (a) above), AFCD staff need to take necessary measures, such as driving away/capturing the animals, and conducting on-site investigations.

2.5 For other cases (e.g. complainants enquiring about the handling of wild animals), where complainants are not requesting assistance and animals are not causing nuisances, on-site visits are not required.

2.6 Audit examined the register of wild animal nuisances (see para. 2.3) for complaints received in 2018-19, and noted that of the 2,012 complaints received, AFCD staff would need to conduct on-site visits in 1,553 cases (i.e. cases referred to in para. 2.4). However, in a large proportion (65% or 1,005 cases) of the 1,553 cases, AFCD staff did not conduct any on-site visits (see Table 3). Case 1 shows an example.

Table 3
Conduct of on-site visits for
1,553 complaints about wild animal nuisances
(2018-19)

Wild animal	Cases where the complainants were requesting assistance and/or animals were causing nuisances		
	On-site visits conducted (a) (No.)	On-site visits not conducted (b) (No.)	Total (c) = (a) + (b) (No.)
Wild pigs	208 (27%)	562 (73%)	770 (100%)
Monkeys	217 (53%)	192 (47%)	409 (100%)
Wild birds	99 (34%)	189 (66%)	288 (100%)
Others (Note)	24 (28%)	62 (72%)	86 (100%)
Overall	548 (35%)	1,005 (65%)	1,553 (100%)

Source: Audit analysis of AFCD records

Note: Other wild animals included frogs, bats, civets and porcupines.

Case 1

**AFCD staff did not attend the scene in handling a complaint
(November and December 2018)**

1. AFCD received a wild pig nuisance complaint from a member of the public via e-mail in November 2018.

2. The complainant alleged that, in recent months, there had been an increasing number of wild pigs in the Waterfront Park of Cyberport during the daytime. As the wild pigs were posing safety concern to both residents and small children, the complainant requested AFCD to take follow-up action.

3. According to the register of wild animal nuisances, in response to the complaint received, an AFCD officer informed the complainant via e-mail in December 2018 that:

- (a) AFCD was closely monitoring the wild pig occurrence in that area. The exact reason for the frequent occurrence of wild pigs in that area was still being investigated; and
- (b) the Hong Kong Police Force should be contacted for emergency assistance (Note).

AFCD also advised the complainant to keep calm when encountering wild pigs and stay away from them.

4. Audit noted that no AFCD officers had conducted on-site visits in response to the complaint, and that the reasons for not conducting on-site visits had not been documented.

Audit comments

5. According to AFCD guidelines, AFCD officers would need to conduct on-site visits for this complaint. It was less than satisfactory that AFCD officers did not document the reasons for not conducting any on-site visits.

Source: Audit analysis of AFCD records

Note: According to AFCD guidelines, in case of emergency, assistance should be sought from the Hong Kong Police Force.

Control of wild animal nuisances

2.7 Other than the 1,553 cases in Table 3 in paragraph 2.6, Audit noted that the 2,012 complaints received in 2018-19 included 197 cases of wild bird enquiries and 262 cases related to nuisance complaints with inadequate details recorded in the register of wild animal nuisances. It was unclear as to whether on-site visits would need to be conducted in these 262 cases (i.e. whether they were cases referred to in para. 2.4). Audit further noted that, of these 262 cases, on-site visits had not been conducted in 256 (98%) cases.

2.8 Upon enquiry, in September 2019, AFCD informed Audit that upon receiving a complaint, AFCD officers needed to exercise discretion on whether on-site visit was required with reference to the guidelines. In some cases, although complainants were requesting assistance and/or animals were causing nuisances, on-site visits might not be required (e.g. repeated complaints about the same nuisance site where the nature of the complaints remained the same, and frog calls and other animal sightings where verbal advice was considered adequate).

2.9 In Audit's view, where complainants were requesting assistance and/or animals were causing nuisances (see para. 2.4), on-site visits would facilitate the effective handling of complaint cases. Documenting the reasons for not conducting any on-site visits in these cases, while not presently required under AFCD guidelines, would help enhance accountability. Audit considers that AFCD should review the adequacy of guidelines on the conduct of on-site visits for complaint cases about wild animal nuisances, and ensure that the reasons for not conducting any on-site visits suggested under the guidelines are documented. To facilitate monitoring the conduct of on-site visits, AFCD should take measures to ensure that adequate information (see para. 2.7) is recorded in the register of wild animal nuisances for supervisory review.

Need to improve timeliness in responding to complaints

2.10 According to AFCD guidelines, upon receiving a complaint about wild animal nuisances, AFCD needs to give an interim reply to the complainant within 10 calendar days, and a substantive reply within 30 calendar days.

2.11 Audit examination of the register of wild animal nuisances (see para. 2.3) indicated that in many cases the dates essential for monitoring case progress had not been fully recorded (i.e. date of receipt of the complaint, date of interim reply and

date of substantive reply — hereinafter referred to as the essential dates). Of the 2,012 complaints received in 2018-19:

- (a) in 1,126 (56%) cases, all essential dates had been recorded; and
- (b) in 886 (44%) cases, some essential dates had not been recorded, as follows:
 - (i) in 791 cases, either the date of interim reply or the date of substantive reply had not been recorded;
 - (ii) in 92 cases, both the date of interim reply and the date of substantive reply had not been recorded; and
 - (iii) in 3 cases, the date of receipt of the complaint had not been recorded.

2.12 Audit analysed 1,917 (i.e. 1,126 + 791) complaints (see para. 2.11(a) and (b)(i)). For these complaints, the date of receipt of the complaint and the date of interim reply and/or the date of substantive reply had been recorded. Audit noted delays in responding to these complaints, as follows:

- (a) ***Interim reply.*** In 49 (3% of 1,917) cases, the interim reply was delayed (i.e. reply given after 10 calendar days). Delays ranged from 1 to 47 days, averaging 9 days; and
- (b) ***Substantive reply.*** In 398 (21% of 1,917) cases, the substantive reply was delayed (i.e. reply given after 30 calendar days). Delays ranged from 1 to 63 days, averaging 8 days.

2.13 Audit considers that AFCD should improve the timeliness in responding to complaints. To facilitate monitoring the progress of complaint handling, AFCD should take measures to ensure that adequate information is recorded in the register of wild animal nuisances for supervisory review.

Control of wild animal nuisances

Need to follow guidelines on sterilisation of nuisance monkeys

2.14 In handling monkey nuisance complaints, AFCD conducted on-site visits to drive away the nuisance monkeys or, where the situation permitted, capture them. According to AFCD guidelines, nuisance monkeys captured would be sterilised before releasing back to the wild.

2.15 Audit noted that, of the 360 nuisance monkeys captured in the period 2014-15 to 2018-19, 29 (8%) had not been sterilised before releasing, contrary to AFCD guidelines. Records did not indicate the reasons for not sterilising these 29 monkeys captured. Table 4 shows the number of nuisance monkeys captured and sterilised.

Table 4

**Sterilisation of nuisance monkeys captured
(2014-15 to 2018-19)**

Year	No. of monkeys captured (a) = (b) + (c) + (d)	Handling of monkeys captured (No. of monkeys)		
		Sterilised (b)	Not sterilised, with justifications (Note 1) (c)	Not sterilised, without justifications (d)
2014-15	69	31 (45%)	38 (55%)	0 (0%)
2015-16	87	43 (49%)	39 (45%)	5 (6%)
2016-17	116	13 (11%)	89 (77%)	14 (12%)
2017-18	41	13 (32%)	20 (49%)	8 (19%)
2018-19	47	23 (49%)	22 (47%)	2 (4%)
Overall	360	123 (34%) (Note 2)	208 (58%)	29 (8%)

Source: Audit analysis of AFCD records

Note 1: According to AFCD, monkeys assessed as physically unfit, pregnant or baby monkeys would not be sterilised.

Note 2: Of the 123 nuisance monkeys captured during the period 2014-15 to 2018-19, 91 were sterilised by veterinarians from the contractor engaged under the monkey contraceptive programme (see para. 2.21(a)), and 32 were sterilised by AFCD Veterinary Officers in Animal Management Centres (see para. 3.10).

Control of wild animal nuisances

2.16 Upon enquiry, in September 2019, AFCD informed Audit that under current practice, nuisance monkeys captured would be sent to Animal Management Centres (AMCs). Monkeys which would be released to the country parks would be sterilised as appropriate by the contractor of the monkey contraceptive programme (see para. 2.21(a)) during the scheduled surgery period from September to March of the following year. The 29 monkeys released without sterilisation as mentioned in paragraph 2.15 were captured outside the scheduled surgery period (i.e. no veterinarians from the contractor were available for conducting sterilisation for the monkeys). To avoid keeping the monkeys for a prolonged period, AFCD released the monkeys without undergoing sterilisation on the grounds of animal welfare.

2.17 While AFCD captured nuisance monkeys and released them without undergoing sterilisation (see Table 4 in para. 2.15), Audit noted that under AFCD's population control programme, the contractor had indicated difficulties in capturing monkeys for sterilisation (see paras. 2.27 to 2.31). In Audit's view, sterilising the nuisance monkeys captured would not only comply with AFCD guidelines but also help implement the population control programme.

2.18 Audit considers that AFCD should take measures to ensure that AFCD guidelines on sterilising nuisance monkeys are followed (including monkeys captured outside the contractor's scheduled surgery period). For better control, AFCD needs to document the reasons for not sterilising any nuisance monkeys captured in the future.

Audit recommendations

2.19 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **review the adequacy of guidelines on the conduct of on-site visits for complaints about wild animal nuisances;**
- (b) **ensure that the reasons for not conducting any on-site visits suggested under the guidelines are documented;**
- (c) **improve the timeliness in responding to complaints about wild animal nuisances;**

- (d) take measures to ensure that adequate information is recorded in the register of wild animal nuisances for monitoring the handling of nuisance complaints;
- (e) take measures to ensure that AFCD guidelines on sterilising nuisance monkeys are followed; and
- (f) document the reasons for not sterilising any nuisance monkeys captured in the future.

Response from the Government

2.20 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

Population control programmes for wild animals

2.21 AFCD has implemented population control programmes for monkeys and wild pigs:

- (a) *Monkey contraceptive programme.* Since 2007, contractors have been engaged to capture monkeys on trapping sites (see Photograph 4 for an example), and before releasing, sterilise them (Note 15) in the field; and

Note 15: *Under the contract, endoscopic tubectomy would be performed on female monkeys, whereas endoscopic vasectomy would be performed on male monkeys.*

Photograph 4

A monkey trapping site in Sha Tin District



Source: Photograph taken by Audit in July 2019

- (b) **CCRP.** Since 2017, a contractor has been engaged to capture nuisance-causing wild pigs on selected sites and, before releasing, sterilise them (Note 16) in the field. AFCD will relocate the pigs to remote countryside areas where appropriate (Note 17).

Note 16: *Under the contract, injection of an immune-contraceptive vaccine or endoscopic tubectomy would be performed on female wild pigs, whereas surgical castration would be performed on male wild pigs.*

Note 17: *Before 2017, if wild pigs caused injury to human beings and/or damaged properties and if other management measures were found to be ineffective, the wild pigs would be removed by hunting operations by civilian hunting teams under the authorisation of the Hong Kong Police Force and AFCD. Hunting operations have been suspended since 2017.*

Need to review sterilisation targets for monkey contraceptive programme

2.22 For the monkey contraceptive programme, AFCD specified in the service contract the minimum number of monkeys to be sterilised every year. According to AFCD records, this minimum number had been determined taking into account:

- (a) results of monkey population surveys conducted by the contractor in the past (Note 18); and
- (b) the number of monkey nuisance cases in suburban residential areas and whether the number of cases was within manageable limit.

2.23 Audit noted that the minimum number of monkeys to be sterilised, as specified in the service contracts with the contractor, had decreased by 40% from 100 monkeys (for the contract period 2014 to 2015) to 60 monkeys (for the contract period 2018 to 2019). Meanwhile, the actual number of monkeys sterilised under the contracts exceeded the specified minimum number by 15% to 63% every year (see Table 5).

Note 18: *Population surveys were conducted through various means, such as direct counting of monkeys at individual sites.*

Control of wild animal nuisances

Table 5

**Number of monkeys sterilised
under the monkey contraceptive programme
(2014 to 2019)**

Contract period	Specified minimum no. of monkeys to be sterilised	Actual no. of monkeys sterilised (Note 1)	No. of sterilised monkeys exceeding the specified minimum
	(a)	(b)	(c) = (b) – (a)
January 2014 to January 2015	100 (Note 2)	118 (Note 3)	18 (18%)
January 2015 to January 2016	50 (Note 2)	80 (Note 3)	30 (60%)
February 2016 to January 2017	100	115	15 (15%)
March 2017 to February 2018	80	130	50 (63%)
May 2018 to May 2019	60	86	26 (43%)

Source: *Audit analysis of AFCD records*

Note 1: *It included nuisance monkeys captured by AFCD (see Note 2 to Table 4 in para. 2.15). During the period from January 2014 to May 2019, a total of 94 nuisance monkeys had been sterilised by the contractor.*

Note 2: *According to the service contract, requirement on the minimum number of monkeys to be sterilised applied to female monkeys only.*

Note 3: *This was the actual number of female monkeys sterilised in the contract period. All male monkeys captured in the period had been sterilised by the contractor.*

2.24 In September 2019, Audit enquired about the reasons for specifying a minimum number instead of a target/optimum number under the contract. AFCD informed Audit that:

- (a) the number of monkeys to be sterilised was not used to evaluate the contractor's performance;

- (b) under the current practice, to ensure subsistence of the monkey troops (Note 19), the contractor would not arrange capture and sterilisation of monkeys for troops which had about 80% of the population sterilised; and
- (c) since the number of monkeys captured would be affected by various factors (e.g. weather and maturity of captured monkeys), AFCD considered that it was appropriate to set a flexible target (i.e. the minimum number of monkeys sterilised) for the contract.

2.25 In Audit's view, it is not entirely satisfactory that only a minimum number instead of a target/optimum number was specified, because:

- (a) the actual number of monkey sterilised had been considerably exceeding the specified minimum (e.g. by 63% in 2017 to 2018 — see Table 5 in para. 2.23). It was not entirely clear as to whether the specified minimum was a useful reference; and
- (b) while the contractor would refrain from sterilising monkeys for troops which had about 80% of the population sterilised (see para. 2.24(b)), this practice had not been mentioned in the contract. Without stipulating clearly, there might be a risk that the number of monkeys sterilised might substantially exceed the specified minimum, thus overly reducing the monkey population, which might be contrary to AFCD's intent.

2.26 Audit considers that AFCD needs to review the sterilisation targets and reconsider the need for specifying a target range/optimum number of monkeys to be sterilised. Furthermore, to better measure the contractor's performance, AFCD should consider setting suitable performance indicators under the monkey contraceptive programme.

Note 19: *According to AFCD, monkeys live in troops of up to 200 individuals and each troop generally consists of a few number of males and many females plus their depending young.*

Control of wild animal nuisances

Need to address difficulties in locating and capturing monkeys

2.27 According to AFCD records, the population of monkeys increased by 13%, from 1,728 in January 2015 to 1,957 in May 2019. The number of monkey troops also increased by 33%, from 24 troops in January 2015 to 32 troops in May 2019.

2.28 Audit noted the following issues from 2014 to 2019, in contrast to the above increase:

- (a) ***Decreased number of monkeys captured.*** The number of monkeys trapped by the contractor decreased by 59%, from 499 (for the contract period 2014 to 2015) to 205 (for the contract period 2018 to 2019) (see Table 6); and

Table 6

**Monkeys captured by the contractor
(January 2014 to May 2019)**

Contract period	No. of monkeys captured (Note)
January 2014 to January 2015	499
January 2015 to January 2016	458
February 2016 to January 2017	388
March 2017 to February 2018	310
May 2018 to May 2019	205

Source: Audit analysis of AFCD records

Note: The number of monkeys captured included those subsequently sterilised and those not sterilised (see Note to Table 2 in para. 1.9).

- (b) ***No monkey trapped for many troops.*** Of the 32 troops of monkeys identified in May 2018 to May 2019, for 17 troops, no monkey had been trapped since January 2014.

2.29 Audit further noted that the contractor was responsible for identifying locations for setting trap cages (Note 20). In August 2019, in reporting the work under the contract to AFCD, the contractor remarked that:

- (a) monkeys were highly familiarised with the trap cages and becoming highly cautious in entering them. It was expected that trapping monkeys would become more difficult in the future; and
- (b) more effort should be put to search for the “less frequently seen” monkey troops (Note 21) in the future.

2.30 Upon enquiry, in September 2019, AFCD informed Audit that the increase in monkey population and number of monkey troops identified (see para. 2.27) were due to extension of the population survey coverage (Note 22).

2.31 Audit considers that AFCD needs to look into any difficulties in locating and capturing monkeys under the contraceptive programme, and keep in view the need for enhancing the monkey trapping strategy (e.g. trapping monkeys from the “less frequently seen” troops which were found to have caused nuisances, and trapping monkeys from troops for which no monkeys have been trapped for a long time).

Need for CCRP to cover more nuisance blackspots

2.32 According to AFCD records, CCRP (see Table 2 in para. 1.8) is a means for addressing persistent wild pig nuisances in urban areas, as well as a population

Note 20: *According to AFCD records, the contractor conducted population surveys of monkeys and identified trapping locations with reference to the surveys.*

Note 21: *According to the contractor’s monkey population surveys, of the 32 troops identified in 2018 and 2019, 19 were less frequently seen.*

Note 22: *Since 2017, AFCD has searched for the “less frequently seen” monkey troops (in particular, the monkey troops which caused nuisances to residential areas adjacent to Kam Shan, Lion Rock and Shing Mun Country Parks) which had not been covered in previous surveys.*

Control of wild animal nuisances

control programme for wild pigs. Under CCRP, wild pigs causing persistent nuisances and habituated to obtaining food from feeding are captured, sterilised, and relocated to remote countryside, where appropriate. As at 31 May 2019, the contractor had conducted 51 operations under CCRP. The operations were conducted on sites selected by AFCD.

2.33 Audit noted that AFCD had identified nuisance blackspots for wild pigs. According to AFCD, a location would be classified as a nuisance blackspot for wild pigs if any of the following criteria had been met:

- (a) a total of 8 or more wild pig nuisance complaints were received for the location in 2017 and 2018;
- (b) injury case(s) relating to wild pigs happened at the location in or after 2018;
- (c) wild pig nuisance complaints about the location were repeatedly received from the District Council; and
- (d) wild pig nuisance at the location was the subject matter of an Office of the Ombudsman case received in 2018.

Nuisance blackspots for wild pigs comprised blackspots caused by feeding and blackspots caused by environmental hygiene problem.

2.34 AFCD records indicated that there were 77 wild pig nuisance blackspots as at 31 May 2019. Audit noted that:

- (a) 19 (25%) blackspots had been covered by past CCRP operations (i.e. included in the 51 CCRP operations — see para. 2.32);
- (b) AFCD had planned to cover another 22 (28%) blackspots in future CCRP operations; and
- (c) AFCD had not yet planned to conduct CCRP operations in the remaining 36 (47%) blackspots.

AFCD records did not indicate that AFCD had laid down its criteria for selecting sites for conducting CCRP operations. Audit further noted that of the 36 blackspots (see (c) above) for which no plan had been made, 34 (94%) were located in urban areas (i.e. outside country parks).

2.35 In Audit's view, as a means for addressing persistent wild pig nuisances in urban areas (see para. 2.32), it is necessary for CCRP operations to cover as many blackspots as possible, particularly those in urban areas.

2.36 Audit considers that, for better control, AFCD needs to lay down the criteria for selecting sites for conducting CCRP operations. Having regard to the laid-down criteria, AFCD needs to take measures to ensure that nuisance blackspots for wild pigs are adequately covered by CCRP operations (e.g. expediting the conduct of CCRP operations for the 22 blackspots (see para. 2.34(b)), and consider including the remaining 36 blackspots (see para. 2.34(c)), in future CCRP operations).

Need to expedite evaluation of the contraceptive vaccine used

2.37 Under CCRP, a multi-year immune-contraceptive vaccine (Note 23) has been used as one of the means to sterilise female wild pigs. The use of the vaccine on wild pigs is a new attempt in Hong Kong. To evaluate the effectiveness of the vaccine and to determine the way forward in controlling the wild pig population, AFCD has required the contractor to recapture wild pigs that were administered with the vaccine during past CCRP operations. Pregnancy tests will be conducted on the recaptured wild pigs.

2.38 According to AFCD records, as at 31 May 2019, 64 wild pigs had been administered with the vaccine and released back to the wild. Audit noted that only 6 (9%) of the 64 wild pigs had been recaptured for pregnancy tests. According to AFCD:

Note 23: *The vaccine would prevent mammals from entering a reproductive state as proven by captive trials. It has been found to be effective for at least four to six years on captive wild pigs in an overseas study.*

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- (a) owing to the extensive movement range and distribution of wild pigs, capturing wild pigs was challenging; and
- (b) to facilitate the recapturing of wild pigs, Global Positioning System collars (Note 24) were used to help monitor the movement of the released wild pigs. Owing to the shape of the neck and head of wild pigs, the collars did not easily stay on them.

2.39 Audit further noted that the study on the immune-contraceptive vaccine which commenced in October 2017 had been scheduled for completion in 24 months (i.e. October 2019). However, due to the limited number of wild pigs recaptured, the contractor had not yet obtained enough samples as at 31 July 2019 to evaluate the effectiveness of the vaccine.

2.40. Upon enquiry, in September 2019, AFCD informed Audit that in order to obtain adequate samples, it would focus on selected sites where the recapture of wild pigs was possible. Audit considers that, with a view to deciding on the most appropriate means of sterilising female wild pigs in the future, AFCD should ensure that effective and timely measures are taken to secure adequate samples for evaluating the effectiveness of the immune-contraceptive vaccine on wild pigs.

Need to expedite conducting population surveys of wild pigs

2.41 Since 2009, AFCD has engaged the contractor of the monkey contraceptive programme to conduct a survey of the monkey population in Hong Kong every year. According to AFCD, population survey of monkeys is an important tool for monitoring changes in the population structure and the effectiveness of the population control programme.

Note 24: *The collars were programmed to provide a geographical position record every hour. Position records of wild pigs were transmitted to AFCD as text messages through the local mobile phone network.*

2.42 While a population control programme (i.e. CCRP) has been implemented for wild pigs, AFCD has not regularly conducted population surveys of wild pigs. Records indicated that:

- (a) in 2002, for studying the ecology of Hong Kong, AFCD started a territory-wide survey (Note 25) of medium and large non-flying terrestrial mammals (i.e. including wild pigs). The survey had been conducted for two periods, i.e. 2002 to 2006 and 2012 to 2016;
- (b) Legislative Council (LegCo) Members had, from time to time, enquired about the estimated population of wild pigs in Hong Kong. In January 2019, AFCD responded that, owing to the features of wild pigs (e.g. solitary or in small group, and secretive), the monitoring of wild pigs was very difficult. Population surveys had never been conducted on wild pigs specifically; and
- (c) in January 2019, AFCD informed LegCo Members that a survey would be undertaken to estimate the total population of wild pigs in Hong Kong, with a view to gathering more information to guide the future management strategy in relation to wild pigs.

2.43 Upon enquiry, in June and September 2019, AFCD informed Audit that:

- (a) AFCD aimed to manage wild pigs causing nuisances in urban areas but not to deal with the majority of wild pigs living in country parks (i.e. those wary about contacting humans);
- (b) AFCD considered that a survey of wild pig population in Hong Kong would have little help in addressing wild pig nuisances in urban areas. Nevertheless, a pilot study for wild pig population had been commenced in April 2019 and the first batch of data had been collected for studying the effectiveness of the techniques used in the population survey; and

Note 25: *The survey was conducted through a passive infrared camera trap, which allowed photographs of wildlife to be taken automatically whenever a “warm” animal crossed in front of the sensor. The photographs taken of each species were then analysed.*

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- (c) after figuring out the techniques on precise estimation of total wild pig population, AFCD would determine how the population survey of wild pigs could be proceeded.

2.44 Population survey is an important tool for monitoring the effectiveness of the population control programme (see para. 2.41) and guiding the future management strategy in relation to wild pigs (see para. 2.42(c)). In September 2019, AFCD was still figuring out the techniques on precise estimation of the total wild pig population. Audit considers that AFCD should expedite actions in this regard.

Audit recommendations

2.45 **Audit has recommended that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **review the sterilisation targets under the monkey contraceptive programme and reconsider the need for specifying a target range/optimum number of monkeys to be sterilised;**
- (b) **consider setting suitable performance indicators under the monkey contraceptive programme with a view to better measuring the contractor's performance;**
- (c) **look into any difficulties in locating and capturing monkeys under the contraceptive programme, and keep in view the need for enhancing the monkey trapping strategy;**
- (d) **lay down the criteria for selecting sites for conducting CCRP operations;**
- (e) **having regard to the laid-down criteria (see (d) above), take measures to ensure that nuisance blackspots for wild pigs are adequately covered by CCRP operations;**
- (f) **ensure that effective and timely measures are taken to secure adequate samples for evaluating the effectiveness of the immune-contraceptive vaccine on wild pigs; and**

- (g) expedite conducting population surveys of wild pigs.

Response from the Government

2.46 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations. He has said that:

- (a) the monkey contraceptive programme has been an adaptive management programme (i.e. subject to changes depending on the outcome in the earlier phases of the programme). In the annual tendering exercises for selecting the contractor during the past years, AFCD had been closely monitoring and adjusting the sterilisation targets in response to the decreasing birth rates of the monkey population. In any case, AFCD is exploring to specify a target range of the number of monkeys to be sterilised for monitoring purposes, and will incorporate the parameter in the next tendering exercise; and
- (b) AFCD reiterates that the number of monkeys to be sterilised will decrease given the success in the reduction of birth rates of monkeys. AFCD has always been keeping in view the feasibility of alternative monkey trapping strategies.

Administering Feeding Ban Area

2.47 Wild animals can be attracted to urban areas by the easier food sources there. AFCD has specified Feeding Ban Area under the Wild Animals Protection Ordinance (see para. 1.8).

2.48 According to AFCD records, the specification of Feeding Ban Area was made in 1999 for the following key reasons:

- (a) making monkeys revert to foraging food from the wild, rather than from people;
- (b) slowing down the unnatural population growth of monkeys due to human feeding; and

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- (c) reducing the opportunities of close contacts between people and monkeys and thus the potential risk of transmitting diseases.

Need to take into account wild pig nuisances in imposing feeding bans

2.49 According to the Wild Animals Protection Ordinance, in addition to monkeys, Feeding Ban Area also applies to other wild animals including wild pigs. Audit noted that, as at 31 May 2019, there were 61 nuisance blackspots caused by feeding, which comprised 5 blackspots for monkeys (Note 26) and 56 blackspots for wild pigs. Audit noted the following issues:

- (a) **Monkeys.** All the 5 nuisance blackspots for monkeys were located within Feeding Ban Area; and
- (b) **Wild pigs.** None of the 56 nuisance blackspots for wild pigs was located within Feeding Ban Area.

2.50 In view of the considerable number of complaints about wild pig nuisances in recent years (e.g. 1,008 complaints in 2018-19) and the substantial increase in the complaints over the years (i.e. 155% increase from 2014-15 to 2018-19), there is merit for AFCD to consider putting nuisance blackspots for wild pigs under feeding ban. In this connection, Audit noted that a related government advisory body (Note 27) had also considered it necessary for Feeding Ban Area to be extended to cover such blackspots.

Note 26: *Similar to wild pigs, AFCD had also set nuisance blackspots for monkeys with regard to criteria similar to those adopted for wild pigs (see para. 2.33). Nuisance blackspots for monkeys comprised blackspots caused by:*

- (a) *feeding;*
- (b) *environmental hygiene problem; and*
- (c) *plant attraction.*

Note 27: *The Animal Welfare Advisory Group advises the Director of Agriculture, Fisheries and Conservation on matters concerning animal welfare. Its members include academics, professionals and the Assistant Director (Inspection and Quarantine) of AFCD. In March 2019, it issued a letter to the Environment Bureau, suggesting that the prohibition of feeding of wild animals at Feeding Ban Area should be extended to cover nuisance blackspots for wild pigs.*

2.51 Upon enquiry, in September 2019, AFCD informed Audit that the Government had been adopting a multi-pronged approach, namely managing wild pig nuisances and monitoring wild pig population, reducing food attraction and strengthening public education to remind the public not to feed wild animals with a view to relieving wild pig nuisances to the public. If the current measures together are considered ineffective in the medium term, the Government will consider the feasibility of imposing feeding bans to control wild pig nuisances in the long term.

Audit recommendation

2.52 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should keep in view the need to extend Feeding Ban Area under the Wild Animals Protection Ordinance to cover nuisance blackspots for wild pigs, taking into account the need for better addressing wild pig nuisances over the territory.**

Response from the Government

2.53 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendation.

PART 3: CONTROL OF STRAY ANIMAL NUISANCES

3.1 This PART examines AFCD's control of nuisances caused by stray animals, focusing on the following issues:

- (a) addressing complaints about stray animal nuisances (paras. 3.2 to 3.8);
- (b) handling of stray animals (paras. 3.9 to 3.20);
- (c) population control programmes for stray animals (paras. 3.21 to 3.36); and
- (d) other measures for controlling stray animal nuisances (paras. 3.37 to 3.42).

Addressing complaints about stray animal nuisances

3.2 In the past five years from 2014-15 to 2018-19, the number of complaints lodged with AFCD about stray animal nuisances decreased by 46%, from 11,197 complaints in 2014-15 to 6,024 complaints in 2018-19 (see Table 1 in para. 1.5).

3.3 AFCD has laid down guidelines on handling complaints about stray animal nuisances. According to the guidelines, upon receiving a complaint, AFCD needs to give an interim reply to the complainant within 10 calendar days, and a substantive reply within 30 calendar days.

Need to improve complaint records

3.4 Audit noted that AFCD had not maintained adequate records for monitoring whether the target response time (i.e. 10 calendar days for an interim reply and 30 calendar days for a substantive reply) had been met:

- (a) ***Before January 2018.*** Brief descriptions of complaints were jotted down in a diary. AFCD did not have a central computer system for recording details of individual complaints, such as the date of receipt of a complaint,

the follow-up actions taken on the complaint, as well as the date of interim reply and the date of substantive reply to the complainant; and

- (b) ***January 2018 and thereafter.*** AFCD had improved its records. Using a computer system, AFCD recorded the details of individual complaints, such as the date of receipt of a complaint and the follow-up actions taken. However, the date of interim reply and the date of substantive reply to the complainant were not recorded in the computer system.

3.5 Audit examined the complaint records maintained under AFCD's computer system (see para. 3.4(b)) and noted that:

- (a) for 96% of the complaints received in 2018-19, AFCD staff had taken the first follow-up actions on the cases (e.g. conducting a site visit) within 10 calendar days from the date of receipt of the complaints (Note 28); and
- (b) however, as the dates of replies had not been recorded in the system, it could not be ascertained whether timely replies had been given to complainants as required under AFCD guidelines.

3.6 In Audit's view, there is a lack of management information for monitoring the timeliness of replies to complainants. The complaint recording system needs further improvement.

Audit recommendation

3.7 **Audit has recommended that the Director of Agriculture, Fisheries and Conservation should take measures to improve the complaint recording system for stray animal nuisances to ensure that adequate management information is available for monitoring the timeliness of replies to complainants.**

Note 28: *After taking the first follow-up action, AFCD staff might need to take further actions as the case warranted (e.g. conducting further site visits). Audit examination focused on the lead time for the first follow-up action.*

Response from the Government

3.8 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendation. He has said that, before January 2018, while AFCD did not have a central computer system for recording details of individual complaints, interim and substantive replies to complainants were recorded in the government hotline “1823” computer system and the register for written complaints as appropriate.

Handling of stray animals

3.9 According to AFCD records, the vast majority (91%) of stray animal nuisance complaints lodged in the period 2014-15 to 2018-19 were related to dogs (63%) and cats (28%).

3.10 AFCD adopts a catch and removal approach to handle nuisance complaints about stray dogs and cats (see para. 1.7(b)). The Animal Management (Operations) Division under IQB of AFCD (see para. 1.12) operates four AMCs over the territory (Note 29), which are responsible for catching and handling stray dogs and cats as well as animals from other sources (Note 30). AMCs also collect stray dogs and cats caught by the public (Note 31). As at 31 March 2019, the four AMCs had a total of 189 staff. A Veterinary Officer heads each AMC.

3.11 AFCD has laid down guidelines on handling stray dogs and cats received at AMCs (i.e. caught by AFCD staff or collected from the public — see para. 3.10). According to the guidelines:

Note 29: *The four AMCs are located in Hong Kong Island, Kowloon, New Territories South and New Territories North.*

Note 30: *Apart from stray animals, AMCs also handle animals which are given up by owners, animals seized during enforcement, animals which have bitten a person and need to be observed in accordance with the law, and animals under import quarantine.*

Note 31: *AMCs may provide cages upon request (e.g. by management companies) for catching stray animals. The animals so caught will be collected by AMCs.*

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- (a) dogs and cats are put in kennels (Note 32) for observation, and the Veterinary Officer conducts health and temperament assessments of them;
- (b) to check whether a dog or cat has a keeper, AFCD traces any microchips implanted in the dog or cat (Note 33), and cross-checks details of the dog or cat with any cases of lost animals which have been reported to AFCD. If the keeper is identified, AFCD will ask the keeper to reclaim the dog or cat;
- (c) dogs and cats left unclaimed, but assessed to be in good health and having a gentle temperament (see (a) above) would be transferred to AWOs (i.e. rehoming partners — see para. 3.17) for adoption by the public. AFCD does not provide adoption service directly to the public. Dogs and cats transferred to AWOs for adoption are regarded as rehomed (hereinafter referred to as rehomed dogs and cats); and
- (d) unclaimed dogs and cats which are not in good health or are having aggressive temperament are unsuitable for rehoming. These dogs and cats would be euthanised.

Table 7 shows the number of stray dogs and cats reclaimed, rehomed and euthanised from 2014-15 to 2018-19.

Note 32: *As at 31 March 2019, AMCs had a total of 480 kennels for stray and biter animals, and another 40 kennels for animals under import quarantine.*

Note 33: *The microchip is inserted under the skin of animal's neck. It carries a numeric code. The code can be read by a scanner. With the code, information about the keeper might be traced through AFCD's licensing system (for dogs with licences), or through the veterinary clinic which has microchipped the animal (for dogs and cats without licences).*

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Table 7

**Stray dogs and cats
reclaimed, rehomed and euthanised
(2014-15 to 2018-19)**

	2014-15	2015-16	2016-17	2017-18	2018-19
<i>No. of stray dogs:</i>					
Received at AMCs (Note 1)	3,393	2,293	1,773	1,439	1,187
Reclaimed/rehomed/euthanised					
(a) Reclaimed	600	417	345	314	306
(b) Rehomed (Note 2)	735	623	612	538	542
(c) Euthanised	2,126	1,330	949	703	487
Total (d) = (a)+(b)+(c)	3,461	2,370	1,906	1,555	1,335
<i>No. of stray cats:</i>					
Received at AMCs (Note 1)	1,765	1,219	835	615	508
Reclaimed/rehomed/euthanised					
(e) Reclaimed	657	481	317	179	121
(f) Rehomed (Note 2)	158	154	115	72	90
(g) Euthanised	840	555	352	306	269
Total (h) = (e)+(f)+(g)	1,655	1,190	784	557	480

Source: Audit analysis of AFCD records

Note 1: Dogs and cats received in a year might not be reclaimed/rehomed/euthanised in the same year.

Note 2: The figures include dogs and cats which were not stray animals (e.g. given up by owners or seized during enforcement — see Note 30 to para. 3.10). AFCD did not have separate breakdowns of the figures for these dogs and cats.

Need to improve guidelines on handling stray dogs and cats

3.12 According to AFCD guidelines, stray dogs and cats not reclaimed after 96 hours or 4 days (see para. 1.7(b)) and considered to be unsuitable for rehoming (i.e. failing either health or temperament assessment) would be euthanised. For individual cases (i.e. the animal is injured or sick with low chance of survival, or the animal is surrendered by its keeper and considered not suitable for rehoming by a Veterinary Officer), the animal may need to be euthanised within 4 days.

3.13 According to AFCD records, in 2018-19, 487 stray dogs and 269 stray cats were not rehomed and were euthanised. These dogs and cats, on average, had been detained at AMCs for 10 days before euthanasia. The period of detention ranged from 0 to 93 days for individual dogs and from 0 to 51 days for individual cats. Table 8 shows the results of health and temperament assessments for the stray dogs and cats euthanised in 2018-19.

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Table 8

**Results of health and temperament assessments
for 487 stray dogs and 269 stray cats euthanised
(2018-19)**

Assessment results	No. of dogs euthanised		No. of cats euthanised	
	Within 4 days	After 4 days	Within 4 days	After 4 days
<i>Passing both health and temperament assessments</i>				
Sub-total (a)	0	2 (Note 1)	0	0
<i>Failing health or temperament assessment (Note 2)</i>				
Failing health assessment	30 (Note 3)	94	11 (Note 3)	14
Failing temperament assessment	5 (Note 4)	356	1 (Note 4)	243
Sub-total (b)	35 └───┘	450 └───┘ 485	12 └───┘	257 └───┘ 269
Total (c)=(a)+(b)	35	452	12	257
	487		269	

Source: *Audit analysis of AFCD records*

Note 1: *According to AFCD, since no AWO was interested in arranging rehoming for the 2 dogs, they were euthanised although they had passed the health and temperament assessments. The 2 dogs had been detained for 19 and 21 days before euthanasia.*

Note 2: *According to AFCD, no temperament assessment would be conducted if a dog or cat was too fierce or if it had failed the health assessment, and no health assessment would be conducted if a dog or cat had failed the temperament assessment.*

Note 3: *According to AFCD, the 30 dogs and 11 cats failing the health assessment and euthanised within 4 days of detention were all injured/sick with low chance of survival (see para. 3.12).*

Note 4: *According to AFCD, of the 5 dogs failing the temperament assessment and euthanised within 4 days of detention, 3 were surrendered by their keepers (see para. 3.12). For the remaining 2 dogs and 1 cat, the reasons for euthanasia within 4 days were not recorded.*

3.14 Audit noted that, of the 485 dogs and 269 cats failing the health or temperament assessment:

- (a) 450 (93%) dogs and 257 (96%) cats had been detained for more than 4 days before euthanasia (ranged from 4 to 93 days, averaging 11 days). According to AFCD:
 - (i) the 4-day period was the minimum time for which a dog/cat had to be kept before euthanasia; and
 - (ii) a dog/cat could improve over time. AFCD would conduct re-assessments for the dog/cat to determine whether it became more suitable for rehoming; and
- (b) 2 dogs and 1 cat failing the temperament assessment had been euthanised within 4 days without reasons recorded (see Note 4 to Table 8 in para. 3.13).

3.15 Regarding prolonging the detention period to enhance the chance of rehoming a dog/cat (see para. 3.14(a)), Audit noted that AFCD guidelines did not adequately cover the matter (e.g. for how long a dog/cat should be observed). Some dogs/cats had been observed for a short period (e.g. 4 days) and some others for a much longer period (e.g. 93 days). Audit also noted that euthanising the 2 dogs and 1 cat mentioned in paragraph 3.14(b) within 4 days, with no reasons documented, did not appear to have complied with AFCD guidelines.

3.16 Audit considers that AFCD needs to ensure that adequate guidelines are provided on handling stray dogs and cats. AFCD also needs to ensure that the guidelines are complied with, and the reasons for any non-compliance are documented.

Need to enhance monitoring of rehoming partners

3.17 Unclaimed dogs and cats suitable for rehoming would be transferred to rehoming partners for adoption by the public (see para. 3.11(c)). AWOs interested in becoming AFCD's rehoming partners need to submit applications to AFCD. As at

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11 July 2019, AFCD had 16 rehoming partners (i.e. 16 AWOs). Audit noted the following issues:

- (a) ***Rehoming partners not frequently visited.*** According to AFCD, it visited AWOs when assessing their applications for rehoming partnership. Thereafter, AFCD would only visit them where necessary (e.g. AWO moving to a new premises or changing its management). Audit noted that, of the 16 AWOs, 7 had become rehoming partners for more than 10 years. There was a risk that some rehoming partners had not been visited for a considerable period of time; and
- (b) ***Rehoming records not submitted.*** According to AFCD, upon collecting a dog or cat from AFCD, a rehoming partner signs an undertaking to submit a rehoming record to AFCD within three months. The record should show relevant information about the rehomed dog or cat (e.g. adoption status and sterilisation status). In 2018-19, 10 AWOs collected dogs and cats from AFCD for rehoming. Audit noted that only 2 (20%) of the 10 AWOs had submitted rehoming records as required. Upon Audit's enquiry, in August 2019, AFCD reminded AWOs of the requirement to submit rehoming records.

In Audit's view, through visiting rehoming partners and collecting rehoming records, AFCD can obtain useful information which helps assess whether an AWO is still suitable for being a rehoming partner. It was less than satisfactory that AFCD did not regularly visit rehoming partners and did not follow up the non-submission of rehoming records by some rehoming partners.

3.18 Audit considers that AFCD needs to consider visiting rehoming partners regularly and ensure that they submit rehoming records as required.

Audit recommendations

3.19 **Audit has recommended that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **ensure that adequate guidelines are provided on handling stray dogs and cats;**

- (b) ensure that the guidelines on handling stray dogs and cats are complied with, and the reasons for any non-compliance are documented; and
- (c) consider visiting rehoming partners regularly and ensure that they submit rehoming records as required.

Response from the Government

3.20 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

Population control programmes for stray animals

3.21 AFCD has implemented population control programmes for rehomed dogs and cats (see paras. 3.22 to 3.25) as well as for stray cattle and buffalo (hereinafter collectively referred to as stray cattle unless specified otherwise) (see paras. 3.31 to 3.34). AFCD has also assisted AWOs to implement a programme for neutering stray dogs (see paras. 3.26 to 3.30).

Need to ensure that sterilisation requirement of rehomed dogs and cats is followed

3.22 According to rehoming partners' undertakings (see para. 3.17(b)), rehomed animals shall be "neutered" (i.e. sterilised) by a registered veterinary surgeon. AFCD will bear the expenses for sterilisation if the operation is conducted at veterinary clinics engaged by AFCD. Rehoming partners, as well as people adopting dogs and cats from the rehoming partners, could take the rehomed dogs and cats to the clinics for free sterilisation. The clinics submit sterilisation records to AFCD monthly for reimbursement of expenses (Note 34). As at 31 August 2019, there were 9 AFCD-engaged veterinary clinics.

Note 34: *Free sterilisation is also provided for rehomed rabbits. In 2018-19, 20 rabbits were rehomed and 5 rabbits were sterilised at AFCD-engaged veterinary clinics. AFCD's expenditure for sterilising rehomed animals (i.e. dogs, cats and rabbits) was \$129,000 in 2018-19.*

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3.23 In July 2019, AFCD informed Audit that it did not keep information of the total number of rehomed animals sterilised (i.e. sterilised at AFCD-engaged veterinary clinics or at any other veterinary clinics). Audit examined the sterilisation records submitted by AFCD-engaged veterinary clinics to AFCD for 2014-15 to 2018-19. Audit found that:

- (a) in 2018-19, 27% of rehomed dogs and 49% of rehomed cats were sterilised at AFCD-engaged veterinary clinics; and
- (b) the percentage of rehomed dogs sterilised at AFCD-engaged veterinary clinics decreased from 56% in 2014-15 to 27% in 2018-19.

Table 9 shows the rehomed dogs and cats sterilised at AFCD-engaged veterinary clinics from 2014-15 to 2018-19.

Table 9

**Stray dogs and cats rehomed and
sterilised at AFCD-engaged veterinary clinics
(2014-15 to 2018-19)**

		2014-15	2015-16	2016-17	2017-18	2018-19
No. of stray dogs	Rehomed	735	623	612	538	542
	Sterilised at AFCD-engaged veterinary clinics	413 (56%)	344 (55%)	300 (49%)	245 (46%)	147 (27%)
No. of stray cats	Rehomed	158	154	115	72	90
	Sterilised at AFCD-engaged veterinary clinics	49 (31%)	36 (23%)	50 (43%)	24 (33%)	44 (49%)

Source: Audit analysis of AFCD records

Remarks: Stray dogs and cats rehomed in a year might not be sterilised in the same year.

3.24 For the rehomed dogs and cats which had not been sterilised at AFCD-engaged clinics, it was unclear as to whether they were sterilised elsewhere (e.g. at the adopters' own expenses). In the absence of relevant records, the situation could not be ascertained. In Audit's view, the percentage of rehomed dogs and cats sterilised at AFCD-engaged veterinary clinics was low. There was a risk that some rehomed dogs and cats might not be sterilised, contrary to the requirement set out in the rehoming partners' undertakings.

3.25 Audit considers that AFCD needs to look into the reasons for the low percentage of rehomed dogs and cats sterilised at AFCD-engaged veterinary clinics. AFCD also needs to take measures to ensure that rehoming partners follow the requirement of sterilising rehomed dogs and cats.

Need to keep in view implementation of TNR trial programme

3.26 The TNR trial programme (see para. 1.11(c)) was implemented in two specific sites (i.e. located in Cheung Chau, and in Tai Tong in Yuen Long) from January 2015 to January 2018. Under the programme, two AWOs recruited carers to feed and catch stray dogs within the specific sites. Captured dogs were transported to AWOs' designated veterinary clinic for assessment and, where suitable, neutering. Captured dogs not suitable for rehoming were returned to the two specific sites (Note 35).

3.27 AFCD commissioned a consultant in 2015 to assess the effectiveness of the TNR trial programme. According to the consultant's assessment, the targets of the TNR trial programme had only been partly achieved (see Table 10).

Note 35: *Stray dogs neutered under the programme were also microchipped, dewormed and inoculated against major infectious diseases. The dogs' temperament was also assessed.*

Table 10

**Targets and achievements of TNR trial programme
(January 2015 to January 2018)**

Target	Achievement	Target achieved
Neutering at least 80% of stray dogs during the first 6 months of the programme.	It took about 10 months to neuter 80% of stray dogs in Cheung Chau and Tai Tong.	No
An average annual reduction of 10% in the stray dog population (i.e. 30% over the 3-year period).	Over the 3-year period, the overall reduction in the stray dog population was 14% in Cheung Chau and 27% in Tai Tong (Note 1).	No
Complaints (Note 2) received should be matched with, or lower than, the territory-wide average during the trial period.	For complaints about stray dogs over the 3-year period, the territory-wide reduction was 35%, whereas the reduction in complaints was 31% for Cheung Chau and 58% for Tai Tong.	Partly

Source: Audit analysis of AFCD records

Note 1: According to AFCD, the results of a regression analysis showed that the decreasing trend of dog number in Tai Tong was not significant.

Note 2: Under the TNR trial programme, complaints within the programme sites were referred to and handled by the responsible AWO.

3.28 In May 2018, regarding the achievements of the TNR trial programme, LegCo was informed that:

- (a) the target average annual reduction in the stray dog population was not achieved. It might be due to reasons such as difficulties in recording accurately the number of stray dogs in the vast programme sites, and improved health conditions of stray dogs under the programme care (see also Note 35 to para. 3.26);

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- (b) within the programme sites, the number of complaints about stray dogs over the trial period showed fluctuations. Such a result might not be related to the TNR trial programme; and
- (c) it appeared that the TNR concept might not be effective in reducing the stray dog population and nuisances within a short period.

LegCo was further informed that the two AWOs responsible for the TNR trial programme had agreed to continue to monitor the number of stray dogs recorded under the TNR trial programme.

3.29 According to AFCD, as at 31 July 2019, the two AWOs were still running the TNR trial programme (i.e. beyond the trial period). In Audit's view, this warrants AFCD's attention because:

- (a) the TNR concept is different from AFCD's established practice for handling stray dogs (i.e. the catch and removal approach — see para. 1.7(b)), where stray dogs are caught and taken away from the scene; and
- (b) the effectiveness of the TNR trial programme is still unknown (see para. 3.28(c)).

3.30 Audit considers that AFCD needs to keep in view the implementation of the TNR trial programme, and take timely actions to rectify the situation where necessary.

Need to ensure timely implementation of management plan for cattle

3.31 From time to time, AFCD received nuisance complaints (e.g. disturbance to the traffic and damage to crops) about stray cattle (Note 36).

3.32 In 2011, AFCD set up the Cattle Management Team with the aim of conducting long-term management of stray cattle. This would also ensure that stray cattle co-exist with local residents in harmony. From time to time, AFCD devised management plans for controlling the cattle population. Measures taken under the plans included:

- (a) ***Capture-sterilisation-relocation programme.*** AFCD captures stray cattle to conduct surgical sterilisation. Upon recovery, the cattle will be relocated to suitable habitats in countryside; and
- (b) ***Research on injectable contraceptive vaccination.*** In 2014, AFCD commenced a research on injectable contraceptive vaccination for female stray cattle, with a view to assessing its feasibility and cost-effectiveness as an alternative to surgical sterilisation. So far, results of the research have revealed that the vaccine yielded a success rate of approximately 70% in rendering infertility in cattle. However, the efficacy of vaccination on buffalo seemed to be insignificant.

3.33 In June 2018, AFCD commissioned a consultancy study of stray cattle management in Hong Kong (Note 37). In August 2019, AFCD devised a stray cattle management plan based on the consultancy report, setting out the following short to long-term goals:

Note 36: *According to AFCD's survey conducted in 2018, there were about 1,140 heads of stray cattle (i.e. 980 heads of stray cattle and 160 heads of stray buffalo). These cattle distributed across Lantau Island, Sai Kung, and the central and northeast New Territories. Upon receiving a complaint, AFCD officers will attend the scene and carry out investigation. If the cattle owner could be identified, AFCD officers will advise the owner to keep the animal under proper control. If no owner could be identified, AFCD officers will arrange to remove the animal.*

Note 37: *The review report was finalised and submitted to AFCD in July 2019.*

Control of stray animal nuisances

- (a) the short-term goal is to surgically sterilise 75% of the cattle population and 80% of the buffalo population from 2019 to 2022;
- (b) the medium-term goal is to surgically sterilise 75% of the remaining cattle population and all the remaining buffalo population from 2022 to 2027; and
- (c) the long-term goal is to continue to control the cattle and buffalo populations and surgically sterilise 50% of the calves each year.

According to AFCD, it would brief relevant AWOs and stakeholders on the details of the stray cattle management plan before implementing it. Audit noted that as at mid-September 2019, AFCD had not yet started briefing relevant AWOs and stakeholders on the management plan.

3.34 Audit considers that AFCD needs to take prompt actions to brief relevant AWOs and stakeholders on the stray cattle management plan, with a view to implementing the plan as soon as possible.

Audit recommendations

3.35 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **look into the reasons for the low percentage of rehomed dogs and cats sterilised at AFCD-engaged veterinary clinics;**
- (b) **take measures to ensure that rehoming partners follow the requirement of sterilising rehomed dogs and cats;**
- (c) **keep in view the implementation of the TNR trial programme, and take timely actions to rectify the situation where necessary; and**
- (d) **take prompt actions to brief relevant AWOs and stakeholders on the stray cattle management plan, with a view to implementing the plan as soon as possible.**

Response from the Government

3.36 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

Other measures for controlling stray animal nuisances

Need to explore stray cattle movement control measures

3.37 Stray cattle wandering on roads disturb traffic and pose safety risks. In 2015, AFCD proposed to install cattle grids at a location in Sai Kung Country Park to minimise the chance of stray cattle entering roads and urban areas. AFCD and the relevant departments have carried out a detailed study on cattle grids. It was considered that there would be potential hazards to road users if cattle grids are installed on local public roads. AFCD did not pursue the cattle grid proposal further. Photograph 5 shows the cattle grids installed in AFCD Operation Centre in Ta Kwu Ling.

Photograph 5

**Cattle grids installed in
AFCD Operation Centre in Ta Kwu Ling**



Source: AFCD records

Control of stray animal nuisances

3.38 In June 2018, AFCD commissioned a consultancy study of stray cattle management in Hong Kong (see para. 3.33). According to the consultant, controlling the movement of stray cattle alongside with population control measures could reduce complaints about nuisances. The consultant recommended AFCD to consider other measures to control stray cattle movement, such as electronic collars (Note 38). Audit considers that AFCD needs to explore the use of other measures for controlling cattle movement, taking into account the consultant's advice.

Need to devise effective measures to control pigeon population in a timely manner

3.39 For pigeons, the number of nuisance complaints (Note 39) lodged with AFCD increased by 65% from 328 in 2014-15 to 540 in 2018-19 (see Table 1 in para. 1.5). According to its records, key measures taken by AFCD included:

- (a) in September 2018, in view of the increasing number of complaints, AFCD set up the Feral Pigeon Population Control Unit to tackle problems relating to pigeons. Work of the Unit included educating the public not to feed pigeons, studying the effectiveness of different methods of deterring pigeon congregation and exploring the use of contraceptive drugs to control the pigeon population; and
- (b) in February 2019, AFCD engaged a contractor to conduct a territory-wide pigeon population survey. The objective of the survey was to investigate the possible reasons for pigeon congregation with a view to devising a plan to control pigeon population. In April 2019, the survey commenced.

Note 38: *According to the consultant, electronic collar is a new technology for controlling cattle movement. The electronic collars track cattle movement by using Global Positioning System, and contain electrodes that could be programmed to “buzz” the cattle when they move away from the fenced area.*

Note 39: *Upon receipt of a nuisance complaint about pigeons, AFCD will conduct site inspection and take swab samples (e.g. bird dropping) for Avian Influenza testing. AFCD will also give advice to the complainant on methods to avoid congregation of pigeons, and provide bird repellents to the complainant for trial use where appropriate.*

3.40 Audit noted that, according to AFCD records, the territory-wide pigeon population survey was scheduled for completion in March 2020. Given the considerable increase in the number of nuisance complaints about pigeons over the years (see para. 3.39), Audit considers that AFCD needs to closely monitor the conduct of the territory-wide pigeon population survey, with a view to devising effective measures to control the pigeon population in a timely manner.

Audit recommendations

3.41 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **explore the use of other measures for controlling cattle movement, taking into account the consultant's advice; and**
- (b) **closely monitor the conduct of the territory-wide pigeon population survey, with a view to devising effective measures to control the pigeon population in a timely manner.**

Response from the Government

3.42 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

PART 4: PUBLICITY, PROSECUTION AND OTHER ADMINISTRATIVE ISSUES

4.1 This PART examines AFCD's publicity, prosecution and other administrative issues relating to the control of wild and stray animal nuisances, focusing on the following areas:

- (a) publicity and educational programmes (paras. 4.2 to 4.18);
- (b) prosecutions of related offences (paras. 4.19 to 4.23); and
- (c) other administrative issues (paras. 4.24 to 4.33).

Publicity and educational programmes

4.2 AFCD conducts various publicity and educational programmes to increase public awareness of matters relating to animal control (see para. 1.10). Table 11 shows the key programmes conducted in 2018-19.

Table 11

Key publicity and educational programmes (2018-19)

Key programme	Number of activities
Carnival	2 carnivals
Training course	7 courses
Roving exhibition	40 exhibitions
School talk	95 talks
Public seminar	10 seminars
Education booth	32 booths
Eco-tour	6 tours

Source: AFCD records

Need to improve the provision of school talks and public seminars

4.3 School talks were held at kindergartens, primary schools, secondary schools and tertiary institutions. Public seminars were held at private housing developments (including private housing estates and single-block private residential buildings) (Note 40). AFCD sent letters to invite schools and the management bodies annually to submit applications for talks and seminars.

4.4 On the whole, Audit noted that from 2014-15 to 2018-19, the total number of school talks/public seminars increased by 62 (144%) from 43 in 2014-15 to 105 in 2018-19, and that the total number of participants in school talks/public seminars increased by 6,917 (116%), from 5,952 participants in 2014-15 to 12,869 participants in 2018-19 (see Table 12). However, as can also be seen from Table 12:

- (a) for school talks:
 - (i) the number of talks increased from 29 in 2014-15 to 90 in 2015-16, and then remained at some 80 or 90 talks a year (i.e. ranging from 78 to 95 talks) thereafter; and
 - (ii) the number of participants, having reached its peak of 21,288 participants in 2015-16, decreased by 8,515 (40%) to 12,773 participants in 2018-19; and

- (b) for public seminars:
 - (i) the number of seminars decreased from 14 in 2014-15 to 10 in 2018-19; and
 - (ii) the average number of participants in each seminar was on the low side. For example, in 2018-19, on average, there were fewer than 10 participants per seminar (i.e. 96 participants in 10 seminars).

Note 40: *School talks and public seminars aimed to promote responsible pet ownership. According to AFCD, from 2019-20 onwards, school talks on refraining from feeding wild animals will also be organised.*

Table 12

**School talks and public seminars
(2014-15 to 2018-19)**

School talk/ public seminar	Year				
	2014-15	2015-16	2016-17	2017-18	2018-19
<i>School talk</i>					
No. of talks (a)	29	90	93	78	95
No. of participants (b)	5,859	21,288	19,455	18,051	12,773
<i>Public seminar</i>					
No. of seminars (c)	14	11	13	13	10
No. of participants (d)	93	86	88	83	96
<i>Total</i>					
No. of talks/seminars (e)=(a)+(c)	43	101	106	91	105
No. of participants (f)=(b)+(d)	5,952	21,374	19,543	18,134	12,869

Source: Audit analysis of AFCD records

4.5 In this connection, Audit noted that the number of invitation letters sent to schools decreased by 81 (14%), from 559 letters in 2015-16 to 478 letters in 2018-19 (Note 41), and number of invitation letters sent to private housing developments decreased by 5,080 (85%), from 5,943 letters in 2015-16 to 863 letters in 2018-19 (Note 42).

Note 41: *From 2015-16 to 2018-19, the number of invitation letters sent to schools was 559, 664, 379 and 478 respectively.*

Note 42: *From 2015-16 to 2018-19, the number of invitation letters sent to private housing developments was 5,943, 2,461, 498 and 863 respectively.*

Publicity, prosecution and other administrative issues

4.6 Upon enquiry, in September 2019, AFCD informed Audit that it started organising school talks and public seminars in 2013-14. Every year, it endeavoured to invite schools and residents of private housing developments (invited through their management bodies) to participate in school talks and public seminars:

- (a) for school talks:
 - (i) in early years, for some schools, talks were provided to all students. As a result, fewer schools requested the talks in subsequent years. Schools which already had all students attended the talks would request the talks for new students only (i.e. Primary One or Secondary One students); and
 - (ii) the number of secondary school students is on a decreasing trend, therefore the number of students participating in school talks followed the same trend; and
- (b) for public seminars:
 - (i) the number of participants in public seminars was a true reflection of the demand from the society. In some circumstances, for housing developments which had seminars in early years, participants found that the seminars had met their objectives, and they had no further requests for holding seminars again. AFCD endeavoured to provide seminars to housing developments as long as the estimated number of participants was more than 6; and
 - (ii) in 2015-16, invitation letters were sent to registered private housing developments, including single-block private residential buildings without owners' corporations. However, in view of their low response rate, single-block private residential buildings without owners' corporations were removed from the mailing list. Consequently, invitation letters were only sent to private housing developments where pets were allowed.

4.7 Publicising information about animal control is one of the key measures for controlling animal nuisances (see para. 1.10). While noting AFCD's difficulties (see

Publicity, prosecution and other administrative issues

para. 4.6), the decreasing/limited number of participants is not conducive to publicity of animal control. More talks and seminars should be conducted.

4.8 Audit considers that AFCD needs to take appropriate measures to step up its effort (e.g. sending more invitation letters to reach more interested parties) in the provision of school talks and public seminars.

Need to ensure display of banners at blackspots and congregation spots

4.9 To facilitate controlling wild and stray animal nuisances, AFCD has identified animal nuisance blackspots (for wild pigs and monkeys — see para. 2.33 and Note 26 to para. 2.49) and animal congregation spots (for pigeons — Note 43). It has been AFCD's practice to put up banners at blackspots and congregation spots, reminding people not to feed the animals there and advising them of the precautions to be taken when encountering wild animals.

4.10 Audit noted the following situation, as at 31 May 2019:

- (a) ***Monkeys.*** All 22 (100%) blackspots had banners put up;
- (b) ***Wild pigs.*** Of the 77 blackspots, only 66 (86%) had banners put up; and
- (c) ***Pigeons.*** Of the 166 congregation spots, only 71 (43%) had banners put up.

4.11 Upon enquiry, in September 2019, AFCD informed Audit that, among the 166 pigeon congregation spots, 71 with a comparatively higher number of pigeon nuisance complaints were shortlisted to be the locations for putting up banners. In view of the high necessity for public education on the matter, AFCD would liaise with relevant departments and offices to put up banners in the remaining 95 congregation spots in 2019-20.

Note 43: *According to AFCD, a location would be classified as a congregation spot of pigeons if frequent complaints are received.*

Publicity, prosecution and other administrative issues

4.12 In Audit’s view, it was less than satisfactory that banners had not been put up at all nuisance blackspots for wild pigs and pigeon congregation spots. In particular, a large proportion (57%) of pigeon congregation spots had no banners displayed.

4.13 Audit considers that AFCD needs to ensure that banners are displayed at animal nuisance blackspots and animal congregation spots in a timely manner to publicise information about control of animal nuisances (e.g. reminding people of the need to refrain from feeding wild and stray animals, and advising people of the precautions to be taken when encountering wild animals).

Need to enhance publicity on handling of wild birds

4.14 From 2014-15 to 2018-19, complaints about nuisances caused by wild birds increased by 256 (101%) cases, from 253 in 2014-15 to 509 in 2018-19 (see Table 1 in para. 1.5). According to AFCD records, in a large proportion (more than 50%) of these cases, the complaints were related to bird nests (e.g. enquiring about the ways to handle bird nests discovered) (see Table 13).

Table 13

**Breakdown of complaints about wild birds
(2014-15 to 2018-19)**

Case nature	No. of complaint cases				
	2014-15	2015-16	2016-17	2017-18	2018-19
Bird nest related (a)	149 (59%)	143 (50%)	168 (55%)	260 (60%)	268 (53%)
Other matters (b)	104 (41%)	141 (50%)	138 (45%)	175 (40%)	241 (47%)
Total (c)=(a)+(b)	253 (100%)	284 (100%)	306 (100%)	435 (100%)	509 (100%)

Source: Audit analysis of AFCD records

Publicity, prosecution and other administrative issues

4.15 Although a large proportion of complaints about wild birds were related to bird nests, records did not indicate that information about handling bird nests had been included in AFCD's publicity and educational programmes.

4.16 Audit considers that AFCD needs to enhance its publicity and educational programmes to better meet the demand for information on wild birds (e.g. the proper ways to handle bird nests).

Audit recommendations

4.17 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **take appropriate measures to step up AFCD's effort in the provision of school talks and public seminars;**
- (b) **ensure that banners are displayed at animal nuisance blackspots and animal congregation spots in a timely manner to publicise information about control of animal nuisances; and**
- (c) **enhance AFCD's publicity and educational programmes to better meet the demand for information on wild birds.**

Response from the Government

4.18 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

Prosecutions of related offences

4.19 In the course of controlling wild and stray animal nuisances, AFCD may find people violating laws, such as those relating to conservation of wild animals, abandoning animals and keeping dogs:

Publicity, prosecution and other administrative issues

- (a) ***Feeding wild animals.*** Under the Wild Animals Protection Ordinance, feeding of wild animals in Feeding Ban Area without the required permission is prohibited (see para. 1.8);
- (b) ***Abandoning animals.*** Animals which are abandoned may become stray animals. Under the Rabies Ordinance (Cap. 421), a keeper of any animal who, without reasonable excuses, abandons the animal commits an offence;
- (c) ***Keeping dogs without licences.*** For stray dogs which did not have valid licences, AFCD sometimes successfully found their keepers. Under the Rabies Regulation (Cap. 421A), anyone who keeps a dog over the age of 5 months without a valid licence commits an offence; and
- (d) ***Controlling dogs improperly.*** Dogs which are controlled improperly may go astray and cause nuisances. Under both the Rabies Ordinance and Dangerous Dogs Regulation (Cap. 167D), improper control of dogs is an offence (Note 44).

AFCD has laid down guidelines on instigating prosecutions of people who have violated the law. Table 14 shows the prosecutions which AFCD had instigated for the period 2014-15 to 2018-19.

Note 44: *Under the Rabies Ordinance, where a dog is found in a public place which is not on a leash or under control, its keeper and anyone who causes, suffers or permits the dog to be in that place shall each be guilty of an offence. Under the Dangerous Dogs Regulation, any person who causes, suffers or permits a large dog (i.e. 20 kilograms or above) to enter or remain in a public place (other than in a country park or swimming at sea) commits an offence, unless the dog is securely held on a leash of not more than 2 metres in length or is securely tied to a fixed object on a leash of not more than 1.5 metres.*

Table 14

**Prosecutions relating to the control of wild and stray animal nuisances
(as at 31 August 2019)**

Year	No. of prosecution cases	
	Relating to wild animal nuisances (Note 1)	Relating to stray animal nuisances (Note 2)
2014-15	58	753
2015-16	72	654
2016-17	62	612
2017-18	31	467
2018-19	25 (Note 3)	396

Source: AFCD records

Note 1: The figures were the prosecution cases on offences occurred in the year.

Note 2: The figures were the cases with prosecution actions taken in the year.

Note 3: According to AFCD records, as at 31 August 2019, there were another 2 cases where the alleged offence was committed in 2018-19 but pending AFCD's prosecution actions.

Need for timely prosecution action

4.20 According to the Magistrates Ordinance (Cap. 227), prosecution action should be taken within 6 months from the date of offence (i.e. time-barred after 6 months — Note 45). Audit examined the 31 prosecution cases which AFCD withdrew in 2014-15 to 2018-19 and found that in 2 cases, prosecutions were time-barred and hence AFCD had not instigated any prosecutions. Case 2 shows one of these two cases.

Note 45: *According to the Magistrates Ordinance, in any case of an offence, other than an indictable offence, where no time is limited by any enactment for making any complaint or laying any information in respect of such offence, such complaint shall be made or such information laid within 6 months from the time when the matter of such complaint or information respectively arose.*

Case 2

**Offence case not proceeded after the time-bar period
(May to November 2016)**

1. On 17 May 2016, an AFCD Senior Field Assistant found Person A feeding monkeys within Feeding Ban Area without the permit required by law (see Note 5 to para. 1.8). AFCD took the following actions to prosecute Person A for illegal feeding of wild animals:

Date	Action	Section involved
18 May 2016	The Senior Field Assistant completed a witness statement.	Wetland and Fauna Conservation Division under CB
29 June 2016	The witness statement and relevant documents were submitted to senior officers for approval.	
29 July 2016 and 1 August 2016	Two senior officers gave approval respectively for the prosecution of Person A.	
21 November 2016	Person A's case was passed to AFCD's Prosecution Unit for prosecution.	Prosecution Unit under IQB

2. According to the Magistrates Ordinance, the case was time-barred on 16 November 2016 (i.e. 6 months after 17 May 2016). In the event, AFCD had not instigated any prosecutions.

3. AFCD records did not indicate the reasons for the prolonged actions in processing the case.

Audit comments

4. AFCD had not taken timely actions to instigate prosecutions at the court before it was time-barred. The reasons for the prolonged actions had not been recorded.

Source: Audit analysis of AFCD records

Publicity, prosecution and other administrative issues

4.21 Audit considers that AFCD needs to ensure that timely actions are taken to instigate prosecutions of offences, and that the reasons for any prolonged actions in taking forward prosecution cases are adequately recorded for supervisory review.

Audit recommendations

4.22 Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:

- (a) ensure that timely actions are taken to instigate prosecutions of offences relating to the control of animal nuisances at the court; and
- (b) require AFCD staff to adequately record the reasons for any prolonged actions in taking forward prosecution cases for supervisory review.

Response from the Government

4.23 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

Other administrative issues

Need to enhance coordination with relevant departments on animal feeding matters

4.24 For cases of feeding of wild animals outside Feeding Ban Area and feeding of pigeons (Note 46), the Wild Animals Protection Ordinance is not applicable. Any prosecutions of such cases can only be instigated as follows:

- (a) if the feeding activities lead to environmental hygiene problems, authorised officers of relevant bureaux and departments (e.g. FEHD for public places and LCSD for premises managed by LCSD) may issue fixed penalty notices

Note 46: *According to AFCD, the Wild Animals Protection Ordinance is not applicable to pigeon.*

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of \$1,500 under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570); and

- (b) if the feeding activities take place in premises managed by LCSD, LCSD officers may instigate prosecutions under the Pleasure Grounds Regulation (Cap. 132BC) (Note 47).

4.25 AFCD has maintained lists of nuisance blackspots caused by monkey and wild pig feeding, and a list of pigeon congregation spots (see para. 4.9). Audit noted that AFCD had provided LCSD with banners and posters for displaying in some of the spots on the lists to propagate information on the impacts of feeding monkeys, wild pigs and pigeons. However, AFCD has not shared the lists with the responsible departments.

4.26 In Audit's view, sharing the lists of monkey and wild pig feeding blackspots and pigeon congregation spots with other responsible departments (i.e. FEHD and LCSD) could facilitate their monitoring and prosecutions of any improper animal feeding activities which might violate the law.

Need to enhance practices on surveillance of African Swine Fever

4.27 African Swine Fever (ASF) is a highly contagious viral disease that affects pigs of all ages. According to AFCD, wild pigs are susceptible to ASF. Wild pigs infected with ASF could potentially spread the virus across the territory.

4.28 According to AFCD's surveillance plan on ASF:

- (a) upon receiving the report of unexplained death of a wild pig (excluding death caused by road-kill) or a sick wild pig, AFCD officers will inspect the wild pig on site and determine if there are suspected signs of ASF infection; and

Note 47: *Under the Pleasure Grounds Regulation, no person shall in any pleasure ground feed or attempt to feed any animal, bird or fish kept or found in the venue. Offenders are liable to a fine of \$2,000 and 14 days imprisonment.*

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- (b) once a wild pig with suspected signs of ASF infection is identified, samples from the live wild pig or wild pig carcass will be collected for ASF testing (Note 48).
- 4.29 Upon enquiry, AFCD informed Audit in May and June 2019 that:
- (a) routine disposal of dead wild pigs in public places was handled by FEHD directly and the presence of AFCD officers had not been required;
 - (b) information on wild pig carcasses disposed of (e.g. the number of carcasses collected) was maintained by FEHD. The information had not been shared with AFCD on a regular basis; and
 - (c) up to June 2019, no live or dead wild pigs had been tested for ASF by AFCD.
- 4.30 In September and October 2019, AFCD further informed Audit that:
- (a) AFCD had obtained from FEHD information on wild pig carcasses disposed of (Note 49); and
 - (b) a pilot programme for further enhancing the surveillance of ASF in local wild pigs (i.e. in local wild pig carcasses) within a designated trial area had been agreed with FEHD. According to the pilot enhancement programme:
 - (i) routine testing of ASF would be conducted on wild pig carcasses found within the designated trial area during working hours, taking into account relevant factors (i.e. number of wild pig carcasses collected by FEHD, capacity of AFCD Veterinary Laboratory, and suitability of carcass condition for testing);

Note 48: *For testing of ASF on a dead wild pig, tissue and organ samples would be collected for testing. For testing of ASF on a live wild pig, blood samples would be collected for testing.*

Note 49: *Upon AFCD's request in June 2019, FEHD informed AFCD that the number of wild pig carcasses disposed of in 2018 was 249.*

- (ii) FEHD would perform initial screening on the condition of the wild pig carcasses discovered, and notify AFCD of the basic information (e.g. location and time of discovering). Suitable carcasses would be delivered to AFCD where appropriate; and
- (iii) the pilot enhancement programme would run between November 2019 and January 2020 (i.e. 3 months). Subject to reviews and modifications, AFCD would roll out a surveillance programme for ASF in local wild pigs later.

4.31 In Audit's view, under the previous practice (see paras. 4.28 and 4.29), AFCD did not have sufficient information for monitoring ASF on wild pigs. Audit considers that AFCD needs to strengthen liaison with FEHD, with a view to implementing the pilot enhancement programme within the time frame intended. AFCD also needs to keep under review the implementation of the pilot enhancement programme, and ensure that the surveillance programme for ASF in local wild pigs is updated with enhancements in a timely manner where appropriate.

Audit recommendations

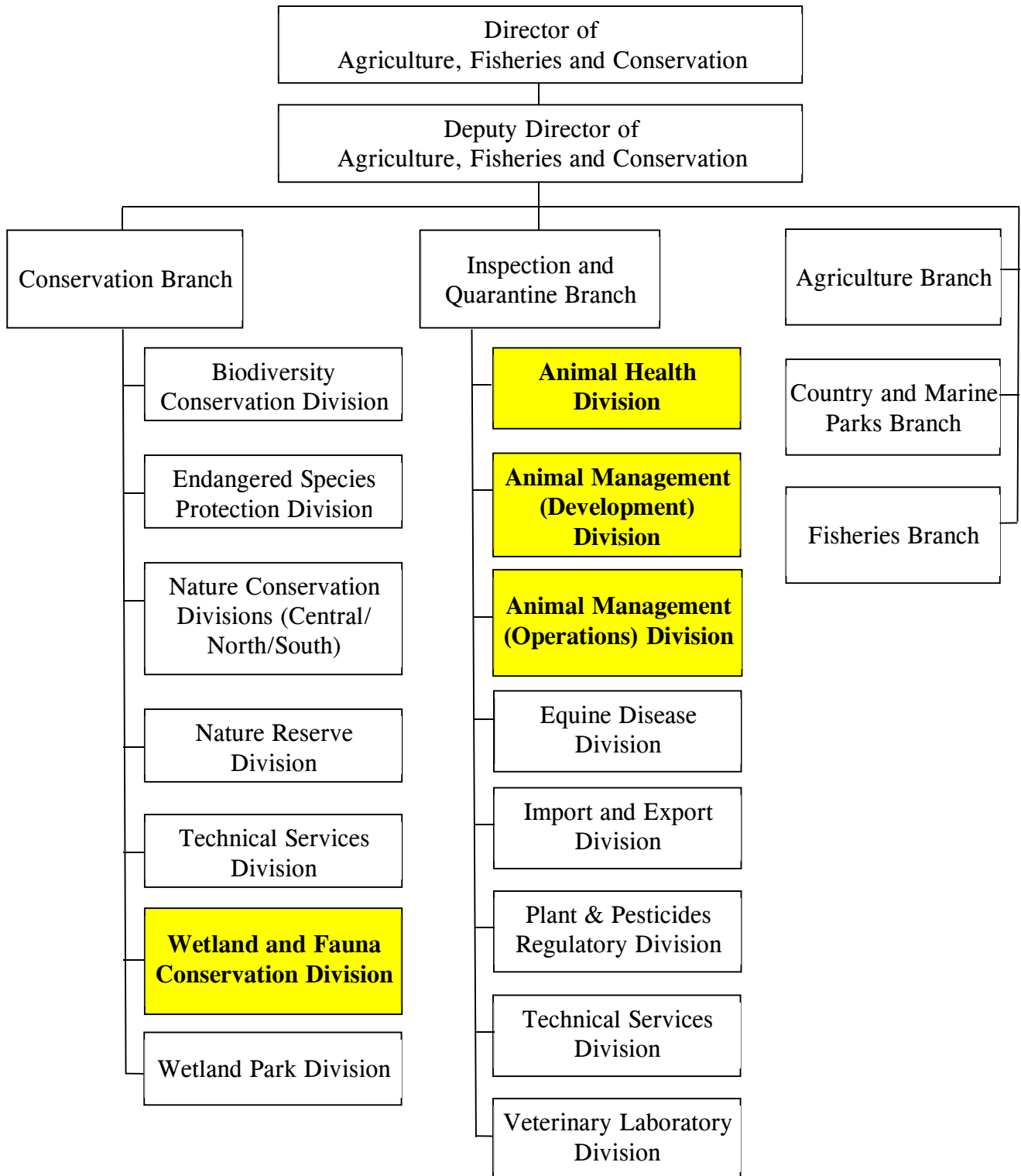
4.32 **Audit has recommended that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **share the lists of monkey and wild pig feeding blackspots and pigeon congregation spots with other responsible departments to facilitate their monitoring and prosecutions of improper animal feeding activities;**
- (b) **strengthen liaison with FEHD, with a view to implementing the pilot programme for enhancing surveillance of ASF in local wild pigs as intended; and**
- (c) **keep under review the implementation of the pilot programme for enhancing surveillance of ASF in local wild pigs, and ensure that the surveillance programme for ASF in local wild pigs is updated with enhancements in a timely manner where appropriate.**

Response from the Government

4.33 The Director of Agriculture, Fisheries and Conservation generally agrees with the audit recommendations.

**Agriculture, Fisheries and Conservation Department:
Organisation chart (extract)
(31 March 2019)**



Legend: Divisions with staff involved in control of wild and stray animal nuisances

Source: AFCD records

Acronyms and abbreviations

AFCD	Agriculture, Fisheries and Conservation Department
AMC	Animal Management Centre
ASF	African Swine Fever
Audit	Audit Commission
AWO	Animal welfare organisation
CB	Conservation Branch
CCRP	Wild pig capture and contraception/relocation programme
FEHD	Food and Environmental Hygiene Department
IQB	Inspection and Quarantine Branch
LCSD	Leisure and Cultural Services Department
LegCo	Legislative Council
TNR	Trap-Neuter-Return