



**Public consultation on the preparation
of a National Animal Welfare Strategy.**

**Feedback from The Commissioner for Animal Welfare
Alison Bezzina presented on 2nd June 2022.**

Also submitted via ahwdconsultations.mafa@gov.mt



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Consultative Question 1 :

Do you consider that current legislative provisions offer sufficient safeguards to ensure animal protection and welfare? What institutional and legislative changes do you foresee and anticipate?

There are several areas and situations in which the current legislative provisions do not offer sufficient safeguards to ensure animal protection and welfare. Some of these insufficiencies have already been highlighted in official recommendations made by my Office in 2021. They are being listed and shortly explained again hereunder.

1. Temporarily prohibit suspects from keeping animals (recommendation made in March 2021)

CAP439, 44B gives the Director of Animal Welfare or Veterinary Regulations the right to confiscate animals that are in imminent danger or for other grave reasons. Confiscations are few and far between and are not done lightly. Many a time, confiscations are followed by a court case.

Court cases take long, sometimes years. And yet, once someone has had their animals confiscated by Animal Welfare there is nothing that stops them from getting more animals as of the next day. This results in more cruelty to more animals and because bad owners don't change overnight, it usually also translates into more inspections and more confiscations by the Animal Welfare Department and/or VRD.

On the 3rd November 2021, I was informed by Perm Sec Sharlo Camilleri that a draft Bill, amending the current CAP 439 will shortly be presented to Cabinet, in which it is being proposed that the law be amended so that pending court proceedings, the prosecution asks the Magistrate to ban a person from keeping animals until the Court decides the matter. The proposed amendment is as follows:

"Provided further that the Court may issue a decree during the course of proceedings upon the request of the prosecution, against a person charged with a breach of the provisions of this Act or any of the regulations made thereunder consisting of ill-treatment of animals in order to prohibit that person from keeping animals until the judgment becomes final."

To date, this amendment to the law has not been applied.



2. Increase the legal minimum size for dog enclosures (recommendation made in March 2021)

According to SL. 439.21 Schedule (Regulation 4.2) the minimum space per dog enclosure must never be less than the sizes indicated in this table

(N refers to the number of dogs in the same enclosure)

Withers height of dog	Minimum floor area	Minimum length of shortest side
<30cm	$(1+N) \times 1\text{m sq}$	1m
30-50cm	$(1+N) \times 1.2\text{m sq}$	1.2m
>50cm	$(1+N) \times 1.5\text{m sq}$	1.2m

In practice this means that keeping a medium sized dog (15kg) such as a fox terrier whose wither is around 30cm or less, in an enclosure that is 2m X 1m, is deemed acceptable by law.

Clearly such a restricted area cannot possible provide a sleeping and exercise area, and moreover goes against another part of the Animal Welfare Act, specifically Cap 439(8)(4) which says ".....animal needs include the provision of suitable environment...allowance for the animal to exhibit normal behavioural patterns, provision of suitable housing....."

Moreover, S.L 439.21 (Keeping of Dogs regulations) 3(1) which prohibits tethering or restraining of a dog "to any stationary object...." was introduced because such restrains are considered cruel. Whilst an enclosure does not restrain a dog to a stationary object, if not big enough, as is suggested by the dimensions specified in SL. 439.21, it is just as restrictive, and cruel, if not more.

It is therefore my recommendation that the minimum enclosure size is drastically revised (increased) to make enclosures are more humane, more in line with the spirit of the law, and less contradictory to other parts of same law.

During several meetings held in 2021 the main worry about implementing this change was that dog sanctuaries including Ghammieri's rehoming centre might fall short of providing this space due to overcapacity issues. It was my recommendation that when changed, the law would specifically indicate that the new sizes apply to permanent dog dwellings and not temporary ones as are shelters.



3. Prohibit the permanent keeping of dogs in isolation (recommendation made in March 2021)

Dogs are highly social animals who seek human companionship over everything else. The Animal Welfare Act (CAP 439), takes this into consideration when it rightly so refers to the universally accepted five freedoms.

Sadly, many dogs in Malta and Gozo are kept on roofs, yards, and garages either in complete isolation or with very little human interaction. They can develop severe emotional distress and sometimes even physical conditions.

Lack of social bonding often leads to a depressed immune system which increases the chance of illness. In essence, left in isolation, even when provided with adequate shelter, food and water, can lead to weakness, aggression, depression and poor health. In addition, dogs left alone on roofs, yards and garages are the number one cause of animal-related public disturbance.

CAP 439 (8)(4) of the Animal Welfare Act clearly states that suitable housing and adequate environment should be always provided, for all animals.

Given that a dog is a domestic animal that craves human companionship, a suitable environment should be interpreted to include adequate human companionship, and a yard, a garage or a roof should not be considered adequate, and the law should be amended to reflect this very specifically.



4. Cub petting in zoos should be stopped (recommendation made in March 2021)

Zoos allow wild cubs to be pet and bottle-fed by the general public including children. This is usually advertised at a price and offered with a photo opportunity.

As stated in a report written by Commissioner Denis Montebello, in collaboration with Four Paws International, back in August 2020, "...the petting of wild cubs, has no conservation benefits, is of no benefit to the animals and could cause psychological and sometimes even physiological problems long term."

Unlike domestic animals, even if a wild animal is born in captivity, their species requirements have not developed to a point where direct interaction with the public can be beneficial in any way.

Therefore Regulation 4(8) of the Draft Legal Notice (The Keeping of Wild Animals in Zoos Regulations) should revert back and published how it was originally proposed on 9-11-2020

It should read as per below and enforced accordingly :

"The zoo keeper will be responsible for the health and welfare of the animals under his care. For this reason, no animal or cub will be exposed to or handled by the public with the scope of petting or taking pictures or any other interaction, since this may compromise the normal mother/cub relationship and may also compromise the psychological integrity of the animal and the safety of the public."



5. Regulate animal trainers, groomers and pet sitters (recommendation made in June 2021)

To date there is nothing that regulates animal trainers, groomers and pet sitters.

All are 'trusted' with the welfare of animals, but because of this lack of regulation there are many who call themselves trainers and groomers without the adequate background, education, or experience.

Strictly speaking, these professions are so unregulated that a person with a proven history of animal cruelty could very well operate as a trainer, groomer or pet sitter without detection.

Whilst many certifications are available for people in these fields, none of them are vetted or standardized. Above all, none are required by law in order to provide these services.

Without such regulations and licensing, animals and humans cannot be kept safe.

Unqualified and inexperienced trainers, groomers as well as pet sitters can easily expose animals to injurious or damaging treatment.

Many questionable training methods are advertised on Facebook, giving rise to concerns that animals (particularly dogs) are being trained to be aggressive or even to perform in illegal dog fights.

Bite work training for dogs is one such example. Bite work means teaching a dog to bite on command and is only useful for police dogs. In the wrong hands, it can result in aggressive impulsive dogs that can cause some real damage to both humans and other animals. Sadly, when this happens, dogs are then put to sleep, paying the ultimate price for human's irresponsible behaviour.

The same applies for animal groomers. Whilst there are many dedicated, passionate and skilled groomers on the island, it has long been suspected that some groomers use sedatives and questionable restraints whilst grooming.

Pet Sitters have long been a bone of contention – whilst pet boarders are regularised, pet sitters are not even defined in the law, which gives rise to lots of abuse and concerns.

It is my recommendation that all these professions are tightly regulated, requiring minimum certification and experience / practice hours and minimum standards for licensing. Regulation should be ongoing – requiring renewal every year.

In addition, the venue where the activities are held should also be regulated and licensed as any other Para-Veterinary Professions like pet shops and veterinary clinics. A minimum requirement should include the installation of CCTV cameras with recording functionality wherever animals are being kept.



6. Right to enter a private property to save an animal in distress (recommendation made in June 2021)

At present there is no specific law that clearly allows for police officers or AW officers to enter property (without a warrant or without giving the owner 24 hours' notice) with the purpose of saving animals trapped in a private property.

This means that when animals (most often cats) are somehow trapped in a property whose owner cannot be traced, the police are not empowered to enter that property to save said cat/animal and have no choice but to leave it to die a slow and painful death, usually as a result of injury, starvation, and dehydration.

This is categorically against the Animal Welfare Act CAP439 which clearly states that "...animals shall not be caused any unnecessary pain, suffering or distress..."

Whilst the Criminal Code 355E provides for various scenarios in which the Police do not require a warrant from a Magistrate or permission from the property's owner, to enter any premises, house, building, or enclosure, these scenarios do not include the urgent need to save a stray animal's life.

In addition, an injured animal that is likely to die and start to decompose soon becomes a Public Health issue. In this case, The Public Health Act CAP 465 ART6(2b), authorises officers to enter into a property for public health-related reasons and may forego giving a warning if "such notice would defeat the objective of the intended exercise."

It is my recommendation that the Animal Welfare Act is amended to give the Director of the Animal Welfare Directorate the authority to declare a situation urgent, thus giving police the authorisation to enter premises to save an animal even when the owner of said property cannot be traced.



7. Regulate the breeding of dogs (recommendation made in September 2021)

The current legislation SL437.101 which regulates the breeding of dogs is very vague and very loose making it almost impossible to enforce. This gives lots of leeway for irresponsible breeders to take advantage of the situation for financial gains and puts responsible breeders in a bad light. Facebook, Maltapark and other portals are flooded with posts of dogs for sale with most advertisers being unregistered unlicensed breeders.

As per current legislation, anyone breeding up to 4 litters a year (dogs) does not need to be registered or licensed. This means that a household of three adults can legally breed and sell 24 puppies each, that's more than 70 puppies a year with no legal regulatory framework. In addition, DNA testing is not obligatory, which makes inbreeding and exploiting the same bitch easier. This often results in genetic defects and lifelong suffering both for the animals affected and their owners.

The Animal Welfare Council has proposed various changes and improvements to the existing law on breeding. My recommendation is that these are implemented without further delay and proactively enforced via a collaboration with the two local dog clubs. An educational campaign should also kick off before the law comes into effect to give current unregulated breeders a chance to adjust,

I believe that among other changes being proposed by the Animal Welfare Council, these four will make a big difference in the current scenario are:

- Anyone selling even one puppy/animal should be registered and regulated.
- Parental DNA testing should become obligatory for the sale of any pure breed dog.
- The sale and purchase of any animal should be taxed accordingly.
- Tighter controls or a temporary pause on the breeding and importation of Pitbulls and Pitbull mixes. This breed makes up one of the highest percentages of dog breeds in shelters and are the hardest to home.



8. Electronic Microchipping of pet cats (recommendation made in September 2021)

Whilst dog owners are legally obliged to microchip their dogs (SL437.101), to date it is not obligatory to microchip pet cats. The possibility has been on the discussion agenda for years, but to date, it is still not a legal obligation. To exacerbate the situation, it is very common for cat owners to allow their cats to roam outside their property making it even more important to be able to identify cats through electronic microchipping.

Our experience with dogs has proven beyond any doubt that electronic microchipping is the only permanent method of identifying pets, the best way of ascertaining ownership and the most effective way of curbing abandonment. With electronic microchipping not being a legal obligation for cat owners, when cats get lost or injured it is almost impossible to trace their owners. It also makes it very easy for an owner to abandon their cat, and in some cases, feeders are stopped from neutering stray cats by people who claim ownership without proof.

Compulsory microchipping of cats has been introduced in different parts of Europe and Australia. The UK also introduced the microchipping of pet cats as a legal obligation in May of this year (2021). My recommendation is for this to also be introduced in Malta as part of a bigger action plan for animal welfare and curbing the overpopulation of cats. Microchipping is safe, effective and lasts a lifetime. It also encourages responsible ownership and helps cats reunite with their owners when lost or injured.



9. Improvements to the electronic identification system (recommendation made in May 2021)

Currently, SL.437.101 requires that any person in possession of a dog has to electronically identify (microchip) the dog by the time it reaches 4 months of age. In addition, any person convicted of cruelty to animals shall be forbidden from owning a dog or applying for a further dog license for such period as may be decided by the court. At the moment it is not obligatory to microchip pet cats, but some owners still choose to. In PL's electoral manifest 2022, it has been promised to introduce the obligatory microchipping of pet cats shortly.

The Problem:

- Only one person can be registered to every electronic microchip. Even in the case of married couples who buy or adopt a dog together, legally it is only one person that is recognised as the rightful owner of the dog.
- When a dog's microchip is transferred from one owner to another, the original owner is not officially advised that the transfer has been affected. This sometimes results in the transfer not going through, and the original owner not being aware.
- When responsible owners microchip their cats, they are not officially informed that the registration was affected, and do not receive an official license. In some cases, unbeknown to them, it would not have been processed at all.
- There is currently no automatic trigger that flags a name in order to forbid a person convicted of cruelty to animals who has been forbidden from owning a dog or applying for further dog licenses from doing so anyway.

My recommendations are the following:

Enforcement of SL. 437.101 through administrative fines should be strengthened and enforcement efforts advertised. This will act as a deterrent and an educational exercise for all dog owners.

Those who voluntarily choose to microchip their pet cats should be notified officially and receive an official certificate.

When a dog's or cat's microchip is transferred from one owner to the other, both the original and the new owner should be notified when the transfer goes through.

'Black listed' individuals who have been forbidden by the courts from owning a dog or other animals, should be included in a database that is digitally synced to the microchipping database and programmed to automatically trigger an alert when someone on the blacklist attempts to microchip an animal in their name.



10. Accelerated and emergency court hearings.

Currently, court cases can take years to conclude. Hearings are often deferred for various reasons, many a time as a time-buying exercise on the part of the accused, and sometimes as is normal practice by the courts.

Often, when a court case related to animal welfare issues is ongoing, animals are either in custody of Animal Welfare, or in foster care. In some cases, they cannot be adopted out and sometimes they are still with the accused. Even when animals are confiscated other (new) animals are brought in by the accused. This means that until the court case is finalised animals might still be suffering.

A perfect example of this is the case against Antoine Vella when in November 2019, the case was deferred by the court by three months (120 days) leaving 50+ dogs to suffer the unimaginable until it was finally decided that Mr Vella was guilty, and the dogs were seized.

It is my recommendation that court cases involving live animals should be accelerated and heard with urgency, to avoid elongated suffering and further abuse.



11. Facilitate pet air travel and make it less cruel

Some airlines (including Airmalta) accept small pets under 10kg to travel with their owners in the plane's cabin. Although this is step in the right direction, the policy is in itself cruel and should be improved.

The situation is per below:

Travellers pay a minimum of €140 for a pet to fly in the cabin with them

Despite this significant payment pets do not get a designated seat and are meant to remain closed in a bag, between the owner's legs, in the space under the seat in of them, for the entire flight

Whilst the policy says that the container must be big enough to allow the pet/s to stand up, turn around and lie down safely and comfortably, that no part of the pet may extend outside the container, and that the pet must be small enough to fit and stay comfortably in its container under the seat in front of its owner, the policy also dictates that the container must not measure more than 40 cm x 34 cm x 20 cm. This makes it impossible even for a dog as small as 5kg to move around.

It is my recommendation that pets should be designated a 'human' seat even if they are to be kept confined in a bag. If a human seat is designated to them, the bag can then be big enough for them to travel comfortably.

The space underneath the seat in front of a traveller belongs to that traveller and has already been paid for by the human's ticket. Since the pet owner is paying a significant additional fee, then additional space should be allocated for the pet.

For more information, photos and videos see [this link](#)



12. Other ideas:

- a. Karozzini – time ban should be extended to whenever the temperature is over 30 degrees Celsius.**
- b. Arrangements need to be hastened to make the confiscation of illegal or badly kept exotic animals from private collectors or zoos, possible.**
- c. Dogs with cropped ears - the onus of proof should shift on to the owner. Owners of dogs with cropped ears should have to prove that the procedure was legal.**



Consultative Question 2 :

What key developments and codes of practice that are crucial to improving animal welfare would you like to see in place in the new set-up and/or introduced in the current operations?

There are several key developments and codes of practice that need improving to improve current operations. Some of these have already been highlighted in official recommendations made by my Office in 2021. They are being listed and shortly explained again hereunder.

1. Adequate Human Resources for The Animal Welfare Directorate (recommendation made in June 2021)

Back in 2019 my predecessor Commissioner Denis Montebello wrote a very negative report on the state of Ghammieri's rehoming/holding centre and the general service provided.

Since then, an upgrade in the dog pen's area was affected, as well other improvements in the service itself however, Ghammieri's rehoming center and AW's service, are still not up to standard. Whilst various much-needed upgrades are already in the pipeline including the upgrade of the 1717 emergency service, the creation of an outdoor area for the dogs, a new cattery, and an upgrade of the cat clinic, ***the biggest issue remains the lack of proper human resources.***

Whilst a small number of animal welfare officers are doing their best to provide a good service and avoid animal suffering, there is not enough of them to cope with the high demand for the service, and with the quality standard that is expected of the directorate.

It is hypocritical and counterproductive if the enforcer and regulator of animal welfare is not in a position to provide the highest quality service, let alone, as is the case sometimes, not even a basic one.

It is my recommendation that a call for 8 posts (to cover 24-hour shifts) of animal welfare officers is issued whereby candidates would only qualify for a 'fixed position' after following and successfully qualifying from a two-year internal course provided by the directorate itself. The call should be an external one because internal calls limit the quantity and quality of applicants

Since the responsibilities of Animal Welfare Officers can mostly be met by having the right attitude and the right animal-care philosophy, academic entry requirements should be kept to a minimum in order to encourage applicants.

Eligibility requirements should include :

- The ability to communicate in Maltese and English, both written and verbal
- Computer literate (ECDL or equivalent)
- A clean police conduct and a valid driving license
- Candidates would also need to sit for a psychometric test

This will drastically improve the quality of service, regain public trust, and above all, significantly reduce animal suffering.



2. Improve the Ambulance (1717) service (long standing and ongoing recommendation dating back to 2019)

The 1717 service is meant to be a one stop shop to obtain information, to report abuse, and to request an ambulance to collect injured or abandoned animals. This is meant to be a 24/7 service that is available to the general public.

All aspects of this service have been performing below standard levels for years :

- a) The telephone service itself is sub-standard with many occasions when the phone lines do not work.
- b) The staff manning the service are often uninformed, rude or unempathetic towards the caller.
- c) The physical ambulances used to fulfill this service are sub-standard, sometimes breaking down all together, others have no AC, beagle lights or sirene.
- d) The response time of the ambulance is at best more than an hour.
- e) Some staff members manning the ambulance have had no training in handling injured animals, and have no natural inclination in doing so.
- f) Updating the public with follow ups of cases is very scatchy, sometimes leaving the public with no information about their case.

Once improvements have been implemented to the 1717 call service, a feedback survey should be sent to all users (immediately after a call) asking them to rate the service from 1 to 5. In this way call agents will feel accountabl for their work, can be rewarded for good performance and management can easily figure out what's working and what isn't. A short rating survey can be sent to all callers automatically, as soon as they hang up from the call.

Officers responding to 1717 calls with the ambulance or as an inspection should be carrying visible identification in the form of a number that is unique to them. Once again this creates automatic accountability through easy identification.



3. Improve AW's Enforcement Unit (long standing and ongoing recommendation dating back to 2019)

Whilst we are always encouraging people to report potential abuse, AW's enforcement unit has long been struggling to perform at adequate levels. Whilst some improvement has been witnessed in the last few months, it is still clear that the service is not yet up to standard.

1. Reporting a case through 1717 presents itself with the issues mentioned in the previous page.
2. Reporting a case through AW's generic email, many a time results in no acknowledgement or no updates on the case.
3. Sometimes it can take weeks or months for an inspection to be held.
4. Sometimes inspections are not conducted due to lack of space making confiscations impossible and as a result rendering AW's enforcement unit toothless.
5. Inspections held at reported sites, many a time leave much to be desired - some staff members are unmotivated, uninterested and untrained to perform the job adequately.
6. Sub-standard court proceedings and presentation of evidence often leads to lost or dismissed court cases.
7. In some cases, perpetrators are pre-warned that an inspection is about to be held, giving them time to 'arrange' things.
8. A legal aid (procurator or similar) needs to be rehired at AWD to assist officers and inspectors with all AW related cases.



4. Improving and increasing dog-friendly beaches (recommendation made in September 2021)

There are 10 official dog-friendly beaches - 8 in Malta and 2 in Gozo. These are the only ones approved and certified by Environmental Health. But many of these beaches are not ideal for dogs to swim in, are hard to reach and are inaccessible even for people with slight mobility issues. The problem is especially severe in Gozo. In addition, in most of these beaches there are no signs indicating that they are dog-friendly, and no dog litter bins in sight. Whilst dogs can also be taken to other areas that are not official bathing zones, the rules and regulations around this are too complex and too vague for dog-owners to be held responsible should they 'get it wrong,' yet, the penalty for doing so is astronomical - as per SL465.09 Art 19, breaking this law the first time carries a fine of between €232 and €4658 and/or not less than six months imprisonment. On second conviction the fine goes up to a minimum of €465 and a maximum of €11,646 and/or not less than two years imprisonment.

It is becoming increasingly difficult and risky for dog owners to take their dogs to the beach with them. Whilst we encourage and educate treating pets like family members, making it so difficult for dog owners to have their dogs accompany them to the beach is counterproductive and contradictory. The main issue of the matter is water quality and beach profiles and whilst the upkeep of all this is extremely important for the Maltese Islands, a better balance needs to be struck. It is to be noted that dogs are legally allowed on all rocky beaches (except Blue Flag ones), but if the area happens to be a bathing zone, they are not allowed to swim. The main health concern is that dogs might defecate or urinate whilst in the sea. Needless to say, that whilst not impossible, this is highly unlikely occurrence because of the anatomical nature of dogs.

My recommendation is to:

- Install clear signage on all 10 existing dog-friendly beaches.
- Clarify the 'no dogs' signs on rocky beaches - on rocky beaches that are bathing zones, dogs ARE allowed on the rocks, but not in the water. In many of these locations, however, the signs just say 'no dogs.' This gives the impression that dogs are not allowed on the rocks either which is misleading.
- Install ramps and handrails to make accessing the water easier for humans and dogs alike.
- Install dog litter bins in clear sight and signs for owners to be responsible.
- Increase the number of official dog-friendly beaches around the island by identifying non-bathing zones and proposing them to the Environmental Health Directorate and the Superintendence of Public Health for their approval. A few potential beaches have already been identified by my office. These are: St. Peter's Pool in M'Xlokk | Manoel Island | Marsamxett in Valletta, Ta' Xbiex Promenade and Marsalforn (Tal Menqa), Gozo.
- In highly populated areas that have many official bathing zones consider removing a bathing zone and turning it into a dog-friendly beach. Two areas identified through public feedback are Qawra/Buġibba and Gozo where dog owners many of whom move to these areas for the summer months, claim to have nowhere to take their dogs down for a dip.



5. More dog friendly run free spaces (recommendation made in May 2022)

Except for very few inadequate options, there are almost no dog-friendly areas where it is legal and safe to let a dog roam freely without a leash. In fact regulations 5(1) of SL439.21 and LS 312.01, both categorically prohibit this in every public place.

- There are very few adequate dog parks in which dogs are allowed to roam off-leash, which means that if the law had to be properly adhered to, dogs would never be allowed to express their natural behaviour of running, playing and socialising with other dogs. This in itself goes against one of the five freedoms of animals.
- Left with no legal and safe options to let their dogs run free, often leads dog owners to act irresponsibly by allowing their dogs to roam off-leash in public spaces where it is not safe to do so.
- Without the availability of such spaces, it is practically impossible to adequately train a dog basic obedience commands like, 'stay and wait' or the very important 'recall' command.
- It should be noted that on the first conviction, a breach of CAP439 carries a fine (multa) of not less than €2,000 but not exceeding €65,000.

It is therefore my recommendation that more dog-friendly run-free spaces (including dog-friendly beaches) need to be created in order to give dogs the freedom to be dogs, socialise safely, and the chance to express their natural behaviour.

These spaces need to be easily accessible in urban areas and with small and big dogs in mind to provide quick remedies should a fight break out. Spaces should not be so large that owners can lose sight of their dogs (as is the case of Ta' Qali). They need to be bordered off into smaller areas for fewer dogs in each and where an owner can remain close enough (100 to 200 sqm).

Rules such as the number of dogs allowed in the area at any one time should be clearly displayed, and CCTV cameras should be set up to avoid fouling and other indiscretions.

If we truly want to pass on the message that dogs are to be treated as part of the family, it should not be made so difficult to enjoy free time with our dogs. With €700 million being invested in green and open spaces (PL electoral manifest 2022), dogs and their needs should be kept in mind, so that they can truly be treated as a family member.



6. National Census of Captive Animals in Malta and Gozo (recommendation made in May 2022)

In Malta, a population census is carried out every 10 years, and every year since its conception, it has omitted a very important piece of information – the number of animals living in captivity under the care of humans. This means that we have no idea how many domestic and exotic animals are on the island and the different species that have been imported and bred locally over the years.

Censuses are a very valuable and useful data source for policymakers. Having no information about the animals that form part of our society and communities, means that animals are either ignored completely in policymaking or that policymakers design policies on a best-guess basis. Both scenarios are unacceptable.

In addition: SL 439.19 (4) requires that a dangerous animal shall not be brought into a site before the required written approval is given by the Director of Veterinary Regulations. SL 439.19 (13) also requires that the offspring must be registered within four weeks from birth. AND SL437.01 (5) requires that no person shall keep a dog of the age of four months or over without a license. Whilst this is all good on paper, because of lack of enforcement even animals that require registration and licensing have increased and multiplied illegally over the years.

It is being recommended that with immediate effect a short-term amnesty is provided for the registration of exotic, dangerous, and wild animals currently under the radar.

With immediate effect - provide a positive incentive (eg. a limited time free microchipping service) for people to register and microchip their dogs.

Since it has been promised (PL electoral manifest 2022) to introduce the obligatory microchipping of pet cats in the near future, the same incentive should apply for the microchipping of pet cats.

Following the end of the incentive period, SL437.01 should be actively and strongly enforced.

In 2023 introduce a separate and obligatory nationwide animal census and in 2031 include animals in the existing 10-year national census.



7. Other ideas:

- a. Subsidized vet clinics / fees for selected sections of society (NGOs, Pensioners, Feeders etc)
- b. Incentivise and help sanctuaries to focus more on adoptions
- c. Random checks in public spaces for dog microchips
- d. Follow ups on adoptions
- e. International agreements with sanctuaries that house exotic animals in a close-to-nature habitats
- f. Incentivise businesses (eg. restaurants and accommodation providers) to become more pet-friendly
- g. Incentivise and support plant-based farmers more than animal-based ones
- h. Oblige all pet owners (can only be applied on microchipped ones) to submit a yearly vet certificate for each pet.
- i. 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.
- j. Publicize 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.
- k. Follow up on people who have been banned from owning animals by the court
- l. 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.
- m. Oblige anyone found guilty of animal cruelty or abuse to attend a course in proper and responsible animal care.
- n. Incentivize or obligate new pet owners to attend a basic 'responsible pet ownership' course, even if it is online.
- o. The issuing of admin fines should be advertised to act as a deterrent
- p. Introduce bereavement leave for the loss of a pet.
- q. Make travelling with pets easier. Currently small dogs and cats are allowed to travel in airplane cabins, BUT they are restricted to stay underneath airplane seats. See details in this [link](#)



Consultative Question 3 :

What specific educational initiatives in the area of animal welfare would need to be introduced and which measures would need to be enhanced and sustained to guarantee a higher level of awareness?

1. Educating the general public

The strongest educational initiatives are currently being aimed at children. We will hopefully see the effects of this in the long term, however, with immediate effect, educational initiatives should start being aimed at older generations, such as parents and the elderly, starting with pet owners. Most of the neglect and abuse that the AW Directorate comes across boils down to old mentalities and antiquated practices when it comes to animal care. It would be ideal if all new owners are legally obliged to obtain a basic certificate in animal care as part of their license requirements.

Basic educational units should include:

- a) Responsible care of the most popular pets (dogs, cats, rabbits, horses)
- b) What constitutes abuse and neglect
- c) The law – are the consequences of breaking the Animal Welfare Act
- d) The importance of adoption vs shopping for animals
- e) The importance of neutering your pet

These educational initiatives can take various formats – from face-to-face talks and lectures, to online and broadcast campaigns.

2. Educating specific stakeholders with relevant info

Besides the general public, I recommend targeting also specific stakeholders with specific educational campaigns eg. Members of Parliament, the Judiciary, Local Councils, NGOs, Veterinarians, Kennel Clubs, Breeders, Educators, Trainers, Groomers, Pet Sitters, Farmers, Animal Welfare Officers, Zoo Keepers, Abattoir workers.

3. Educate with the truth and let people make up their own minds

- a) Explain how cow's milk is produced – artificial insemination, separation of calf from mother, the continuous cycle
- b) How do farm animals get pregnant and how do they give birth?
- c) Show the minimum standards of space for each farm animal
- d) Show the transport and slaughtering process

4. Include educational (animal-related) messages in local drama scripts

Plan with local drama producers to include educational animal related themes in their scripts. Messages through indirect media such as this can be more effective than direct promos or PSAs. These could include messages about caring for animals such as walking dogs, not keeping them isolated, picking up after them etc.



Consultative Question 4 :

What should be the role of non-Government organisations (NGOs) and research or educational institutions in the field of animal protection and welfare in the Maltese Islands?

It is my recommendation for the Government to partner with NGOs to continue providing the current services (rehoming,) and also to co-manage other services as listed hereunder :

- a) Emergency Service Back Up
- b) Enforcement Back Up
- c) Outreach Programmes
- d) Neutering Programmes
- e) Help Line



Consultative Question 5:

How can primary producers be supported in any efforts made to increase animal welfare?

- a. **Increase the minimum standards of acceptable animal welfare practices.**
- b. **Incentivize primary producers to introduce higher levels of animal friendly and animal welfare practices.**
- c. **Penalise primary producers who resist animal friendly and animal welfare practices.**
- d. **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

e. Separate responsibilities

There should be two separate entities - one responsible for the protection of farmers and the farming industry, and the other responsible for the protection of animals and their welfare. The two are intrinsically conflicting and cannot effectively be dealt with by the same entity.

- f. **Introduced fiscal incentives to encourage plant-based consumption over animal-produce eg. lower vat (or no vat) for plant-based milk etc.**



Commissioner's Final Note

As this report clearly indicates, most of the recommendations made herewith had already been passed on to the relevant authorities in 2021 or before. Some were already overdue back then and are obviously even more than urgent now.

Whilst a public consultation is welcome and a National Animal Welfare Strategy is needed, there are very critical and pressing matters that need to be dealt with without further delays.

The longer it takes to implement these matters, the longer suffering, neglect, and abuse will continue.

In conclusion, the below should be tackled with immediate effect and with urgency:

1. Improvements or overhaul of the Animal Ambulance and 1717 emergency service
2. Improvements and strengthening of AWD's Enforcement Unit
3. Breeding Regulations
4. A stronger cat neutering solution (interim to awarding of tender)
5. Zoo Regulations

Alison Bezzina
Commissioner for Animal Welfare

