

END OF YEAR REPORT 2022

COMMISSIONER FOR ANIMAL WELFARE MALTA



Ms. Alison Bezzina (MA Lond) | March 2023



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COMMISSIONER'S OPENING NOTE

The year 2022 was the first year during my two year tenure as Commissioner during which no COVID-19 restrictions were involved. It was also the first year during which both directors at the Animal Welfare Directorate (AWD) and the Veterinary Regulations Directorate (VRD) were in place.

In April 2022, a national general election also resulted in a new Parliamentary Secretary, Dr. Alicia Bugeja Said, being appointed to lead and manage the Animal Welfare sector in Malta within the Ministry of Agriculture, Fisheries, and Animal Rights.

In theory therefore, the stars for significant progress were finally aligned. However, despite these positive changes, and a clear political effort to give the sector the importance that it deserves, the majority of the difficulties faced in 2022 stemmed from the same three issues that have long been identified but never fully addressed and resolved, namely:

1. **Lack of space for abandoned animals** – the over-crowding issue at Animal Welfare and all sanctuaries/shelters persists. The problem stems from the lack of a national neutering campaign (dogs and cats) and lack of enforcement to stop the overwhelming flow of abandonment.
2. **A persistent and severe lack of human resources** to deal with the load that is faced by both The Animal Welfare Directorate (AWD) and the Veterinary Regulations Directorate (VRD).
3. **Lack of an appropriate system that facilitates the enforcement** of existing animal-related laws.

These three long-standing difficulties have a ripple effect on each other and on other issues. Among other things, they've caused a very strained relationship between the two directorates (VRD and AWD) and animal-related NGOs; they've led to massive loss of credibility with the public, and constantly contribute to staff de-motivation. Above all, they contribute to more animal suffering and hardships.

As constructive as The Office of The Commissioner for Animal Welfare (CAW) tries to be, these three realities persist, and unless addressed, all other efforts remain superfluous.

On a positive note, CAW seems to enjoy a high trust rating with the general public. Although encouraging, this results in members of the public opting to lodge individual reports with CAW rather than with the relevant directorates. The main reasons given for this choice stem from the following:

1. They do not **trust** that their report to AWD or VRD will be taken seriously.
2. They do not **trust** that their anonymity will be protected.
3. They do not **trust** that they will be given an adequate and timely update on the matter.

This results in a heavier work load for CAW which is neither authorised, resourced nor equipped to handle individual requests from the general public.



THE CHALLENGE OF STAYING POSITIVE

As anyone involved in the sector of animal welfare in our country will tell you, staying positive is one of the hardest challenges of the role. Having to face daily reports of abuse and neglect **without the means nor the authority to tackle them appropriately** is more frustrating and more tiring than the job itself.

Encouragingly, however, during 2022 CAW witnessed a number of wins for the animal sector in Malta.

These are the top highlights achieved :

1. New cattery at AWD and closure of old cat clinic at AWD
2. Dog run free area and pool at AWD.
3. New small animals quarantine area in Luqa
4. A new Parliamentary Secretary focused on Animal Rights
5. A good number of legal amendments to the Animal Welfare Act (CAP 439) were proposed and accepted (see page 13)
6. Approval of additional dog pens at AWD – first phase ETA March 2023
7. Approval of the restructuring of 1717 service – ETA 2023
8. Adoptions awareness video campaign – view [here](#)
9. Re-launch of school educational sessions
10. Second edition of the Animal Honours Awards
11. Approval of additional dog-friendly beaches - ETA May 2023
12. Administrative fines (SL 439.23) came into effect and started to be applied by the AWD and VRD
13. Approval of national cat neutering campaign – ETA May 2023
14. Approval of public portal for adoptions – ETA May 2023



CHANGING THE WAY WE WORK

As per The Animal Welfare Act CAP 439 Article 44A(e), The Commissioner for Animal Welfare is to make recommendations to the Minister and the Council on the making of standards, guidelines and regulations relating to animal welfare.

In 2021 The Office of The Commissioner for Animal Welfare (CAW) made 15 recommendations to the Ministry.

In 2022, the Office of The Commissioner for Animal Welfare (CAW) changed the frequency of these recommendations only submitting three official recommendations in the first quarter of 2022.

The decision to change the frequency of official CAW recommendations was based on four main factors:

1. All the pressing and important recommendations were made during 2021 (15 in total) - recommendations can be found [here](#).
2. By the end of 2021, it became clear that CAW recommendations were being made at a much faster pace than they could be implemented. A reprieve was therefore required to help the Ministry catch up.
3. In May 2022, CAW participated in the National Animal Welfare Strategy public consultation which provided scope and space for more recommendations to be made. These can be found [here](#).
4. Every CAW investigation gives scope and opportunity for recommendations to be made. Two such investigations were held during 2022. The recommendations made through these two investigations can be found [here](#) and [here](#).



STATUS OF COMMISSIONER'S OFFICIAL RECOMMENDATIONS AS SUBMITTED TO THE MINISTRY OF AGRICULTURE, FISHERIES AND ANIMAL RIGHTS (MAFA).

Recommendation 1: (submitted to MAFA in March 2021)

- *Enable the Directors of Animal Welfare and Veterinary Services to temporarily ban someone from keeping more animals after a confiscation. This ban would apply until the court decides otherwise or confirms the decision.*
- This recommendation was accepted in full and will be included in the next amends of the Animal Welfare Act CAP 439. Estimated date: March 2023.

Recommendation 2: (submitted to MAFA in March 2021)

- *Increase the sizes of dog enclosures that are legally acceptable by law.*
- This recommendation was accepted and the new draft Legal Notice is to be presented to Cabinet in March 2023

Recommendation 3: (submitted to MAFA in March 2021)

- *Amend the law to give the court a wider possibility to ban people found guilty of animal cruelty from owning other animals.*
- This recommendation was accepted in full and already included in the Animal Welfare Act CAP 439 Art 45(b).

Recommendation 4: (submitted to MAFA in March 2021)

- *Dogs should not be permanently kept on roofs, garages, and yards.*
- This recommendation has still not been accepted and is still under discussion.

Recommendation 5: (submitted to MAFA in March 2021)

- *Stop cub petting in zoos.*
- The new zoo regulations have still not been published. The public consultation on the matter closed on 7th December, 2021. No ETA on the matter has been provided so far.

Recommendation 6: (submitted to MAFA in June 2021)

- Regulations to license re: Animal Trainers, Groomers, and Pet Sitters
- This recommendation was accepted. The Veterinary Surgeons Council (VSC) was entrusted to draft the profession / service guidelines – no ETA has been provided. A new Legal Notice has been drafted by AHWD for the establishments (premises) of groomers and pet sitters. The former has already been submitted to Cabinet, the latter is to be presented in March 2023.

**Recommendation 7: (submitted to MAFA in June 2021)**

- *Humane treatment of unowned farmed birds and pigeons*
- Accepted and implemented within AWD and VRD however the issue of homing remains and aggravates by the day. Farmed birds such as chickens, roosters, ducks and even geese can be seen in different areas of the island with the latest estimate being that around 800 of them now populate the island. It has become clear that without a purpose-built sanctuary to house these animals, culling will become the inevitable option.

Recommendation 8: (submitted to MAFA in June 2021)

- *More human resources for The Animal Welfare Directorate*
- This recommendation has been accepted in principle but whilst a few posts within the Directorate have been filled, many other posts remain inadequately or poorly staffed. This is especially true in the roles of inspectors, officers, and carers.

Recommendation 9: (submitted to MAFA in June 2021)

- *Expressly outlaw bestiality*
- This recommendation was accepted and already included in the Animal Welfare Act CAP 439 Art 8 (2)

Recommendation 10: (submitted to MAFA in June 2021)

- *Right to enter private property to save an animal*
- This recommendation was accepted in full and will be included in the next amends of the Animal Welfare Act CAP 439. Estimated date: March 2023.

Recommendation 11: (submitted to MAFA in September 2021)

- *A state-funded national neutering campaign for dogs and cats*
- This recommendation was partially accepted (for cats only) - ETA May 2023.

Recommendation 12: submitted to MAFA in September 2021

- *Better, stricter and enforced regulations on the breeding of dogs*
- This recommendation has been fully accepted in principle but has not yet been implemented. The first step to issuing such regulations (which have not yet been agreed to) will be the amendment of the Animal Welfare Act CAP 439 that will allow the Minister to issue such regulations. Estimated date: March 2023

Recommendation 13: submitted to MAFA in September 2021

- *Obligatory electronic Microchipping of pet cats*
- The Ministry has agreed to finance an awareness campaign about the benefits of microchipping pet cats. The campaign will be run by CAW and is planned to launch around May 2023.



Recommendation 14: submitted to MAFA in September 2021

- *Improving and increasing dog-friendly beaches*
- This recommendation has been accepted and some additional dog-friendly beaches should be announced by summer 2023.

Recommendation 15: submitted to MAFA in September 2021

- *A central online portal to kickstart all animal adoptions*
- This recommendation has been accepted and implementation is underway by CAW. The portal should be live and functioning by May 2023.

Recommendation 16: submitted to MAFA in May 2022

- *More dog friendly run free spaces*
- This recommendation has been accepted but no ETA has been offered.

Recommendation 17: submitted to MAFA in May 2022

- *National census of captive animals in Malta and Gozo*
- This recommendation has been accepted but the only way it can be implemented is through the 2030 Household Census.

Recommendation 18: submitted to MAFA in May 2022

- *Improving the electronic microchipping system and its enforcement.*
- This recommendation has been accepted. A new IT system is being implemented and an education and awareness campaign on the microchipping of cats has been approved. In addition, in 2022, Animal Stewards were introduced in Regions and Local Councils with one of their duties to check microchipping and educate people. The plan is to intensify enforcement in the coming months – no ETA has been offered.



INSPECTIONS CARRIED OUT BY THE OFFICE OF THE COMMISSIONER FOR ANIMAL WELFARE AS PER CAP 439 ART 44A

- Feb 2022 – San Anton Lower Gardens
- April 2022 – Small Animals Quarantine in Luqa

INVESTIGATIONS CARRIED OUT BY THE OFFICE OF THE COMMISSIONER FOR ANIMAL WELFARE AS PER CAP 439 ART 44A

- July 2022 – Case of four dogs abandoned in a field in Gudja (AWD)
- Sep 2022 – Case of 3 Bottlenose dolphins at Meditterraneo Marine Park(VRD)

All above mentioned reports can be found [here](#)

In most cases full co-operation, even if sometimes grossly delayed, was witnessed from both Directorates (AWD and VRD), however once investigations are concluded and circulated to all interested parties, very little (if any) feedback is registered by CAW.

CAW's investigations have no disciplinary power nor executive ones. This means that if the recommendations for improvement that are made through these investigations are not at least considered and discussed, investigations are essentially a waste of everyone's time.



RECOMMENDATIONS SUBMITTED TO THE MINISTRY OF AGRICULTURE, FISHERIES AND ANIMAL RIGHTS (MAFA) IN JULY 2022 AS PART OF AN INVESTIGATIVE REPORT INTO THE OPERATIONS AND PROCEDURES OF THE ANIMAL WELFARE DIRECTORATE
RE: FOUR DOGS THAT WERE LEFT ABANDONED IN A FIELD IN GUDJA.

1. Revise SOPs and instructions to have one clear operating procedure that governs such cases. *No feedback has been recieved by CAW*
2. Utilise one single recordable and digital means of immediate and effective communication to handle all cases. The system should be kept updated at all times for anyone with authorisation to be able to check on a particular case. *CAW is informed that an existing digital platform is being used but paper reports are also still being utilised.*
3. Set clear time limits for logging reports, conducting inspections, updating internal reports after inspections, and updating callers/reporters. The system should automatically red flag when dates are approaching or missed. *No feedback has been recieved by CAW*
4. Eliminate verbal communication as much as possible. If not possible, any verbal communication should be followed up by a recorded means of communication (eg. Email). Any verbal instructions or actions on any case should be inserted in the system. *No feedback has been recieved by CAW*
5. All calls from the public should be recorded including the ones that reach the animal ambulance directly. *No feedback has been recieved by CAW*
6. Create a SOP that clearly defines and explains what is meant by 'monitoring a case', who is responsible and what basic steps are to be taken in each case. *No feedback has been recieved by CAW*
7. Accelerate the expansion of new pens at Animal Welfare, to alleviate the situation of space as soon as possible. In the meantime, invest in more third-party kennels and monetarily incentivise people to foster. *CAW is informed that phase one of a new dog pen project should be finalised by end of March 2023. However the delivery date of this project has already been postponed multiple times (starting with January 2022).*
8. Accelerate the hiring of more adequate staff (inspectors) to avoid delaying inspections due to lack of staff. *No feedback has been recieved by CAW*
9. Accelerate the introduction (and enforcement) of new breeding laws and enhance enforcement to reduce the number of abandoned dogs on the street. This includes farm dogs and feral dogs with owners. *CAW is informed that the new legislation has been drafted and will be presented to Cabinet in March 2023*
10. Strongly enforce microchipping and apply administrative fines. Advertise this enforcement to create a deterrent. *No feedback has been recieved by CAW*



RECOMMENDATIONS SUBMITTED TO THE MINISTRY OF AGRICULTURE, FISHERIES AND ANIMAL RIGHTS (MAFA) IN MAY 2022 AS PART OF THE PUBLIC CONSULTATION RE: NATIONAL STRATEGY FOR ANIMAL WELFARE

No feedback has been received by CAW on any of these recommendations.

1. Accelerated and emergency court hearings
2. Facilitate pet air travel making it less stressful on animals and owners
3. Karozzini time ban – extend to whenever temperatures are over 30 degrees Celsius
4. Space for confiscated exotic animals
5. Switch the onus of proof on to the accused in cases of cosmetic interventions on animals (eg. cropped ears)
6. Subsidised vet clinics / fees for selected sections of society (NGOs, Pensioners, Feeders etc)
7. Incentivise and help sanctuaries to focus more on adoptions
8. Random checks in public spaces for dog microchips
9. Follow ups on adoptions
10. International agreements with sanctuaries that house exotic animals in a close-to-nature habitats
11. Incentivise businesses (eg. restaurants and accommodation providers) to become more pet-friendly
12. Incentivise and support plant-based farmers more than animal-based ones
13. Oblige all pet owners (can only be applied on microchipped ones) to submit a yearly vet certificate for each pet.
14. Find a solution to the lack of vets for farm animals – possibly offer specific training to non-vets to perform routine procedures, minor surgeries etc to provide at least a basic health plan for farm animals.
15. Publicise the times when fireworks will be let off in every locality, so as to give pet owners the opportunity to make arrangements should their pets be scared of fireworks.
16. Follow up on people who have been banned from owning animals by the court



17. Introduce a hefty administrative fine for people who have been ordered by the court not to own animals/dogs and yet go against this order. The admin fine should apply for each dog/animal that the person owns / cohabitates with.
18. Oblige anyone found guilty of animal cruelty or abuse to attend a course in proper and responsible animal care.
19. Incentivise or obligate new pet owners to attend a basic 'responsible pet ownership' course, even if it is online.
20. The issuing of admin fines should be advertised to act as a deterrent
21. Introduce bereavement leave for the loss of a pet.
22. Travel in airplane cabins, BUT they are restricted to stay underneath airplane seats. See details in this [link](#)

In the case of primary producers

23. Increase the minimum standards of acceptable animal welfare practices.
24. Incentivize primary producers to introduce higher levels of animal friendly and animal welfare practices.
25. Penalise primary producers who resist animal friendly and animal welfare practices.
26. Introduce "Animal Welfare Certified" labelling programmes which clearly indicate to the consumer how their produce was raised with different levels eg. Level 1 Enriched environment | Level 2 Outdoor Access | Level 3 Pasture Raised | Level 4 Animal Centred | Level 5 Entire Life on Farm
27. Separate responsibilities - the entity responsible for the protection of farmers and the farming industry should not be the same entity that is responsible for animals and their welfare. The two are intrinsically conflicting and cannot effectively be dealt with by the same entity.
28. Introduced fiscal incentives to encourage plant-based consumption over animal-produce eg. lower vat (or no vat) for plant-based milk etc.



RECOMMENDATIONS SUBMITTED TO THE MINISTRY OF AGRICULTURE, FISHERIES AND ANIMAL RIGHTS (MAFA) IN OCTOBER 2022 AS PART OF AN INVESTIGATIVE REPORT INTO THE FUNCTIONS AND WORKINGS OF THE VETERINARY REGULATIONS DIRECTORATE RE: THE DEATH OF THREE BOTTLENOSE DOLPHINS (TURISOPS TRUNCATUS) AT MEDITERRANEO MARINE PARK.

To date no feedback has been received by CAW on any of these recommendations.

1. Whoever enters the dolphin tanks, whether an employee, a client, or a subcontractor should be made aware of all the rules, particularly of any prohibited actions. They should also be thoroughly checked for prohibited materials.
2. All equipment including diving gear entering the tanks should be logged before entering the tanks and after exiting the tanks. This procedure should be applied whether the tanks are full or empty, and whether the dolphins are in them or not.
3. Performing a backwash (reverse-wash) procedure that allows debris to enter the water tanks should not be technically possible without the agreement and physical presence of corporate maintenance. Mechanical or digital security measures should be implemented to ensure this. Signs should also be put up to this effect and clear consequences published.

If for whatever reasons a reverse-wash is performed anyway, a thorough cleaning of the tanks including a scraping and syphoning routine should be done. This should be followed by a double aspiration procedure to ensure that no debris is caught in the pre-filter.

4. In the case of unusual deaths in any zoo, necropsies should not be conducted by the zoo's own employed or privately engaged veterinary surgeon, but by an independent vet as indicated and chosen by the VRD, in the presence of the zoo's engaged veterinary surgeon.
5. In the case of successive multiple deaths at a zoo, whether foul play is suspected or not, the VRD should get involved immediately, and an on-site inspection should be held not later than 48 hours after an incident.
6. Responses to CAW in queries and investigations regarding the welfare of animals should be replied to within a maximum of 72 hours. (It took 86 days and countless emails, for the VRD to inform CAW that the dolphins had died due to lead poisoning).
7. Following this tragic incident, CAW highly recommends a complete and thorough review of S.L 439.09, as well as the conditions, protocols, and processes of all zoos in Malta. Part of this review should legally oblige zoos to update public databases like Cetabase. To date the public database Cetabase.org (a non-profit organisation dedicated to compiling the most extensive global record of whales, dolphins, porpoises and other marine mammals under human care) is still not updated and Onda, Mar and Melita are still registered as living at Mediterraneo Marine Park.



LEGISLATIVE INTERVENTIONS AND CONSULTATIONS

Throughout 2022, The Office of The Commissioner for Animal Welfare recommended several legislative changes to the Animal Welfare Act CAP 439. The Office was consulted on many of these recommendations as well as others put forward by The Ministry.

CAW submitted its feedback and in some cases strong objections to all of the below legislative changes / additions :

1. Art 2 – the amended definition of circus
2. Art 8 (2) – the amended definition of bestiality
3. Art 31(G) – the use of animals as props
4. Art 43(A) - regulation of dog breeds
5. Art 44B(A) –the removal of the 24-hour notice to conduct inspections
6. Art 45(b)- register of banned individuals
7. Groomers and Pet Sitters Regulations
8. Surgical Operations Regulations
9. Zoo Regulations
10. Dogs in supermarkets



OTHER ACTIVITIES AND INITIATIVES

ELECTORAL MANIFEST ANALYSIS AND REACTIONS

Analysis and CAW reactions to the 2022 electoral manifests of all political parties. Full report can be found [here](#).

PR & MEDIA EXPOSURE

In fulfilment of CAP 439 ART 44A which obliges CAW to increase awareness and social dialogue on animal welfare, The Office of The Commissioner for AW featured directly in more than 100 news stories and interviews. Another 100 + published articles dealt with issues of animals and animal welfare in general. CAW also participated in more than 20 TV programmes and 10 radio programmes. In 2022 CAW also applied for a 15 minute independent programme on TVM. This was accepted by the programmes board as part of existing animal-related programme – Animal Diaries. All episodes are published on TVM, Facebook and Youtube. During 2022 CAW also published 125 posts on social media.

ANIMAL WELFARE INSPECTIONS AND FOLLOW UPS

Throughout the year The Office of The Commissioner for Animal Welfare submitted and followed up hundreds of requests for inspections by the Animal Welfare Directorate's Enforcement Unit. This was done on behalf of members of the public who did not feel comfortable or confident to report cases directly to AWD. Unfortunately updates both to reporters and to CAW remain lacking, undetailed and grossly delayed.

PUBLIC ASSISTANCE AND INVOLVEMENT

Daily assistance was also provided to individuals, local councils, NGOs, private organisations and businesses who contacted the office for practical advice and intervention in the management of stray cats, roaming chickens and roasters, feral pigeons, ducks and other animals.

EDUCATIONAL SESSIONS

During the summer of 2022 CAW collaborated with AWD to deliver various educational sessions to children attending Skola Sajf. October 2022 then saw the re-launch of CAW's scholastic sessions after the COVID-19 two year break. CAW conducts daily sessions with year 6 pupils in all Government Colleges as well as private, independent, and Church schools.

SCHOOL PUBLICATION

A new school publication was designed and prepared for printing and circulation during 2023. This time the publication takes the form of story from the point of view of a stray cat called Molly, who is rescued by a good person. The story indirectly teaches children what needs to be done in cases of emergency and animal rescue scenarios.

THE SECOND EDITION OF THE ANIMAL HONOURS AWARDS

The second edition of the Animal Honours Awards were held in October 2022. It was decided and agreed that the ceremony would be a symbolic one to commemorate and honour animals and their carers limiting expenses to make sure that more resources are pumped directly for animal welfare. Winners can be viewed [here](#).



ADOPT DON'T SHOP VIDEO CAMPAIGN

CAW embarked on an extensive promotional video campaign to promote adoptions. 10 video clips were produced and aired on national TV stations as well as social media channels. The clips were produced in Maltese and in some cases provided with sub-titles. All clips can be viewed [here](#).

QUALITY CONTROL AND MYSTERY SHOPPING EXERCISES

CAW conducted continuous mystery shopping exercises on the functions of the Animal Welfare Directorate especially the 1717 phone service. CAW also embarked on a spot-checking exercise where random inspections held by the AWD were followed up by CAW for stakeholder's feedback.

Findings and recommendations were passed on to The Animal Welfare Directorate for their action.

PET FOOD AND PET BEDDING DRIVES

CAW organised various pet food and pet bedding drives to assist the Animal Welfare Directorate that was constantly operating at full and over capacity. Pet food and bedding is collected from members of the public and from the school sessions held by CAW and delivered to AWD and NGOs.

CENTRAL BANK ACCOUNT

An account in the name of The Commissioner for Animal Welfare opened in 2017 and now containing € 17,500 in donations is held at Central Bank of Malta.

ACCADEMIC RESEARCH STUDIES

CAW approached various university faculties to encourage students to take up animal-related thesis and dissertations. This initiative resulted in at least four students selecting animal-related subjects for their research.



COMMISSIONER'S FINAL NOTE

As Commissioner for Animal Welfare I often feel powerless to effect change in a timely fashion or even at all. The legislative framework from which my duties, obligations and powers emit, CAP 439 Article 44, make the role pretty much a consultative one, often completely dependent on other entities to execute and act on my recommendations.

In addition, despite all efforts to educate and raise awareness, the role itself remains very much misunderstood by the general public. In fact, many are under the impression that as Commissioner for Animal Welfare the functions and operations of the Veterinary Regulations Directorate and that of the Animal Welfare Directorate fall within The Commissioner's remit. When it is explained that this is not the case, many feel betrayed, deceived and being taken for a ride. As a result, staff within the Office of The Commissioner for AW as well as myself personally, have often had to face angry and abusive encounters due to this misinformation.

That said, the role of Commissioner has one clear advantage for which I am extremely grateful – the role is possibly the only one within the animal-welfare sector that allows for absolute single mindedness. Other roles within the sector sometimes pose impossible conflicts of interest (eg. Food security vs animal welfare), leading to indecisiveness and contradictory actions. The role of the Commissioner for Animal Welfare on the other hand, is only burdened with one single and very clear interest – Animal Welfare.

It presents no conflicts and offers a very clear agenda, thus putting the rights and welfare of (all) animals first and before everything else remains my single goal.

Alison Bezzina (MA Lond)
Commissioner for Animal Welfare



GLOSSARY

CAW	-	Commissioner for Animal Welfare
MAFA	-	Ministry for Agriculture, Fisheries and Animal Rights
AWD	-	Animal Welfare Directorate
VRD	-	Veterinary Regulations Directorate
AW	-	Animal Welfare