



***Investigation into the operations and procedures of
The Animal Welfare Directorate (AWD)
in the case of a confiscated Muscovy duck
that was confiscated from Cirkella Circus on the
22nd, December 2022 and which was
returned back to the circus on the 24th, December 2022.***

**Office of the Commissioner
for Animal Welfare
(CAW)**

February 2023



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Background leading to the investigation

- On Wednesday 28th December, 2022, Ms Sarah Grech shared an Instagram post claiming that a live duck had been used during a circus show in Baħar iċ-Ċagħaq on the 22nd December, 2022. (Screenshot 1 attached)
- On the same day Lovin Malta ran a new story based on Ms Grech's post. (Screenshot 2 attached)
- On the 29th December 2022, Lovin Malta ran a follow up story claiming that on the 22nd December the duck was confiscated by AWD, but was then returned to the circus organiser soon after. (Screenshot 3 attached)
- Based on this public information, on the 29th December, 2022, Animal Liberation Malta requested an investigation from CAW. (Screenshot 4 attached)
- On the 30th December, 2022, Minister Anton Refalo also requested a CAW investigation as per CAP 439 Article 44A(2)(f).

Scope of the investigation

The scope of the investigation was not to ascertain whether Cirkella Circus breached CAP439 (31A) (*"It shall not be lawful for any person to use animals for performances, exhibitions, shows or for the training thereof in circuses."*) but to clarify what operations, procedures and reasoning within the Animal Welfare Directorate led to the decision to return the duck to the circus organisers.



Sources of information

- CAW contacted Ms Sarah Grech via Instagram for more information about what she witnessed on the night of the performance (22-11-22). On Thursday 29th December, 2022 – Sarah Grech sent an official email to CAW with a full report of her experience.
- Saturday 31st, December, 2022 – CAW requested a full report from AWD Director Patricia Azzopardi. This was received on the 5th, January 2023.
- On Thursday 5th, January, 2023 – CAW requested a full report from VRD. Dr Chetcuti Ganado immediately acknowledged request and requested some clarifications from CAW. All information was received by CAW by 11th January 2023.
- Thursday 5th, January, 2023 – CAW contacted the farmer from whom the duck was purchased for his version of the facts.
- On the 16th, January, 2023, CAW interviewed AWD Officers Jason Azzopardi and Raymond Cutajar who were on duty on the night of the 22nd December, 2022 (the night of the performance. Mr Cutajar was also on duty on the 24th, December, 2022 when the duck was discharged from APH and when instructions were issued by Director Patricia Azzopardi to return the duck to the circus organiser.
- On the 17th January, 2023, CAW interviewed AWD Officers Mario Axisa who was on duty with Mr Cutajar on the 24th December, 2022 -the day when the duck was discharged from APH and returned to the circus organiser.



Summary of findings

- On the 22nd, December, 2022, Ms Sarah Grech attended a circus show in Baħar iċ-Ċagħaq. The show had been advertised to have no animals involved, but to her surprise one of the acts involved the use of a live Muscovy duck.
- Ms Grech felt that the duck was handled very roughly and could have easily sustained injuries during the performance.
- After the show, Ms Grech confronted the show's organiser about the matter but felt that she was not being taken seriously. Aware that the use of animals in circuses is against the law, at around 10:30pm Ms. Grech contacted the Naxxar Police Station to report the incident.
- The Naxxar Police Officers contacted AWD, to inform them about the report filed by Ms Grech and officers from both entities (Police and AWD) made their way to the circus venue in Baħar iċ-Ċagħaq.
- Police and AWD Officers arrived at Baħar iċ-Ċagħaq at around 11:30pm. They spoke to the circus organiser who explained that the act in question was an improvisation and that he (the organiser) was not aware that a live animal was going to be used in one of the acts. The Officers then asked to see the duck.



- The circus organiser informed the Officers that the duck had been moved to one of the performer's apartments just a few meters away. The AWD Officers, were escorted to the apartment where they found the duck.
- At first glance, the duck did not seem injured, and Officers did not think it was necessary to confiscate her. They called the reporter (Ms Grech) on her mobile to clarify the situation, and Ms Grech insisted that from what she had witnessed during the show, the duck could have easily sustained serious injuries.
- Based on Ms Grech's insistence, and somewhat reluctantly, AWD Officers Azzopardi and Cutajar confiscated the duck and took it to APH (animal hospital) to be examined.
- Whilst it is normal procedure for AWD Officers to inform Director AWD Patricia Azzopardi about any situation requiring the confiscation of an animal, since it was very late in the night, Officers Azzopardi and Cutajar did not think it was appropriate to disturb the Director to inform her about this situation.
- It is also normal procedure for Officers to write up a manual paper report of all the inspections that they go on. Sometimes this is done after their shift or during their next shift which could be a couple of days later.



- Post confiscation, the duck was kept at APH overnight and checked by a vet the next day (23rd December, 2022).
- APH's veterinary report (seen by CAW) states that the duck was found to be in good health, had sustained no injuries, and was fit to be discharged.
- As per normal daily procedure, on the morning of the 24th, December, 2022, Director AWD Ms Patricia Azzopardi was sent a list of animals that ready to be discharged from APH.
- It is customary for Ms Azzopardi to go through the list of cases and to issue instructions to Officers on duty. Depending on the cases' circumstances, Ms Azzopardi decides whether to return animals to their owners, whether to keep them at Animal Welfare, whether to send them to sanctuaries etc.
- AWD standard procedure allows for animals who are uninjured and in good condition, and whose owners are willing to take them back, as well as pay the hospital bill, to be returned to their owners.



- On the 24th, December, 2022 the discharge list from APH included the circus Muscovy duck, but there was nothing to indicate that the duck had been confiscated from a circus. In addition, at this point Ms Azzopardi had not yet seen the Officer's written report either.
- Not being aware that the duck had been confiscated from a circus show, Ms Azzopardi processed the duck's discharge as per standard procedure. Since it was unharmed, had an owner that was willing to take her back and had agreed to pay for the hospital bill, Ms Azzopardi issued instructions for the officers to return the duck to its owner.
- Ms Azzopardi explained however that had she known the origins of the duck and why it was confiscated in the first place, she would not have agreed to return the duck to the circus organiser.
- With the Director's instructions being to return the duck to its owner, on the 24th December, 2022, the duck was picked up from APH by AWD Officers Raymond Cutajar and Mario Axisa at around 11am.
- Mr Cutajar was also present when the duck was first confiscated from the circus and he claims that on the day that the duck was discharged from APH (two days after its confiscation) he informed Ms Azzopardi (Director AWD) about the origins of the duck when he spoke to her on the phone. However



there are no written records that he did, and Mr Axisa who was with Mr Cutajar during the mentioned phone call, could not confirm that Mr Cutajar mentioned the origins of the duck to Ms Azzopardi.

- Although it cannot be fully verified, it is highly probable and most plausible that Ms Azzopardi was in fact unaware of the duck's origins.
- Ms Azzopardi claims to have learnt the full story and the duck's origins only when news broke on social media on the 28th, December, 2022.
- On the the day that the duck was discharged, the 24th, December, 2022, the circus organiser could only meet with AW officers after 1pm. This meant that the duck spent 2.5 hours in the AWD ambulance before it was dropped off at the circus at around 1:30pm.
- Once back with the circus organiser the duck was returned to the farm where it was originally bought from. This was confirmed by AWD who went to the farm and checked on the duck as well as by the farmer who confirmed her return with CAW.



Conclusive remarks

- Strictly speaking this was a case for the Veterinary Services Directorate and not for the Animal Welfare Directorate. Farm Animals fall within the remit of the VRD and not AWD. Whilst it is commendable that there is a working relationship between the two Directorates, VRD should have been involved / informed about this case by AWD. VRD only found out about it from the media on the 28th December, 2022.
- It is clear to CAW that AWD Director Patricia Azzopardi would not have returned the duck to the circus organisers had she been aware that the duck had been confiscated from a circus.
- AWD Director was not aware of the duck's origins due to the lack of an instant, digital and comprehensive communication method that includes a case's details in one place, is updated instantly and is accessible from everywhere.
- After being sold from a farm to a circus, used in a circus act, then confiscated and recovered in an animal hospital for two days, the duck had to spend 2.5 hours in AWD's ambulance before being returned to the circus owner and eventually to the farmer. For a duck to have to spend so much time caged up in an ambulance is tantamount to cruelty as grave as being forced to perform in a circus act.



- Had Ms Grech not insisted with the AWD Officers to confiscate the duck because it could have suffered internal injuries, AWD Officers would not have confiscated her. This means that they did not see the gravity of the situation *prima facie* – the fact that an animal was being used in a circus act is enough reason to justify any animal's confiscation, whether injured or not.



Commissioner's Recommendations

This case has brought to light three main issues that need immediate address:

- 1. *Communication processes at AWD need to improve and be digitized***
- 2. *The transportation of animals by AWD should adhere to the highest standards of care and welfare***
- 3. *AWD Officers should be fully aware and familiar with of all the details of the Animal Welfare Act (CAP439) and all its subsidiary legislation.***

1. Communication processes need to improve and be digitized

The Directorate is still working with out-dated means such as paper records, email, phone calls and static data-basis. Although an online software has started to be utilised recently, this is clearly not meeting the growing needs of the Directorate. It is highly recommended therefore, that the Directorate makes use of a digital ticketing software that can be updated at every touch point, by all members of AWD and which is accessible from mobile devices from anywhere and at all times.

2. The transportation of animals by AWD should adhere to the highest standards of care and welfare

It is common knowledge that even in the best circumstances transportation stresses all animals. It is therefore unacceptable that a duck that was 'saved' by AWD is subjected to 2.5 hours at the back of an ambulance to get to its destination. Transportation trips should be optimised to be as short as



possible, to avoid stressing an already vulnerable animal. All AWD procedures should be designed to accommodate animals over humans.

3. Animal Welfare Officers should be fully aware and familiar with the details of the Animal Welfare Act (CAP 439) and all its Subsidiary Legislation.

From this investigation it is clear that had the reporter of this incident (Ms Grech) not insisted with the AWD officers to confiscate the duck, based on her fear that it had been injured, Officers would not have confiscated the duck based solely on the potential breach of CAP439 (31A) : *"It shall not be lawful for any person to use animals for performances, exhibitions, shows or for the training thereof in circuses."* From CAW's interviews with the Officers involved it was clear that the gravity of such a potential breach of CAP439 (31A) was not appreciated by the Officers.

Alison Bezzina MA (Lond)

Commissioner for Animal Welfare

SCREENSHOT 1

SARAH GRECH'S INSTAGRAM POST - 28TH DECEMBER, 2022

<https://www.instagram.com/p/CmtQzDclKJ9/?igshid=YmMyMTA2M2Y%3D>

Notes

Oh, what a world we live in.

A world where the places you take your kids to for fun promote and profit off of animal abuse, and going for a date night ends with begging authorities to show up.

During an act at the Cirkelli Circus in Bahar ic-Caghaq, an imbecile, juggling chef put a fake chicken in a fake oven, which erupted in smoke for a few minutes before releasing a live duck which he repeatedly threw into the crowd. Each time the duck hit the metal stands or the stone floor, it struggled to move before being grabbed and launched into the air again.

**sarahgrech02** · Follow

**moira_delia** Thank You for being their voice! ❤️ This takes me back to around 8 years ago when we had protested against animals circuses before they got banned from entering Malta! Because i had spoke about the cruelty that goes on in these circuses live on the main news, i was taken to court and my bank account was frozen for a month until magistrate dropped the case! Thinking back i still shake my head!

1 w 24 likes Reply

View replies (3)



 Liked by **jadezammitstevens** and **1,658 others**

DECEMBER 28, 2022

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People look at me as if I'm rude or absurd for simply not being entertained by a duck being suffocated in a smoking box and then thrown around for enjoyment. As if it's not an intelligent species capable of feeling pain, experiencing emotions and responding to their environment.

When my boyfriend asked the organiser whether he thought that part of the show was morally right, he replied with "are you implying that I like to torture animals?". We simply asked a question, and he probably felt called out and admitted that himself.

Ducks will become quite sociable with people if handled gently from an early age. Yet people like Patrick Vella, profit off of animal cruelty, purely for entertainment.

Coincidentally, Mr. Vella is the same person with countless cruelty-related charges and complaints lodged against him. He is the same person responsible for keeping dolphins in captivity at Mediterraneo, who aren't fed until they perform. He is the same person responsible for the death of at least eleven dolphins over a span of a few years, three of which died in ONE MONTH, which he labelled as a "pure accident". He is the same person that had contaminated water in his facility, Splash & Fun, and was accused of throwing sewage straight into the sea. Besides the various complaints reports relating to animals, Patrick Vella has been personally charged with assault charges numerous times.



sarahgrech02 • Follow

...



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< Notes



Why do people like this still make a living over the fucked up things they do? How are there multiple accusations against him and he is still profiting from people and animals?

- < When I called the police explaining my concern they replied with "As if we're sending the police to the circus", which goes to show how seriously local authorities take this issue. We might as well not do anything right? I had to convince authorities to show up, but what is the point of them showing up if he'll get away with anything anyway.



sarahgrech02 · Follow



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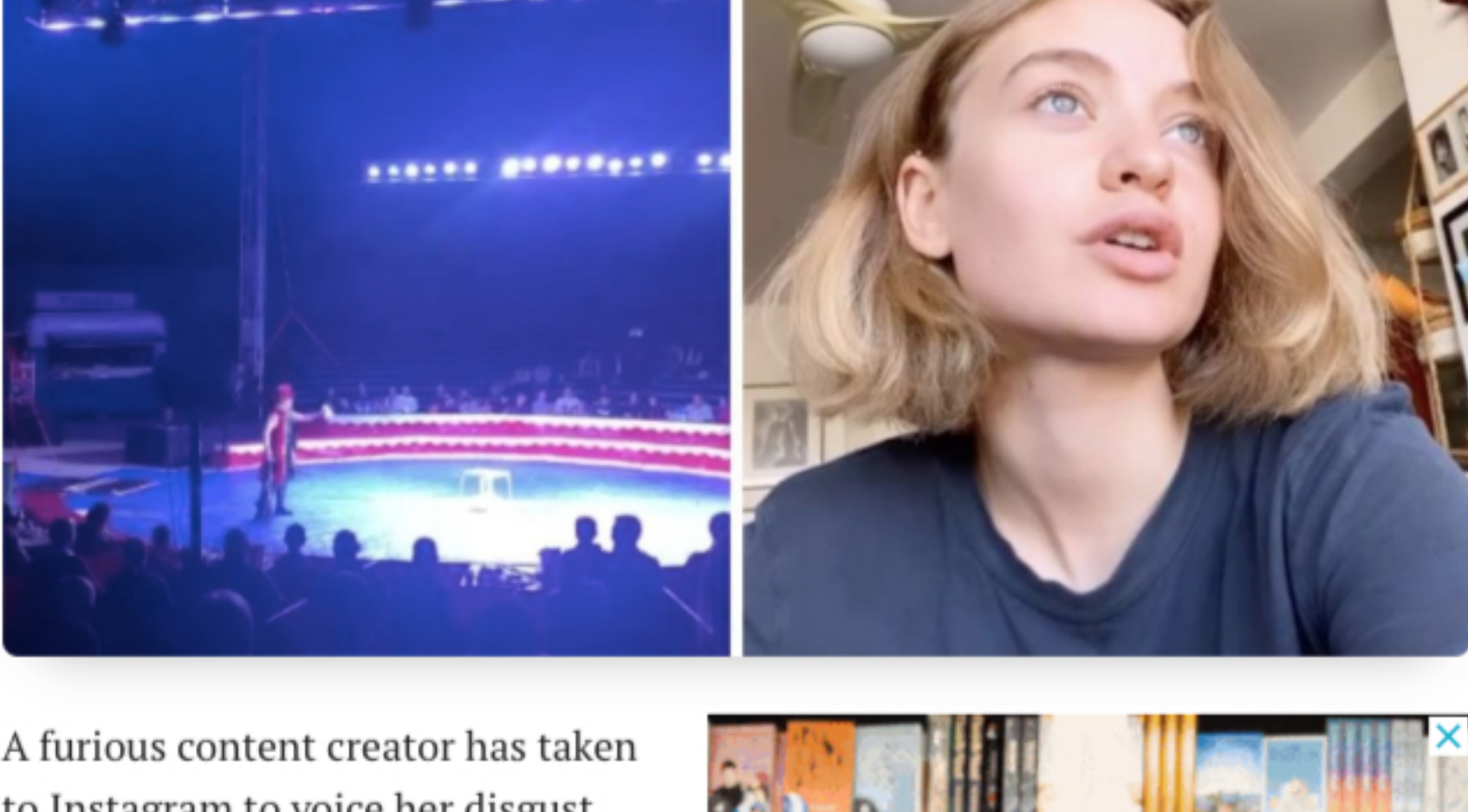
Post



'It Was Struggling To Move': Baħar iċ-Ċagħaq Circus Slammed Over Animal Abuse In Live Show

By **Gabriel Tonna, Johnathan Cilia**
December 28, 2022 at 4:30 pm

Share:     



A furious content creator has taken to Instagram to voice her disgust after attending a circus show at Baħar iċ-Ċagħaq and witnessing some shocking scenes involving an animal there.

Sarah Grech was excited to head to the Cirkelli Circus with her boyfriend for the 22nd December show. The pair were enjoying it – when, mid-act, a performer pulled out a real duck and started throwing it at the crowd repeatedly.



“Each time the duck hit the metal stands or the stone floor, it struggled to move before being grabbed and launched into the air again,” Grech recounted, livid at what she saw.

When her boyfriend asked the organiser whether he thought that part of the show was morally right, he allegedly replied with: “Are you implying that I like to torture animals?”

Grech called the police to report what she had seen.

Speaking to Lovin Malta, a police spokesperson confirmed that the report had been received – and that the animal in question had been confiscated from the circus and handed over to animal experts.

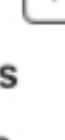
“A report was lodged on 22nd December upon which the police acted immediately by calling on site and initiated the necessary investigations. The mentioned animal was handed over to the Animal Welfare Services, while the investigations are still ongoing,” police said.

However, in the midst of it all, Grech felt helpless seeing what the bird was going through.

 **lovinmalta** 
Original audio

[View Profile](#)

[View more on Instagram](#)

1,653 likes

lovinmalta

A furious content creator has taken to Instagram to voice her disgust after attending a circus show at Baħar iċ-Ċagħaq and witnessing some shocking scenes involving an animal there 🤢

@sarahgrech02 was excited to head to the Cirkelli Circus with her boyfriend for the 22nd December show. The pair were enjoying it – when, mid-act, a performer pulled out a real duck and started throwing it at the crowd repeatedly 🤡

“Each time the duck hit the metal stands or the stone floor, it struggled to move before being grabbed and launched into the air again,” Grech recounted, livid at what she saw 🦆

When her boyfriend asked the organiser whether he thought that part of the show was morally right, he allegedly replied with: “Are you implying that I like to torture animals?”

Grech called the police to report what she had seen 🚓

What do you make of this story? Sound off in the comments and read the full story - including what a police spokesperson told this newsroom - on Lovin Malta 📰

[view all 111 comments](#)

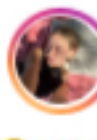
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“I felt disgusted and useless as I couldn’t do anything to help the duck. I looked at my boyfriend with my mouth open not saying a word but saying a lot at the same time. I was furious and upset,” Sarah told Lovin Malta.

Sarah’s post recounting what she saw was flooded with people taking her side and asking how such a thing was allowed by the circus.



 **sarahgrech02**
6,808 followers

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 **Notes**  

Oh, what a world we live in.

A world where the places you take your kids to for fun promote and profit off of animal abuse, and going for a date night ends with begging authorities to show up.

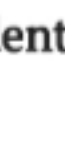
During an act at the Cirkelli Circus in Baħar iċ-Cagħaq, an imbecile, juggling chef put a fake chicken in a fake oven, which erupted in smoke for a few minutes before releasing a live duck which he repeatedly threw into the crowd. Each time the duck hit the metal stands or the stone floor, it struggled to move before being grabbed and launched into the air again.

[View more on Instagram](#)

1,659 likes

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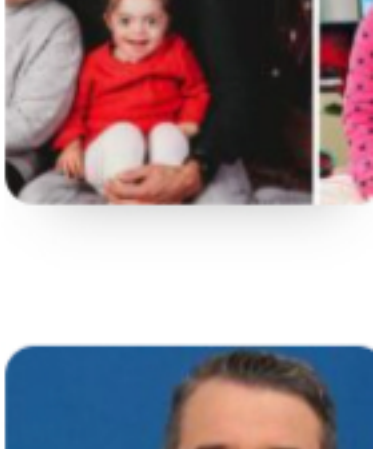
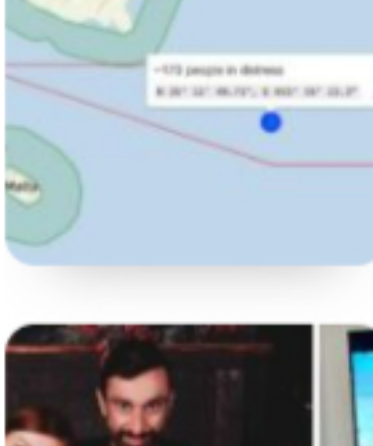
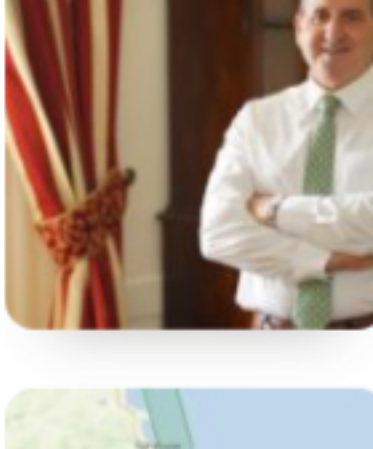
Though the circus displays a “no animals” sign on its website, this incident has cast doubt on how serious that promise is.

The circus maintains they do not use any animals in their live shows, only using trained actors, and that the duck incident allegedly occurred when an individual actor decided to include the duck in his act as a part of a “surprise” allegedly unbeknownst to the rest of the team.

Have you ever experienced anything like this in Malta? If you have any similar stories send them to us in confidence at gabriel@lovinmalta.com

READ NEXT: Qormi Man Hospitalised After Sheets Of Glass Fall On Him In Qrendi

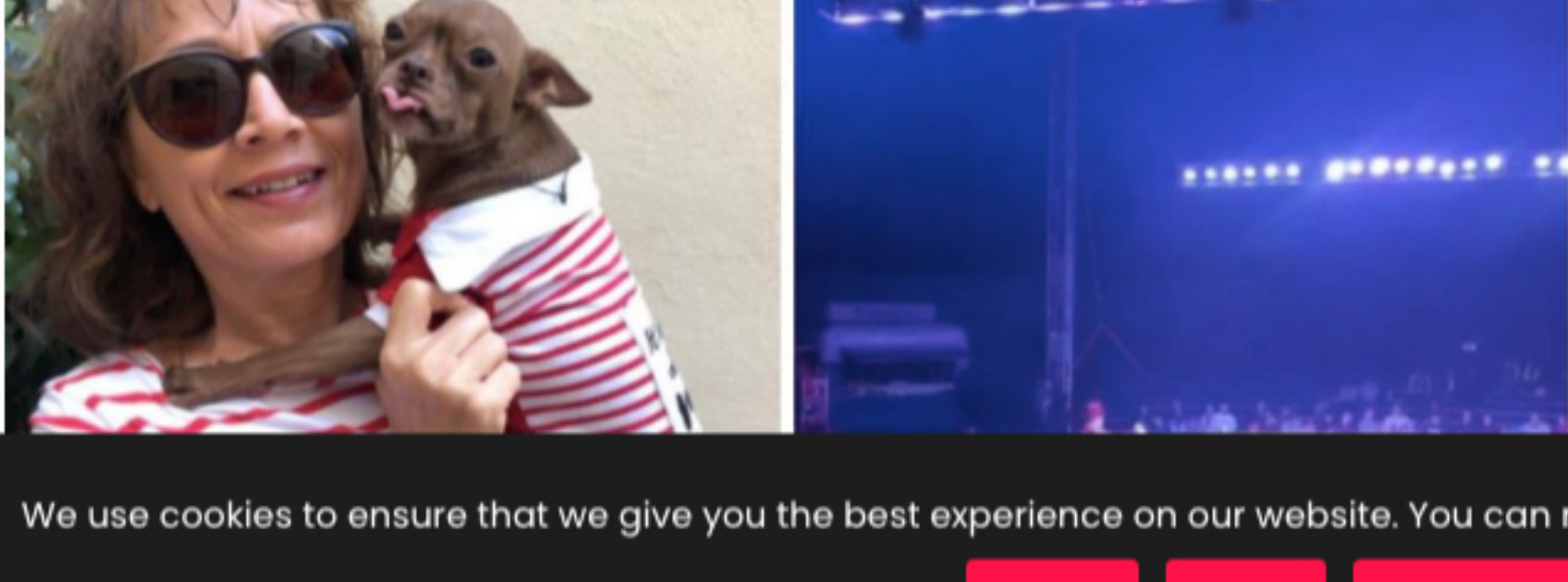
Latest





'Abused' Duck Returned To Baħar iċ-Ċagħaq Circus Following Swift Animal Welfare Decision

By **Johnathan Cilia**
December 29, 2022 at 3:29 pm



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A duck that was “catapulted” into a live audience during a circus show held in Baħar iċ-Ċagħaq has been returned to the circus by the Animal Welfare Directorate after first being confiscated by police officers.

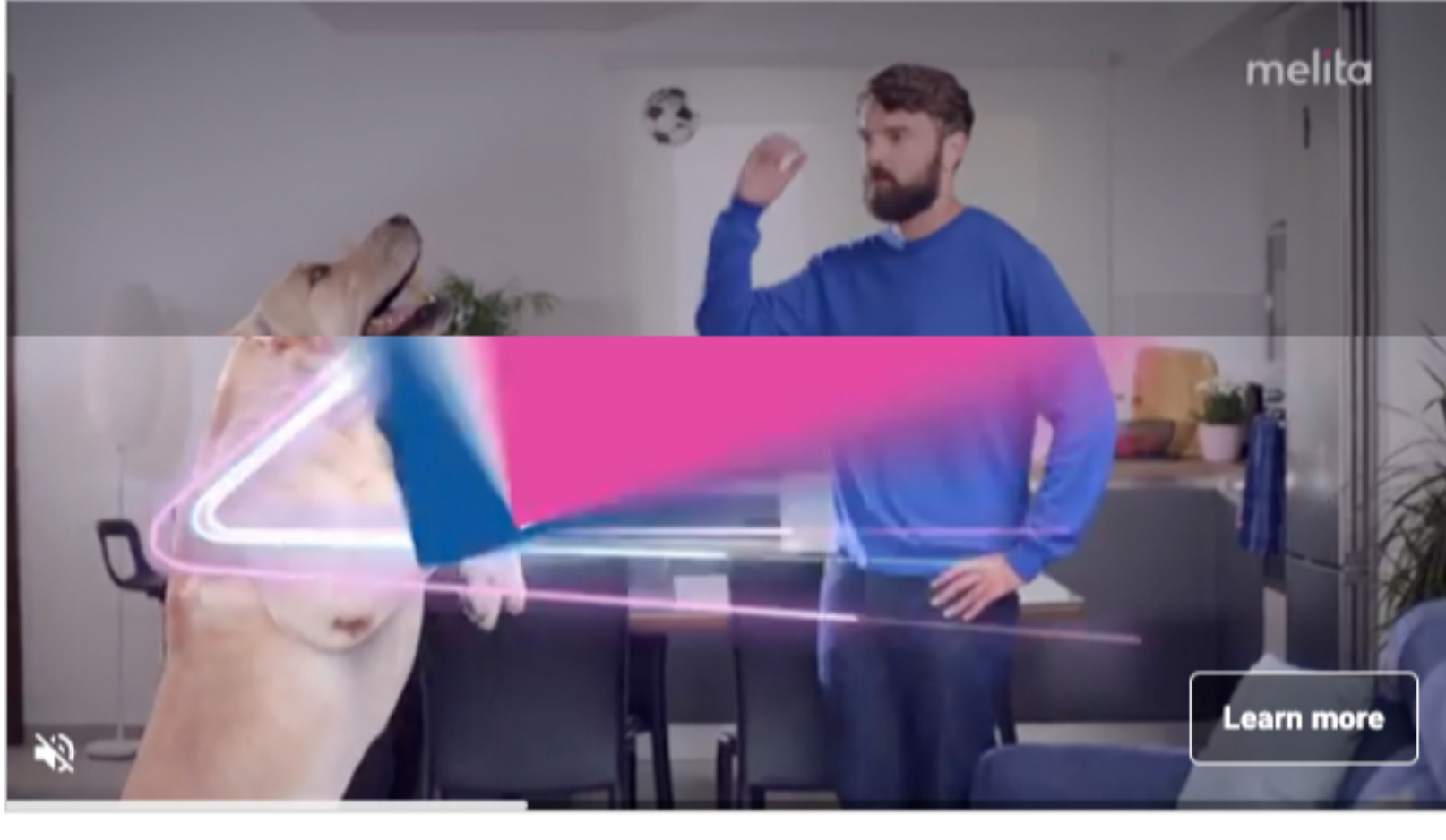
While it has been returned to the circus in question, Cirkelli Circus in Baħar iċ-Ċagħaq, there are no indications that the duck will be used as part of its live show again.



The duck was confiscated by police after being “forcefully catapulted onto a hard surface” in front of a live audience consisting of families and children during an act that involved an actor using an oven; after cooking something in an oven, the actor apparently opened the oven and pulled the duck out, before throwing it into the crowd.

An informed source told Lovin Malta that though the duck was confiscated by police on 22nd December after police received a report and investigated it, after it was handed over to Animal Welfare staff, it was eventually returned back to the circus.

Though **earlier today** Animal Rights Parliamentary Secretary Alicia Bugeja Said said that an investigation was underway to determine how “justice” should be served and whether the duck was even injured, Lovin Malta is informed that it suffered injuries to its upper neck, head and parts of its wings.



However, Animal Welfare authorities, including AW Head Patricia Azzopardi, allegedly decided that no action should be taken in light of the incident, and the duck was returned to its original owner at the circus.

In Malta, a charge must be issued once an animal is confiscated by authorities – otherwise, it must be returned to its owner.

One informed source told Lovin Malta: “It seems like the circus are trying to make it seem like a one time thing – but that doesn’t make a difference. They broke the law because they used an animal during a circus show, especially in the way they did. There are a number of infringements – this is deliberate abuse of an animal.”



sarahgrech02
6,810 followers

[View Profile](#)

Notes

Oh, what a world we live in.

A world where the places you take your kids to for fun promote and profit off of animal abuse, and going for a date night ends with begging authorities to show up.

During an act at the Cirkelli Circus in Baħar iċ-Ċagħaq, an imbecile, juggling chef put a fake chicken in a fake oven, which erupted in smoke for a few minutes before releasing a live duck which he repeatedly threw into the crowd. Each time the duck hit the metal stands or the stone floor, it struggled to move before being grabbed and launched into the air again.

[View more on Instagram](#)



1,659 likes

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The incident allegedly occurred at the Cirkelli Circus in Baħar iċ-Ċagħaq on 22nd December, and first came to light after a local content creator, Sarah Grech, attended the show with her boyfriend.

Grech then **recounted what she saw** – a performer pulling out a real duck and throwing it at the crowd repeatedly.

“Each time the duck hit the metal stands or the stone floor, it struggled to move before being grabbed and launched into the air again,” Grech recounted, livid at what she saw.

When her boyfriend asked the organiser whether he thought that part of the show was morally right, he allegedly replied with: “Are you implying that I like to torture animals?”

Grech called the police to report what she had seen.

Speaking to Lovin Malta, a police spokesperson confirmed that the report had been received – and that the animal in question had been confiscated from the circus and handed over to Animal Welfare.

“A report was lodged on 22nd December upon which the police acted immediately by calling on site and initiated the necessary investigations. The mentioned animal was handed over to the Animal Welfare Services, while the investigations are still ongoing,” police said.

Following the revelations, Animal Commissioner **Alison Bezzina has appealed to the public** to come forward with any and all footage or testimony from the incident.

Malta prohibited the use of any animals in circuses back in 2014, with fines of up to €30,000 applicable to first time offenders, and up to €50,000 for repeat offenders.

A bill currently being discussed in Parliament will widen the legal definition of circus to mean “any exhibition put on by exhibitors for profit, and viewed by the public for entertainment which offers amusement and display, and where animals are made to perform tricks or manoeuvres, which do not reflect their natural behaviour or does not offer any educational value”.

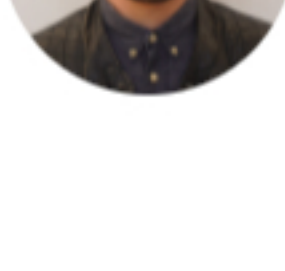
Since the story was made public, other people have come forward saying that animals are used in other types of shows, including magician-style shows.

Though the circus displays a “no animals” sign on its website, this incident has cast doubt on how serious that promise is.

The circus maintains they do not use any animals in their live shows, only using trained actors, and that the duck incident allegedly occurred when an individual actor decided to include the duck in his act as part of a “surprise” allegedly unbeknownst to the rest of the team.

Do you think the duck should be left with its original owner at the circus?

READ NEXT: Investigation Launched Into Malta Circus Animal Abuse Claims To Ensure 'Justice Is Served'



Johnathan Cilia

Johnathan is Editor-in-Chief of Lovin Malta, and an award-winning Maltese journalist interested in social justice, politics, minority issues, music and food. Follow him at @supreofficialmt on Instagram, and send him news, food and music stories at johnathan@lovinmalta.com

SCREENSHOT 4



Animal Liberation Malta

29 December 2022 at 18:06 · 🌐

...

We are deeply concerned if the information provided by [Lovin Malta](#) that the duck used in the circus act was actually given back by the Department for Animal Welfare. This comes after the [Office of the Commissioner for Animal Welfare](#) is asking for people who are ready to testify and after the Parliamentary Secretary spoke out as well.

We would like to ask what is the point of having animal welfare laws?

Rather than being given back the animal should we be seeing legal action being taken against the operators?

We demand that an investigation is being held by Animal Welfare Commissioner into the action taken by Animal Welfare.

[Alicia Bugeja Said Alison Bezzina](#)

