



# The lawyer who fights for animal rights

## 以專業爭取動物權益

**Sara Tsui Fung-ling**

*Bachelor of Laws with Honours  
Postgraduate Certificate in Laws*

徐鳳翎

法律學榮譽學士  
法學專業證書

**S**ara Tsui Fung-ling has loved animals of all kinds from childhood. As well as caring for more than 10 dogs and cats, she also shares her home with a snake. When small, Sara hankered to be a veterinarian but ended up studying law instead to use her professional knowledge and skills to protect animals. Later, her passion and commitment prompted her to focus her thesis on this area and carry out research into Hong Kong laws related to animal rights. She has now spent the past 10 years diligently working to enhance the city's legal protection for animals.

### Building awareness in Hong Kong

A look at Hong Kong's legal framework reveals that many of the relevant laws regarding animals originated from the UK some 50 or 60 years ago and have not been updated. Under Hong Kong law, there are no provisions to prevent animal abuse. Hence, a person who neglects an animal and places them at risk of suffering does not commit an offence. Only when there has been actual harm from such

behaviour can action be taken, Sara noted. Often Hong Kong's laws do not impose "reasonable duty of care" on pet and animal owners or offer comprehensive enough protection compared with other countries, she added.

"As a result, legal practitioners and institutions in Hong Kong generally have less chance to pursue cases involving animals, leading to a lack of relevant knowledge and legal precedents," she said. However, there have been some positive social developments. People have started to take the initiative to raise issues related to animal welfare in the traditional and social media, while some election candidates have begun to mention animal rights in their campaign platforms. In addition, penalties for breaking the relevant laws have been made more severe in recent years. All these moves show that public awareness of animal rights and welfare is growing, she said. "I think the establishment of the School of Veterinary Medicine (SVM) at CityU will also help the public develop a more in-depth view of animal welfare, given that it is

specifically training professionals in this area."

### Advocating greater protection

A few years after graduation, Sara became a teaching fellow at CityU Law School, covering animal rights and welfare among other topics. While practising law, she also serves as Honorary Legal Consultant for the Society for the Prevention of Cruelty to Animals (Hong Kong) and teams up with other solicitors with a passion for animals to let the public know more about the need for greater protection. "In a society like Hong Kong where economics and the economy are the foremost considerations, it would be hard to run a business focused on animal welfare. That's why we all have to pursue this goal in our spare time," Sara explained, adding that her most pressing concern is to improve Hong Kong current legislation. "We hope that our advocacy will foster a larger group of legal practitioners and relevant institutions with a more comprehensive grasp and understanding of animal rights and welfare."

## Actively contributing to change

Sara has always had an active campus presence at CityU. While studying, she joined the Students' Union (SU). Together with several other classmates, she proceeded to work day and night to rewrite the SU Arbitration Committee's memorandum. The Committee was revitalised and even started to hear cases again. "There are still students today who are amazed to see the documents I wrote during those years in the SU!" she said.

Having enjoyed her student days and worked at CityU for a decade, Sara regards the University as her second home and is very grateful for all the opportunities it has provided for developing her interest in animal welfare through her studies and work. Currently, she is planning to set up a non-governmental organisation or charity to help injured stray animals and keenly hopes there will be a time when she can collaborate with the SVM. "That would be my dream," she said.



Those were the days: Sara (front row, second right) preparing for Orientation Camp with Students' Union committee members. 鳳翎（前排右二）與學生會委員準備大學迎新營。

徐鳳翎自幼十分喜歡各種動物，家中除了飼養十多隻貓狗外，還有一條蛇。雖然她自小的志願是當獸醫，最後卻選修了法律；但她認為可利用律師的專業為保護動物出一分力。回想當年，鳳翎因為喜愛動物，她的畢業論文便以此為題，研究及探討動物法例。十年來鳳翎致力推動改善香港保護動物法例，希望維護動物應有的權益。

## 推動保護 香港動物法例

鳳翎提到香港目前許多與動物有關的法例，都源自五、六十年前的英國法律，然而其內容早已不合事宜。香港目前有關保護動物的法例，只限於動物受到傷害時方可將被告定罪，而相關的法例亦沒有加入預防虐待動物的條款，因此任何企圖傷害動物的行為都不被判定觸犯法例。鳳翎即指出現時香港的法例，由於沒有指明動物主人須要負上「合理的謹慎責任」，故此相比很多國家較不全面。

她指出：「香港普遍法律人員及執法機關較少接觸類似案例，所以亦較缺乏相關知識以處理各種動物議題和案件。」然而她指出報章雜誌及社交平台開始有市民主動討論動物相關的議題，不少議員也在選舉政綱上亦加入動物權益，而且近年法律上的相關條例的懲處也已相對提高。她表示以上種種均反映了香港市民對動物權益的意識的提升。她直言：「城大開設動物醫學院後，相信香港市民會因為這個專業而對動物及其權益有更深入的見解。」

Sara and her dog Zero.  
鳳翎與愛犬Zero合照。



Sara also keeps a smaller breed of snake at home.  
鳳翎在家中亦有飼養同類體型較小的蛇。

## 律師守護動物

鳳翎研究院畢業幾年後重回母校擔任法律學院講師，並在校內教授動物法例的課程。此外，作為一名執業律師她亦擔任愛護動物協會的榮譽法律顧問。她與校內外熱愛動物的律師組成團隊，希望可以透過律師的專業，讓市民了解動物權益的重要。她坦言：「香港是一個經濟型社會，從事動物權益的案例是無利可圖的事，我們這一群律師都是在工餘時間義務為牠們出一份力。我們亦希望讓更多同行或執法機關能夠全面掌握動物權益的知識。」她最大目標是可以倡議及改善香港現有的動物法例，使動物受到應有的保護。

## 校園點滴在心頭

除讀書外，城大亦是鳳翎工作了十年的地方，城大可說是她的第二個家。讀書時，她加入了學生會後，為了讓仲裁委員會得以再次運作，她與幾名同學日以繼夜地為委員會重寫章程，使其得以重新審理各項申訴。她欣慰地表示：「現在不時有學生對我反映，在學生會檔案中發現我當年所撰寫的文件，感覺很奇妙！」鳳翎很感激城大給予她很多發展機會，讓她可以在讀書及工作外繼續做自己喜歡的事。她正考慮成立非政府組織或慈善團體專責幫助受傷的流浪動物，並希望將來可以有機會與城大動物醫學院合作，她衷心表示：「這是我的一個心願。」