

Q & A for Fighting Dogs

In response to recent cases of suspected illegal keeping of fighting dogs that have aroused public concern and given rise to some misconceptions in the community, the Agriculture, Fisheries and Conservation Department (AFCD) issued the following explanation.

1. Why is it necessary to identify fighting dogs?

The purpose of identifying fighting dogs is to safeguard public and animal safety, thereby establishing a secure environment for harmonious human-pet coexistence in the community.

Fighting dogs may attack suddenly without warning due to their characteristics. Their well-developed musculature and powerful jaws, coupled with a tenacious biting tendency, often result in more severe injuries when attacks occur. In view of past local and overseas incidents involving fighting dog attacks on humans or other pets resulting in casualties, the Government must implement strict control measures, including requiring the use of specified identification collars, and mandating that such dogs be muzzled and kept on a leash in public places. This public-safety-driven approach to the strict regulation of fighting dogs aligns with the systems used in well-developed international jurisdictions, such as the United Kingdom, Singapore, and Australia.

2. What is the definition of fighting dogs?

Under Schedule 1 of the Dangerous Dogs Regulation (Cap. 167D), "fighting dogs" cover four statutory types: Pit Bull Terrier, Japanese Tosa, Dogo Argentino, and Fila Brasileiro, as well as any crossbreed of these four types.

In particular, the "Pit Bull Terrier" is not a single breed but a type encompassing different breeds. Therefore, the legislation regulates based on "type" rather than "breed", meaning different breeds can fall under the same type. Taking the "Pit Bull Terrier" type as an

example, the American Pit Bull Terrier, American Staffordshire Terrier, and American Bully breeds are commonly classified internationally under the Pit Bull Terrier type due to their highly similar physical structure and strength characteristics, as well as their close genetic associations, subjecting them to strict regulation.

3. Has the AFCD only recently classified the American Pit Bull Terrier, American Staffordshire Terrier, and American Bully as fighting dogs?

No. These three breeds have always been subject to strict regulation under the law as fighting dogs of the "Pit Bull Terrier" type. The policy and definition have not changed.

These three breeds possess highly similar physical structures. When professional identification is required for enforcement purposes, it is common international practice to regard these dogs as common breeds under the "Pit Bull Terrier" type. The Dogs and Cats Classification Board established under the Dogs and Cats Ordinance (Cap. 167) has previously discussed individual breeds (such as the American Bully) when considering cases, and confirmed that their physical characteristics meet the criteria for that fighting dog type.

4. Do AFCD officers have the authority to take dogs away for inspection?

Yes. Enforcement officers have statutory authority to take dogs away for investigation and identification where there is reasonable suspicion.

Under the Dogs and Cats Ordinance (Cap. 167) and related regulations, the illegal importation, breeding, and unlicensed keeping of fighting dogs are prohibited. Any police officer or AFCD authorised officer who has reasonable grounds to believe that the possession of a dog is suspected to be unlawful (e.g., suspected unlicensed fighting dog) has the authority to seize and detain the dog in accordance with the law for further professional identification and follow-up.

During enforcement operations, AFCD officers will proactively communicate with dog owners. Generally, officers will take dogs away for inspection and observation with the owner's consent. The AFCD understands owners' concerns; where the dog does not pose an immediate danger, and the owner is able to implement appropriate precautionary measures in the interim, the AFCD may allow the owner to bring the dog to an Animal Management Centre. Strict regulation of high-risk dogs is a necessary measure to safeguard public safety. The AFCD calls on members of the public to understand and co-operate with enforcement to jointly maintain community safety.

5. Does the AFCD rely solely on examining physical characteristics and body conformation in identifying fighting dogs? Is this practice unprofessional? Why is DNA testing not used?

The allegation that AFCD enforcement officers "identify a dog as a fighting dog at a glance" is entirely unfounded.

The determination of fighting dog types is the responsibility of the Department's Veterinary Officers. Veterinary Officers will carefully observe the dog's physical characteristics (such as skull, ears, eyes, muzzle shape) and external proportions (such as body conformation, height, body length), body structure, and related features to assess whether the dog truly possesses the high-risk traits characteristic of the fighting dog types, and thereby classify the dog. This is the common international practice for identifying fighting dog types, which meets scientific and professional standards and fully considers the actual safety risk posed by the dog.

Some have suggested that genetic testing should be used to identify dogs, but genetic testing is not the optimal method for identifying fighting dogs. The vast majority of dogs carry genes from various breeds to some extent. Dogs that carry genes from the four fighting dog types mentioned above do not necessarily develop all the physical characteristics and features of fighting dogs. Therefore, the current internationally common practice is to use the presence of

fighting dog physical types and characteristics as the identification standard. Taking the "Pit Bull Terrier" as an example, international jurisdictions such as the United Kingdom's Dangerous Dogs Act similarly regulate the "Pit Bull Terrier" type based on physical characteristics.

The AFCD will continue to monitor relevant technological developments and actively study the latest applications of genetic testing methods, with a view to considering the possibility of using them as auxiliary identification tools in the future.

6. If a dog is identified as a fighting dog, is it necessary to euthanise it?

Current legislation allows neutered fighting dogs (with valid neutering certificates) to be kept after licensing, provided that owners comply with regulatory conditions, including fitting the dog with a specified identification collar, implanting a microchip, muzzling the dog in public places, and keeping it securely on a leash not exceeding 1.5 metres in length.

7. If a dog owner disagrees with the classification decision of fighting dogs by the AFCD, can he/she lodge an appeal?

Yes. Under Section 17 of the Dangerous Dogs Regulation (Cap. 167D), if a dog owner disagrees with the AFCD's decision to classify his/her dog as a fighting dog, he/she has the right to lodge a statutory appeal.

Appeal procedures and steps

- Lodging an appeal: Within 14 days of receiving the AFCD's classification notice, the dog owner may apply to the Dogs and Cats Classification Board (the Board). Board members include veterinarians, dog breeders, academics, and representatives from animal welfare organisations.
- Notification to the Board: The AFCD will notify the Board within seven days of receiving the application.
- Final decision: The Board's decision following review

constitutes the statutory final decision.

Please be reminded: During the appeal period, dog owners must still take precautionary measures in public places, such as complying with leash requirements for large dogs or any directions issued by the AFCD, to ensure public safety.

8. What should I do if I suspect my dog is a fighting dog?

If you are uncertain whether your dog is a fighting dog, you may consult a registered veterinarian or contact the AFCD for assistance.

As long as strict regulatory conditions are met, current legislation allows owners to continue keeping neutered fighting dogs. The AFCD urges pet owners not to abandon their dogs and to be responsible pet owners. Abandoning dogs is an unlawful act and also poses a threat to public safety.

9. Where will the dog be detained during the assessment and identification period? Can dog owners visit, check on the progress, or arrange for a veterinarian to accompany them?

During the assessment period, the dog will be detained at the AFCD's Animal Management Centre, where it will receive care from veterinary officer and staff. Subject to safety requirements and without affecting the assessment, owners may make appointments to visit. Owners may also apply to arrange for a private veterinarian to accompany them on visits to assess the dog's health condition. Once the AFCD completes the assessment and the result is determined to be favourable, arrangements will be made for the release of the dog as soon as possible.