



# **Investigation into the case of Pixie**

*A Pitbull mix whose private  
adoption failed and where AWD's intervention  
was subsequently sought by activists.*

**Office of the Commissioner  
for Animal Welfare**

*A few names including that of the dog involved have been changed or omitted for privacy purposes.*

**January 2023**



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## Background leading to the investigation

Following a public Facebook post shared by Ms Moira Delia on the 21st of December 2022, (see below) Permanent Secretary Sharlo Cammileri, on behalf of Parliamentary Secretary Hon Alicia Bugeja Said, requested an investigation by The Commissioner of Animal Welfare into the case referred to in Ms Delia's post.

**Moira Delia** 20 h · 🌐

Animal Welfare Department refused to confiscate this poor dog because in their opinion this was not an urgent case - Dog surrounded in feces & without any shelter! So animal activists Maxine & Althea (2 super women) decided to do the job themselves and rescued this baby! They managed to convince the owner to give up the dog! Tonight she will be sleeping in a safe and warm environment as it should be. So what happens next Minister [Anton Refalo](#), Seg Parl Alicia Bugeja Said? Is this ok with you?? What about the other cases we report, if this is considered as 'not urgent'?! It is worth noting that this inspection was carried out from the roof of the property! To [Max Ine](#) & [Althea Galea](#), you go girls 🙌❤️🙌 THANK YOU!



## **Sources of information**

CAW requested a report with feedback from AWD Director – Patricia Azzopardi. This was received on the 24th of December, 2022.

CAW contacted Ms. Moira Delia for an explanation of her post. She explained that she had shared second hand experience as recounted to her by Ms Maxine Borg and Ms Althea Galea, and that since they were directly involved, they would have more detailed information about the case.

CAW requested a detailed report from Ms Althea Galea and Ms Maxine Borg who were mentioned in Ms Delia's post. Reports on their version of events and involvement in the case were received on the 30th of December, 2022.

CAW interviewed all the AW Officers involved in the case - Ms Fiorita Sammut and Mr Mario Axisa were present during the first inspection of the 21st of December, 2022 (approx 3:15pm) and Mr. Raymond Cutajar and Mr. Andre Xuereb were present during the second inspection on the evening of the 21st December, 2022 (approx 10pm)

CAW interviewed Ms. Jane Smith - the person who had 'brokered' Pixie's adoption through Facebook.

CAW interviewed Ms. Jane Doe – the person who first spotted Pixie and reported the state that she was being kept in, to Ms Smith



## Summary of findings

- A few days before the 20th of December, 2022, Ms Jane Doe noticed a new dog (a young Pitbull mix) in a yard. She noticed that for days, the dog had been kept in complete isolation in an outside yard, with no shelter, no bedding and no adequate food and water. The dog was also surrounded by thorn pieces of foam and days-old faeces.
- Ms Doe's past experience with AWD led her to believe that had she to report to Animal Welfare no action would be taken.
- A few days later Ms Doe came across an old Facebook post, that was posted by Ms Jane Smith with a dog that looked like the one she had been seeing in the yard.
- Ms Smith had posted the post to advertise that Pixie was up for adoption. To verify if the dog in the yard was the same dog, she tried calling it by this name. The dog's reaction confirmed that it in fact the same dog.
- Ms Doe knew Ms Smith personally and therefore contacted her directly to inform her that Pixie was being kept in a bad state.
- Ms Smith explained that since then Pixie had been adopted (about two weeks earlier). Feeling angry and betrayed by her adopter, Ms Smith, called him to confront him about Pixie's state.



- Ms Smith admitted that she had never met the adopter in person and had only interviewed him over the phone. She drew his attention to Pixie's state and he promised to fix things and to improve Pixie's environment immediately.
- Following this conversation with the adopter, Ms Smith asked Ms Doe to keep an eye on the dog.
- Ms Doe did not see any improvements and reported back to Ms Smith.
- This is when Ms Smith contacted Ms Maxine Borg (a known animal activist) to help her file a report requesting a confiscation by AWD.
- On the evening of the 20th December 2022 Ms Borg sent an email to AWD. The report included a lot of details to help facilitate and hasten matters. Ms Borg requested an urgent inspection/confiscation of Pixie.
- In her email Ms Borg provided AWD with the adopter's contact details and working hours (6am to 10pm.) She advised AWD not to 'warn' the new owner of an inspection as that would give him time to hide the evidence.
- Ms Borg also claims to have verbally informed Director AWD that should Pixie be confiscated, a foster home was waiting for her. This meant that AWD would not be burdened with having to find pen space – a long standing issue that interferes with confiscation decisions.



- AWD only took note of the email report on the morning of the next day (21st December 2022). At this point no acknowledgment was sent to Ms Borg.
- On the day (21st Dec), Animal Welfare were short staffed and there were no officers available for inspections. To mitigate this situation the ambulance staff were instructed to try to fit in this inspection in between calls. Again no update was sent to Ms Borg.
- Animal Welfare Officers Fiorita Sammut and Mario Axisa got to the inspection at around 3:15pm.
- At this point, 18hours (which included one full night) had already passed since the report was filed with AW. The reporter (Borg) and other activists who were aware of this case, were growing increasingly worried, impatient, and frustrated.
- Once on site, officers did not find the owner at home, but Ms Doe offered them access to the roof from where they could see Pixie from afar.
- The Officers noticed that the dog's environment was inadequate and dirty but also concluded that, at least from where they were standing, the dog seemed to be in good health, not injured and with a good body score.
- Ms Doe informed the officers that Pixie had been given to this new owner only a couple of weeks before by Ms Smith, through an adoption via Facebook.



- AWD left the premises without committing to a confiscation or a follow up inspection with Ms Doe.
- Ms Doe informed Ms Smith that AW Officers had been on site, that they had seen Pixie only from the roof, and that they gave her the impression that they would not or could not confiscate the dog.
- When back at the office, Officer Axisa called Ms Smith to ask if (as Ms Doe had claimed) she was in fact responsible for Pixie's adoption. This was confirmed by Ms Smith and Officer Mario Axisa explained that she should first try to get the dog back herself without involving Animal Welfare. He also stated that should she fail to reason with the owner, AW would then get involved.
- Ms Smith argued that this was not her job, that she was afraid that the adopter would react badly, and that AWD should forcefully confiscate her. Officer Axisa insisted again that it was Ms Smith's responsibility to try to get the dog out with no fuss and that if the adopter resists or refuses, AWD would gladly get involved.
- At the end of the conversation Ms Smith reluctantly agreed to try to retrieve Pixie herself. This was confirmed by two officers and Ms Smith herself.
- According to AWD Officers Ms. Smith also promised to revert back to Animal Welfare with the outcome.





- However, Ms Smith felt let down by Animal Welfare,- a feeling that was clearly not related to this one case, but stemming from previous experience, and still scared to contact the owner herself, she referred to Ms Maxine Borg for help.
- Ms Smith told Ms Borg that AWD refused to confiscate Pixie and that the Officers had requested that she tries to get the dog out herself.
- According to Ms Borg, Ms Smith omitted to tell her that she (Smith) had in fact agreed with AWD to try to get the dog out herself, and that should she fail AWD had agreed to get involved.
- Not knowing the full story, Ms Borg got very angry and privately shared her feelings with other activists including Ms Delia and Ms Galea.
- Not wanting to let Pixie spend yet another night outdoors in December temperatures, Ms. Borg and Ms. Galea (another activist) agreed to try to get Pixie out themselves.
- Ms Borg and Ms Galea arrived at the address on the 21<sup>st</sup> December 2022 a little bit before 10pm. Pixie's owner was not home so Ms Galea and Ms Borg called him on his mobile and asked him to go over to the house. He immediately agreed and he turned up in a few minutes. He voluntarily let Ms Borg and Ms Galea into the house, and they found Pixie in the yard surrounded by lots of faeces, no food, and no shelter. When confronted about the dire conditions, the owner admitted negligence and did not resist to surrender Pixie. A few minutes after 10pm, Pixie was taken out of the house and driven to her foster home by Ms Galea and Ms Borg.



- Ms Borg felt frustrated and angry. She felt that this was not her job but was left with no choice but to help the dog. Based on this and with no direct feedback or update from Animal Welfare, she once again privately shared her experience with other activists including Ms Moira Delia.
- During all this time, Ms Delia was following the story via Ms Borg's messages, and also felt very angry at the situation. Whilst she would have preferred to get AWD's side of the story as well, based on experience she believed that AWD would not respond to her query. Delia in fact claims to have experienced a complete breakdown in communication with AWD who at the time were refusing to give any updates on cases to activists. She therefore did not try to get AWD's side of the story and simply posted her feelings on Facebook in the hope that it would trigger action/change and feedback.
- Unaware that Pixie had been taken by Ms Galea and Ms Borg, and despite not having heard back from Ms Smith, Animal Welfare's evening shift Officers (Mr Raymond Cutajar and Mr Andre Xuereb) were instructed to go back to the address a little bit after 10pm. The intention was to check on Pixie when the owner was home.
- Before knocking on the door they first went on the roof to check if the dog was still in the yard. The dog could not be seen. They then called the owner and asked about Pixie. He informed them that the dog had been taken away just a few minutes before by friends of Ms Smith. The officers then called Ms Smith to verify that this was in fact true, and Ms Smith confirmed that it was.



## **Conclusive Remarks**

This was clearly a classic case of bad rehoming/adoption practices, general miscommunication, and the long-standing issue of lack of human resources at AWD.

### ***Bad rehoming/adoption practices***

1. Ms Jane Smith affected Pixie's rehoming over a phone call. She interviewed the potential adopter at length but never met him, and never conducted a house visit. This is bad practice which even Ms Smith readily admits to.

### ***Miscommunication***

2. Upon learning that Ms Smith was responsible for Pixie's adoption, AWD contacted her (Smith) with direct instructions to try to get the dog out herself. Whilst this was the correct course of action, Ms Borg, who was the one to file the report with AWD, was not in any way updated or contacted by AWD. This meant that Ms Borg's only source of information about the case was from Ms Smith. In fact, although reluctantly and under duress, Ms. Smith had agreed with AWD that she would try to get the dog back herself and that she would revert to AWD should she fail. After agreeing to this however she contacted Ms Maxine Borg for help and omitted to tell her that AWD offered to get involved should she fail to retrieve Pixie herself. This created a ripple effect of miscommunication, which caused both AWD Officers as well as activists to take actions and decisions they would otherwise not have taken.
3. When it comes to responding to queries, questions and updates, AWD has long been falling short of the public's expectations. Updates to reporters are either non-existent,



lethargic or very limited in detail causing even more cause for suspicion. Over the years this lack of communication on behalf of AWD has led many people to revert to activists to pursue their cases :

- Ms Jane Doe did not even bother to report the case to AWD thinking it would be a waste of time.
- Ms Smith claims that had she not experienced this treatment from AWD she would have reported the case directly and not gone through Ms Borg.
- This experience was substantiated by Ms. Delia who claims that communication with AWD had disintegrated and had it not she would have sought AWD's side of the story before publishing a post on Facebook.

#### ***Lack of human resources at AWD***

4. For many years Animal Welfare has been struggling with inadequate human resources. Not having the required manpower to run the enforcement unit or ambulance service is pretty much the order of the day. Had AWD not been short-staffed on the 21st of December, 2022, this inspection is likely to have been conducted in a more timely manner and not 18 hours after the report was lodged. This would have avoided further suffering for Pixie and caused less frustration and anger with the activists.



### **Commissioner's recommendations**

1. People conducting rehoming and adoption services should receive compulsory training and be obliged to follow a standard process including the minimum requirements that one must follow to increase the chances of a successful adoption. This process and the adoption itself should be overseen by AWD or by an NGO.
2. In cases where an animal is in imminent danger of injury or serious suffering, there should be an emergency inspection service that operates around the clock. Although Pixie's life was not at stake, having had to spend another night outdoors in December temperatures and when it could have rained, was cruel.
3. Updating reporters on their cases has long been a bone of contention between activists, reporters, and the AWD. A timely, clear, and effective process needs to be set up and adhered to. Had AWD updated the reporter (Ms Borg) directly, the confusion is likely to have been avoided altogether.
4. When AWD conduct an inspection and the issue is only with an animal's environment, it is normal procedure for AWD to first try to get the owner to fix things. If the dog is in good health it is not normal procedure to confiscate the dog or to fine the owner upon the first inspection. In fact standard AWD procedure is to give the owner a verbal warning and a stipulated amount of time to fix the dog's environment. Whilst this is good practice when a law has just been introduced, it is counterproductive when the law has been established for a while. It simply creates more work for AWD, makes the Directorate look spineless, and encourages owners to take a chance with breaking the law until caught. As with all other laws, when the AWD Act is breached, a punishment



should be meted out immediately. Confiscation can be delayed and owners should still be given a stipulated time frame to better their dog's environment, but an administrative fine or some kind of punitive measure should still be taken during the first inspection.

5. AWD's reputation of not responding appropriately and in a timely manner needs to be addressed and then advertised. The first step needs to be the engagement of additional human resources for pivotal roles. No re-branding exercise will restore people's faith in AWD without significant improvement in the service first.

A handwritten signature in blue ink that reads "Alison".

**Alison Bezzina MA (Lond)**

**Commissioner for Animal Welfare**